



CONSULTATION

Brookfield Rail Pty Ltd Floor and Ceiling Cost Determination

INVITATION FOR PUBLIC SUBMISSIONS

The Economic Regulation Authority is seeking public comment on the Authority's determination of floor and ceiling costs for certain routes on the railway network managed and controlled by Brookfield Rail Pty Ltd (BR).

BACKGROUND

Schedule 4 of the *Railways (Access) Code 2000* (Code), requires the Authority to approve or determine floor and ceiling costs for any railway routes subject to third party access requests.

BR received an access proposal from Co-operative Bulk Handling Ltd (CBH) on 10 December 2013. In accordance with clause 10 of Schedule 4 of the Code, BR has notified the Authority of its determination of floor and ceiling costs relevant to CBH's proposal.

BR has advised that the material it has provided to the Authority is confidential. In accordance with section 50(3) of the Code, the Authority is therefore not able to publish that material.

Clause 10 requires that the Authority either approves the railway owner's determination, or determine the relevant costs within 30 calendar days from receiving BR's determination. The Authority has received permission for an extension of this time limit from CBH. In accordance with clause 11(2), the Authority must now approve BR's determination of costs, or make its own determination by 7 March 2014.

PUBLIC SUBMISSIONS

Interested parties are invited to make submissions on matters relevant to the determination of costs for the routes on BR's network which may be of interest to CBH. Submissions will be received until **4:00 pm (WST) on Monday, 3 February 2014**.

Submissions should be marked to the attention of Assistant Director Rail.

Email address: publicsubmissions@erawa.com.au
Postal address: PO Box 8469, PERTH BC WA 6849
Office address: Level 4, Albert Facey House, 469 Wellington Street, PERTH WA 6000

CONFIDENTIALITY

In general, all submissions from interested parties will be treated as being in the public domain and placed on the Authority's website. Where an interested party wishes to make a submission in confidence, it should clearly indicate the parts of the submission for which confidentiality is claimed, and specify in reasonable detail the basis for the claim. Any claim

of confidentiality will be considered in accordance with the provisions of Section 50 of the Code.

The publication of a submission on the Authority's website shall not be taken as indicating that the Authority has knowledge either actual or constructive of the contents of a particular submission and, in particular, whether the submission in whole or part contains information of a confidential nature and no duty of confidence will arise for the Authority.

For further information contact:

General Enquiries

Jeremy Threlfall
Assistant Director Rail
Ph: 08 6557 7900
Fax: 08 6557 7999

Media Enquiries

Des Riley
Riley Mathewson Public Relations
Ph: 0412 038 166
Fax: 08 9381 3877

LYNDON ROWE
CHAIRMAN

6 January 2014