



# Notice

7 May 2015

## **Review of the *Railways (Access) Code 2000***

### **PUBLICATION OF FURTHER SUBMISSION MATERIAL AND CALL FOR FURTHER COMMENT**

The Economic Regulation Authority (ERA) has today published further submission material received from CBH and invites further submissions on the prescriptiveness of the WA Rail Access Regime and the valuation method prescribed in clause 2(4) of Schedule 4 to the *Railways (Access) Code 2000 (Code)*.

On 20 April 2015, the ERA published submissions received in response to the issues paper on the Review of the *Railways (Access) Code 2000*.

#### **PUBLICATION OF FURTHER SUBMISSION MATERIAL**

A confidential submission was received from CBH which incorporated a supporting report prepared by Frontier Economics. The public (redacted) submission which was provided by CBH for publication, referred to but did not incorporate this supporting report. CBH has now permitted the Frontier Economics report to be published on our [website](#).

#### **CALL FOR FURTHER COMMENT**

Issues associated with the prescriptiveness of the regime and the valuation method prescribed in clause 2(4) of Schedule 4 to the Code were referred to in all submissions. The merits of the Gross Replacement Value scheme were considered in the National Competition Council's 2010 review of the effectiveness of the WA rail access regime.

The ERA considers these issues warrant further input by stakeholders and therefore invites further submissions. In particular, the ERA is interested in responses to comments made in other submissions, including those relating to the prescriptiveness of the Code and the means of establishing an asset value for the purposes of calculating capital costs, which is currently the Gross Replacement Value, as described in clause 2(4)(a) in Schedule 4 to the Code. The ERA invites comments on alternative approaches that would better promote the efficient use of, and investment in, railway facilities by facilitating a contestable market for rail operations and give effect to the Competition Principles Agreement.

Further comment is invited from any interested party on these matters by **4:00pm (WST) on Thursday 11 June 2015**.

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

Email address: [publicsubmissions@erawa.com.au](mailto: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 ERA'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. The publication of a submission on the ERA's website shall not be taken as indicating that the ERA 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 ERA.

For further information contact:

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