



Notice

29 January 2021

Rail access proposal for Arc Infrastructure network – Determination of costs

Call for public submissions

Arc Infrastructure operates the freight rail network in the south of Western Australia. Arc received access proposals from Australian Western Railroad Pty Ltd (AWR) on 13 January 2021. Arc has responded to AWR's proposal in accordance with the *Railways (Access) Code 2000* and notified the Authority of its initial determination of costs relevant to the proposal.

Schedule 4 to the *Railways (Access) Code 2000* requires the Economic Regulation Authority to either approve or determine incremental and total costs for any railway routes subject to a third-party access request. The ERA is seeking written public comment to inform its approval or determination of incremental and total costs for the relevant routes.

The routes subject to AWR's proposals are:

- the route between Kalgoorlie and Avon (Route 1)
- the route between Leonora and Kalgoorlie (Route 6)
- the route between Cockburn North and Robb Jetty (Route 7)
- the route between Midland and Avon (Route 44)
- the route between Midland and Kwinana (Route 45)
- the route between Cockburn North and Cockburn South (Route 47).

BACKGROUND

Schedule 4 requires the ERA to either approve the railway owner's determination of its costs, or determine the relevant costs within 30 calendar days from receiving Arc's initial determination. The ERA has received permission for an extension of this time limit from AWR. In accordance with clause 11(2), Schedule 4 to the Code, the ERA must now approve Arc's determination of costs, or make its own determination by 22 March 2021.

Section 48 of the Code provides that the material provided by the railway owner to the proponent in response to the proposal, must also be provided by the railway owner to any other entity that requests it. This material is comprised of floor and ceiling prices, and incremental and total costs, for each route section subject to the proposal.

CONFIDENTIALITY

In general, all submissions from interested parties will be treated as public and placed on the ERA 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, and the ERA's procedural fairness obligations as an independent regulator.

Invitation for submissions

The ERA invites interested parties to make submissions on matters relevant to the determination of costs for the routes on Arc's network that are subject to AWR's proposals.

Submissions close 4:00 pm (WST) Friday, 12 February 2021.

Submissions should be lodged online using the form on our website www.erawa.com.au/consultation, or post to PO Box 8469, PERTH BC WA 6849.

Further information

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