



Notice

16 February 2024

Pilbara Networks Access Code

Invitation for submissions - proposed amendments to ringfencing rules for the Port Hedland electricity network

The Economic Regulation Authority is seeking feedback from stakeholders on [proposed amendments to the ringfencing rules](#) for the Port Hedland electricity network submitted by APA Group following its acquisition of Alinta Energy Pilbara.

The application has been made under the *Pilbara Networks Access Code*. The Code sets out a light-handed access regime to facilitate third-party access to covered networks in the Pilbara region, which includes the Port Hedland network.

For covered networks, the Code requires network service providers that also generate or retail electricity to submit ringfencing rules to the ERA for approval. The ringfencing rules ensure that vertical integration – that is, owning both distribution and generation or retail assets - does not lead to a reduction in competition.

The ringfencing rules must ensure that:

- Commercially sensitive information received by the network business is not used outside of the network business or for a purpose other than for which the information was acquired or developed.
- Charges paid by users of the network include only network costs.
- The network business does not discriminate against competitors or in favour of its own, or associates', generation or retail businesses.

The requirements allow for flexibility, recognising that the structure and nature of network service providers businesses can differ.

Under the light-handed regulatory approach of the Code, the ERA can only require amendments to a service provider's proposed rules where the public benefit exceeds the cost of compliance.

APA's application is based on the ringfencing rules approved in January 2021 for the Port Hedland network, with amendments reflecting the change in ownership.

Invitation for submissions

The ERA invites interested parties to make submissions on the proposed ringfencing rules.

Submissions close 4:00 pm (WST) Friday, 8 March 2024.

Submissions can be lodged online using the form on our [Current Consultation webpage](#).

Further information

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