

Decision on Non-Material Revisions to the Revised Access Arrangement for the Dampier to Bunbury Natural Gas Pipeline amending the Access Requests and Queuing Policy

As submitted by DBNGP (WA) Transmission Pty Limited

26 June 2008

Economic Regulation Authority



WESTERN AUSTRALIA

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ISBN: N/A

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DECISION

The Economic Regulation Authority (**Authority**) has decided to:

1. Exercise its power pursuant to Section 2.33 of the *National Third Party Access Code for Natural Gas Pipeline Systems* (**Code**).
2. Dispense with the requirement to produce Access Arrangement Information in relation to the proposed revisions and to consider the revisions without consultation with, or receiving submissions from, persons other than DBNGP (WA) Transmission Pty Limited (**DBP**).
3. Approve amendments to Clauses 1.2, 4 and 5.2(b)(ii) of the revised Access Arrangement for the Dampier to Bunbury Natural Gas Pipeline (**Revised Access Arrangement**), as follows:

Clause 1.2

It comprises:

- (a) revisions to the access arrangement drafted and approved on 15 December 2005 by the Regulator ("First Revised Access Arrangement"); ~~and~~
- (b) revisions to the access arrangement submitted by the Service Provider and approved on 21 November 2006 by the Regulator which amend the Reference Tariff Policy to provide for a Speculative Investment Fund in accordance with section 8.19 of the Code; and
- (c) revisions to the access arrangement submitted by the Service Provider and approved on 26 June 2008 by the Regulator. This amended the Commencement Date for an Access Request to allow the Service Provider to provide Services earlier than 30 days after the Access Request was submitted.

Clause 4

The revisions referred to in clause 1.2(a) commence on 30 December 2005, ~~and~~ the revisions referred to in clause 1.2(b) commence on 6 December 2006, and the revisions referred to in clause 1.2(c) commence on the date specified by the Regulator in accordance with section 2.48 of the Code (11 July 2008).

Clause 5.2(b)

- (ii) a Commencement Date for the Service, which must be a date at least 30 days after the date the Access Request is submitted or such earlier date as the Service Provider agrees;

REASONS FOR DECISION

4. On 25 June 2008, DBP submitted proposed revisions to the Revised Access Arrangement to the Authority for approval under the Code.
5. The proposed revisions were not required to be submitted by the Revised Access Arrangement. The principal amendment relates to Clause 5.2 of the Access Requests and Queuing Policy and allows the Commencement Date for an Access

Request to be earlier than 30 days after the Access Request was submitted. This amendment is as follows:

Proposed Revision to DBNGP Access Arrangement, June 2008

Clause 5.2(b)(ii) is amended to read as follows:

"a Commencement Date for the Service, which must be a date at least 30 days after the date the Access Request is submitted or such earlier date as the Service Provider agrees."

6. The Authority has considered the information provided in DBP's application and is satisfied that the revisions are not material in that the revisions allow DBP to agree to commence supplying Services earlier than 30 days from the submission of an access request. Further, this amendment will have no effect on Reference Tariffs during the Access Arrangement Period, nor will it change the Reference Services under the Revised Access Arrangement.
7. Consequently, in accordance with the provisions of Section 2.33 of the Code, the Authority has decided to exercise its power to approve the proposed revisions without the requirement to produce Access Arrangement Information in relation to the proposed revisions and without consultation with, or receiving submissions from, persons other than DBP.
8. The Authority is satisfied that the amendment to Clause 1.2 of the Revised Access Arrangement accurately describes the process of revision of the Revised Access Arrangement.
9. The Authority is satisfied that the amendments to Clause 4 of the Revised Access Arrangement accurately describes the commencement of the minor revisions of the Revised Access Arrangement.
10. The approved Revisions will commence on 11 July 2008.