PART A - APPLICATION FOR AN EXEMPTION

APPLICANT(S) - *(See Appendix A to register additional applicants)*

LEGAL NAME:	Esperance Pipeline Co. Pty Limited	ACN/ABN:	ABN 34 099 425 895
TRADING NAME: If different to legal name			
NORMAL BUSINESS ACTIVITY		Natural Gas Transporter	
REGISTERED POSTAL ADDRESS:		"L38" SE3 120 Collins Street Melbourne VIC 3000	
CONTACT PHONE NUMBER		03 8680 3535	

NON-SCHEME PIPELINE SUBJECT TO THIS APPLICATION

NON-SCHEME PIPELINE NAME:	Kambalda to Esperance Gas Pipeline
NON-SCHEME PIPELINE LICENCE NUMBER:	PL 59 and PL 98 (Note: PL 98 relates to a 1.1km section of the pipeline that was relocated due to Main Roads' Esperance Port access corridor works in 2012.)
LOCATION: *Please provide a map of the site as an attachment*	Refer KEGP map attachment 1
DESCRIPTION: *Please include the following information: volume of actual throughput in previous 24 month period and expectation for next 12 month period*	Previous 24 month period throughput is less than 10TJ/day (average ▮ TJ/day). (Refer attachment 2 for KEGP historical throughput) Expected throughput for next 12 month period will be less than 10TJ/day (average =▮ TJ/day).

CLASS OF EXEMPTION

There are 3 exemption categories:

Category 1: exemption from the access request and negotiations, and arbitration of access disputes provisions (Divisions 3 and 4 of Part 23 of the NGR)

Category 2: exemption from information disclosure provisions (Division 2 of Part 23 of the NGR)

Category 3: exemption from information disclosure provisions (Division 2 of Part 23 of the NGR), except for pipeline information, and pipeline service information

Exemption sought	☒	**Category 1** The non-scheme pipeline does not provide third party access
	☒	**Category 2** The non-scheme pipeline does not provide third party access OR The non-scheme pipeline is a single shipper pipeline
	☐	**Category 3** The average daily injection of natural gas into the non-scheme pipeline calculated over the immediately preceding 24 months is less than 10TJ/day

Have you previously applied for an exemption in relation to this non-scheme pipeline?	☐ Yes	☒ No
If YES, please provide the application reference number		

Please provide any further details on your application, and/or a list of supporting documents attached to the application:	To qualify for a Category 1 Exemption and Category 2 Exemption, Esperance Pipeline Co. Pty Limited (**EPC**) must demonstrate to the ERA that the Kambalda to Esperance Gas Pipeline (**KEGP**) does not provide third party access.
	
	We submit the following information to demonstrate this:
	
	1. The KEGP was built and commissioned in early 2003 to transport high-pressure natural gas from Kambalda to Esperance to supply the Esperance Power Station and the Esperance gas distribution system.
	
	2. The KEGP is owned by Esperance Pipeline Co. Pty Limited (**EPC**).
	
	3. The Esperance Power Station and the Esperance gas distribution system are owned by Esperance Power Station Pty Ltd (**EPS**).
	
	4. Please refer to the attached corporate structure diagram showing the relationship between these companies (Attachment 3).
	
	5. The KEPG is <u>not</u> a "third party access pipeline" because:
	   a. EPC only provides services on the KEGP to EPS, and capacity on the KEGP is fully contracted.
	   b. EPC and EPS are related bodies corporate.
	   c. EPC has not actively sought to market or provide services on the KEGP to any third parties to date.
	
	6. In addition, and if necessary for the purposes of a Category 2 Exemption, we submit that the KEGP is a "single shipper pipeline" because EPC only provides services on the KEGP to EPS.
	
	7. EPC understands that there is an obligation to notify the ERA if there is a change in circumstances in the future which changes the basis for any exemption granted.
	
	Supporting Documents
	1. KEGP Map
	2. KEGP historical throughput data
	3. Corporate structure diagram

All supporting documents to this application have been attached	☒ Yes ☐ No If no, please explain:
The Applicant must notify the ERA if circumstances change such that the non-scheme pipeline no longer qualifies for any exemption granted by the ERA.	