



Notice

24 September 2014

Brookfield Rail - Determination of costs relevant to Co-operative Bulk Handling's access proposal of December 2013

The Authority has today published a [redacted version](#) (excluding confidential information) of its determination of costs for certain routes on the Brookfield Rail (**BR**) network which are relevant to the access proposal made by Co-operative Bulk Handling (**CBH**) in December 2013.

The Authority made its determination of costs on 30 June 2014 and at that time provided a copy of its determination to BR and CBH only and began discussions with both parties on the issue of confidentiality to enable a redacted version to be made public at an appropriate time.

The Authority is now able to publish a redacted version that respects the rights and commercial interests of the parties.

It should be noted that BR and CBH are currently involved in an arbitration process that began in July 2014 when the Authority appointed a commercial arbitrator to resolve a dispute between the parties.

The arbitration process is being conducted in accordance with the *Commercial Arbitration Act 1985* and the Authority is not aware of a timeframe for when the arbitrator will make a determination of the dispute.

The Authority has no further role in this process unless the arbitrator requests the Authority's opinion, advice or comments on questions that might arise in the course of hearing the dispute.

For further information contact:

General Enquiries

Robert Pullella
Economic Regulation Authority
Phone: 08 6557 7900
Email: records@erawa.com.au

Media Enquiries

Richard Taylor
Riley Mathewson Public Relations
Phone: 08 9381 2144
Email: admin@rmpr.com.au