

NOTICE

INFORMATION ON THE ACCESS ARRANGEMENT ASSESSMENT PROCESS FOR WESTERN POWER'S COVERED ELECTRICITY NETWORKS

This Notice is to provide interested parties with an overview of how the Economic Regulation Authority (Authority) will assess Western Power Corporation's (Western Power) Access Arrangement for its covered electricity networks.

The Authority is required to review proposed access arrangements and the supporting information that is submitted by service providers of networks covered under the *Electricity Networks Access Code 2004* (Access Code). An Access Arrangement details the terms and conditions, including prices, which applies to third parties seeking to use regulated electricity networks in Western Australia.

Western Power's proposed Access Arrangement

The only network currently covered under the Access Code is owned by Western Power. The relevant network is its South West Interconnected Network (SWIN) in the South West Interconnected System.

The proposed Access Arrangement and access arrangement information was submitted by Western Power on 24 August 2005. This documentation will be published on the Authority's website on 31 August 2005 at www.era.wa.gov.au.

Access Arrangement process

In discharging its responsibilities under the Access Code, the Authority must consult the public in accordance with the processes set out in Chapter 4 of the Access Code, which also sets out the time within which each stage in the process must be completed. These arrangements may require the Authority to:

- publish an issues paper;
- invite a first round of public submissions;
- publish a draft decision;
- invite a second round of public submissions;
- publish a final decision; and
- publish a final approval.

A consolidated list of timeframes applicable to each stage of public consultation and publication of the Authority's decisions are set out in Table 1 below.

Table 1 – Timeframes for the assessment process.

Assessment Stage	Section of Code	Deadlines (Business Days)	Extensions permitted under section 4.66 (Business Days)	Extensions permitted under section 4.67 (Business Days)	Expect timing of the Western Power Assessment *
Invitation for Submissions	4.9	5 days after Access Arrangement is submitted	5 days		31 August 2005
Issues Paper (optional)	4.10	20 days after invitation for submissions	20 days		8 September 2005
1 st Round Public Submissions	4.11	The later of 30 days after the invitation for submissions or 10 days after the publication of the Issues Paper	30 days and 10 days respectively		13 October 2005
Publication of Draft Decision	4.13	42 days after the due date for submissions under 4.11	42 days	10 days	12 December 2005
2 nd Round Public Submissions	4.15	20 days after the invitation for submissions on the Draft Decision	20 days		9 January 2006
Publication of Final Decision	4.18	30 days after the due date for submissions under 4.15	30 days	10 days	19 February 2006
Submission of amended Access Arrangement	4.19	The Service Provider may submit an amended Access Arrangement within 20 days after a Final Decision (to not approve) is published	20 days		19 March 2006
Publication of Final Approval	4.22	If the Authority's decision is to not approve the Access Arrangement, 15 days after an amended Access Arrangement is submitted or otherwise within 25 days after the Final Decision is published	15 days and 25 days respectively		11 April 2006 and 23 April 2006 respectively
Publication of Authority's own Access Arrangement	4.25	If the Authority is required to draft its own Access Arrangement, 20 days after a Final Approval is published	20 days		7 May 2006 or 21 May 2006

* The dates are indicative only, and reflect an assumption that no extensions will be required.

Extensions of time

Section 4.66 of the Access Code empowers the Authority to grant an extension of time to an interested party in some instances. These extension periods are also included in Table 1. Section 4.64 of the Access Code provides grounds upon which the Authority must rely when determining whether to grant an extension of time.

Generally, this test requires that the Authority determines that:

- (a) a longer period of time is essential for due consideration of all matters; and
- (b) the Authority or service provider have taken all reasonable steps to fully utilise the times and processes provided for.

If the Authority is satisfied that the conditions required under section 4.64 of the Access Code have been met, it may grant an extension of time up to the statutory limits afforded under the Access Code.

Suspension of deadlines

It is important to note that where the Authority grants an extension of time for a particular stage in the process, the relevant deadlines for later stages remain unaffected. The Authority has discretion to suspend the operation of deadlines in two circumstances:

- where the Authority exercises its powers under section 51 of the *Economic Regulation Authority Act 2003* to obtain information and documents; or
- if relevant judicial proceedings commence with respect to an access arrangement.

Further information in relation to the assessment process is available from Mr Alistair Butcher, Acting Director – Electricity Access, on (08) 9213 1900.

LYNDON ROWE
CHAIRMAN

31 August 2005

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