SUBMISSION TO THE ECONOMIC REGULATION AUTHORITY REGARDING THE APPLICATION AND DESIGN OF INCENTIVE MECHANISMS

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1. EXECUTIVE SUMMARY

WMC Resources Limited ("**WMC**") welcomes the opportunity to provide a submission to the Economic Regulation Authority (the "**Authority**") regarding the application and design of incentive mechanisms as contemplated under the National Third Party Access Code for Natural Gas Pipeline Systems (the "**Code**"). WMC is a major user of natural gas in Queensland and Western Australia. WMC uses natural gas delivered directly from gas transmission pipeline systems in Western Australia at Leinster, Mt Keith, Kalgoorlie and Kambalda (through the Goldfields Gas Pipeline (the "**GGP**")), and at Kwinana delivered through the Dampier to Bunbury Natural Gas Pipeline (the "**DBNGP**") and the Parmelia Pipeline.

WMC purchases natural gas on a delivered basis for use at Kwinana in Western Australia, but purchases gas transmission services and natural gas separately for other locations in Western Australia and that gas is transmitted through the GGP.

Whilst the Discussion Paper correctly identifies the value of existing Access Arrangements and Reference Tariffs as Incentive Mechanisms, WMC is concerned that the Discussion paper recommends:

- the use of Incentive Mechanisms to remedy perceived problems with the way the Code is administered: and
- an approach to Incentive Mechanisms that has the effect of shifting risk to "Users" and effectively guaranteeing, at least partially, the rate of return earned by Service Providers.

WMC endorses those recommendations in the Discussion Paper which improve the allocation of resources by addressing the truncation of any sharing of benefit from Service Provider investment, marketing or efficiency initiatives or from innovation. WMC is, however, firmly of the view that Incentive Mechanisms should only be approved by the Regulator where the initiative of the Service Provider actively delivers one or more of the objectives set out in section 8.46 of the Code.

In this submission, where a term is capitalised and, when the term is first used, quoted in inverted commas, that term has the meaning given to it in the Code.

2. BACKGROUND

Specific provision is made in sections 8.44 to 8.46 of the Code for the inclusion of "Incentive Mechanisms" in "Reference Tariff Policies" approved by the Western Australian Independent Access Regulator (the "**Regulator**"). Such Incentive Mechanisms:

- are designed to permit the "Service Provider" to retain all, or any share, of any returns from the sale of "Reference Services":
  - (a) during an "Access Arrangement Period", that exceed the level of returns expected for that Access Arrangement Period; and
  - (b) during a period (commencing at the start of an Access Arrangement and including two or more Access Arrangement periods) approved by the Regulator, that exceed the level of returns expected for that period; and
- should be designed to achieve the objectives set out in section 8.46.

Whilst the concept of "returns" is not defined in the Code, or in the sections quoted above, it would generally be taken to refer to the net surplus of revenues over costs. This concept of returns, therefore, can be dealt with by focussing on the costs and revenue components which together are used to calculate the "return" of a Service Provider. This is consistent with the approach adopted in the Discussion Paper "Incentive Mechanisms Under Section 8 of the National Third Party Access Code for Natural Gas Pipeline Systems" (the "**Discussion Paper**") where the focus is on the Service Provider's costs and revenues rather than on its net surplus/deficit or return.

Section 8.46 of the Code provides that Incentive Mechanisms will impart to the Service Provider an incentive to increase sales without distorting markets, minimise costs, undertake prudent investment and incur only prudent costs and ensure that users of the Reference Service eventually sharing in the benefits of increased efficiency, sales and innovation.

The Discussion Paper puts forward a number of recommendations concerning the design and application of Incentive Mechanisms and concludes that these recommendations satisfy, or at least do not conflict with, the objectives for Incentive Mechanisms set out in section 8.46 of the Code. The Discussion Paper appears to put forward the argument that the current approach to setting Reference Tariffs is viewed as inherently asymmetrical because of the risk that Reference Tariffs will be based on overly optimistic efficiency and market prospects. The Discussion Paper concludes that this asymmetry may be offset by an Incentive Mechanism that allows for sharing of negative return variances or cost overruns. Whilst the Discussion Paper judiciously avoids the question of how Reference Tariffs are set, it recognises that the benchmark against which performance and variance is measured is absolutely fundamental to designing and applying Incentive Mechanisms.

There is little room to argue that the objectives which must be satisfied by an Incentive Mechanism, and which are set out in the Code, do not include the resolution of shortcomings with the way Reference Tariffs are set. It is a fundamental concern that the Discussion Paper considers the merits of Incentive Mechanisms as a means of resolving problems with the setting of the Reference Tariff.

In summary, the Discussion Paper appears to recommend that:

- when a Service Provider takes decisive action and makes savings in operating expenditure, the Service Provider should get the benefit of those savings reflected in higher tariffs for a period equal to the term of the relevant Access Arrangement (the period not being limited to the term of the current approved Access Arrangement);
- when a Service Provider takes decisive action and makes savings in capital expenditure, the Service Provider should get the benefit of those savings reflected in higher tariffs for the remainder of the term of the current approved Access Arrangement;
- when a Service Provider benefits from good fortune (which is not attributable to the efforts of the Service Provider) which results in savings in operating expenditure, the Service Provider should get the benefit of those savings reflected in higher tariffs for a period equal to the term of the relevant Access Arrangement (the period not being limited to the term of the current approved Access Arrangement);
- when a Service Provider benefits from good fortune (which is not attributable to the efforts of the Service Provider) which results in savings in capital expenditure, the Service Provider should get the benefit of those savings reflected in higher tariffs for a period equal to the remaining term of the current approved Access Arrangement;
- when a Service Provider benefits from a managed or fortuitous increase in revenue or sales over Access Arrangement forecasts (which in the latter case is not attributable to the efforts of the Service Provider), the Service Provider should retain those revenues for a period equal to the term of the relevant Access Arrangement (the period not being limited to the term of the current approved Access Arrangement);
- when a Service Provider suffers from a decrease in revenue or sales over Access Arrangement forecasts, whether the decrease is caused by the Service Provider or otherwise, the Service Provider should be compensated for that loss of revenue for a period equal to the term of the relevant Access Arrangement (the period not being limited to the term of the current approved Access Arrangement);
- when a Service Provider suffers adverse cost movements in operating expenditure, the Service Provider should be able to recover those adverse cost movements in higher tariffs for a period equal to the term of the relevant Access Arrangement (the period not being limited to the term of the current approved Access Arrangement); and

- when a Service Provider suffers adverse cost movements in capital expenditure, the Service Provider should be able to recover those adverse cost movements in higher tariffs for a period equal to the term of the relevant Access Arrangement (the period not being limited to the term of the current approved Access Arrangement).

This submission acknowledges that the setting of Reference Tariffs is beyond the scope of the current discussion. WMC's views in regard to this matter are set out in WMC's submission to the Productivity Commission's Inquiry into the National Third Party Access Regime for Natural Gas Pipelines. Because of the design of the Discussion Paper the approach adopted herein is to explore a number of key themes that emerge from the Discussion Paper and its recommendations. No regard is given in this analysis to the proposition that Incentive Mechanisms should be used to address shortcomings in the way Reference Tariffs are set. The themes that will be addressed in this submission include:

- risk allocation between Service Providers and Users;
- base case forecasts;
- earned or unearned sources of benefit/cost;
- integrated forecasts;
- optimising the sharing of benefits; and
- contract and spot sales.

3. SETTING REFERENCE TARIFFS

The Discussion Paper correctly emphasises that the methodology used by the Regulator to set Reference Tariffs is beyond its scope. However, the Discussion Paper goes on to suggest that the introduction of Incentive Mechanisms may address the asymmetry of risk in Reference Tariff and "Access Arrangement" decisions.

WMC's views on the setting of Reference Tariffs are set out in its submission to the Productivity Commission (the "**Commission**") in regard to the Commission's inquiry into the national gas access regime. These views will not be repeated herein.

It must be emphasised that sections 8.44 to 8.46 of the Code were not designed, nor are they competent, to address shortcomings in the way Reference Tariffs and Access Arrangements are assessed and approved. Any suggestion that Incentive Mechanisms should be used to remove market distortions caused by the administration of the Code should be disregarded and the cause of the distortion should be addressed specifically.

However, it is not entirely possible to ignore how Reference Tariffs and Access Arrangements are designed and approved when considering the application of Incentive Mechanisms. Because Reference Tariffs and Access Arrangements enshrine very specific risk sharing arrangements between Service Providers and Users of pipelines, much of the Discussion Paper is concerned with how Incentive Mechanisms might modify that risk sharing formula.

To date, Access Arrangements have generally:

- assigned financial market risk (interest rates, etc) to the Service Provider;
- assigned CPI risk to Users;
- assigned the risk of changes in Government imposts (taxes, licence fees, excise, environmental charges) to Users;
- assigned the risk of variations from forecast in operating costs, capital costs and sales in any Access Arrangement Period to Service Providers; and
- assigned pipeline operating risks (eg, above normal environmental damage to right of way, new laws and regulations other than impost changes, efficiency, etc) to Service Providers.

By sections 2.28*ff* and 8.3A*ff*, the Code allows for the balance of these risks to be adjusted in the course of any Access Arrangement Period at the request of the Service Provider. That is to say, the Code allows for all risks faced by the Service Provider to be passed on to the User provided the Regulator agrees to the proposed arrangement.

Considered in this context, the Discussion Paper's analysis of Incentive Mechanisms must be considered as either:

- a means of automatically adjusting the allocation of risk that is inherent in an Access Arrangement between Service Providers and Users so as to avoid the process described at sections 2.28*ff* and 8.3A*ff,* when the Service Provider suffers an adverse change of circumstances; or
- a means of allocating the rewards of superior performance by Service Providers.

The objectives for Incentive Mechanisms set out in section 8.46 only relate to the allocation of rewards for superior performance by the Service Provider and are not in any way achieved by automating the asymmetrical processes described in sections 2.28*ff* and 8.3A*ff* of the Code.

There are, of course, different mechanisms that may be employed by Service Providers to reallocate the risk inherent in currently approved Reference Tariffs and Access Arrangements. Not least of these would be the design and introduction of additional Reference Services or unregulated services with alternative risk allocation profiles. Service Providers might, for example, offer alternative shorter term contracts without Impost or CPI passthrough clauses at a suitably revised tariff. This concept will be revisited briefly below.

The important feature of the current access model is that all the parties are able to define the risks to which they are exposed and to put in place suitable and appropriate risk management procedures. If, as the Discussion Paper appears to contemplate, Users become partly responsible for a broader range of risks, such as the foreign exchange risk associated with capital cost forecasts, would the Service Provider cover this risk in the first instance, would Users know whether the Service Provider had taken cover for this risk and how would the User assess and cover the risk, etc?

Answering these questions is a fundamental prerequisite to changing Incentive Mechanism policy and designing Incentive Mechanisms.

The design and application of Incentive Mechanisms is an extremely sensitive matter and cannot be considered without reference to the impact of the Incentive Mechanisms on the risk and risk allocations inherent in Reference Tariffs and Access Arrangements.

4. INCENTIVE MECHANISMS

WMC is comfortable with the assessment contained in the Discussion Paper that the existing Reference Tariff and Access Arrangement methodology is, in and of, itself an Incentive Mechanism. That is to say, once the Reference Tariff and Access Arrangement have been approved, the Service Provider is motivated to outperform the cost, revenue and structural parameters used to define those arrangements. The question, therefore, becomes how best to ensure that innovation and efficiency is maintained to deliver world's best practice.

In this regard, it is helpful to note that the Code currently:

- allows the Service Provider to:
  - retain any chance increases in revenue or reductions in costs until the end of the current approved Access Arrangement Period; and
  - retain any managed, or earned, increases in revenue or reductions in costs until the end of the current approved Access Arrangement Period;
- requires the Service Provider to absorb any chance increase in costs or loss of revenue until the end of the current approved Access Arrangement Period or secure a revision to its Access Arrangement pursuant to sections 2.28*ff* or 8.3A*ff* of the Code in the event of an adverse movement in revenues and, or, costs;
- does not give Users the right to capture revenue increases or cost reductions by requesting a review to an Access Arrangement during an Access Arrangement Period comparable to the process set out in sections 2.28*ff* and 8.3A*ff* of the Code; and
- may provide for some recapture of revenue increases or cost savings if specified trigger events occur.

5. ANALYSIS

5.1 Base Case Forecasts

According to the Discussion Paper, the aim of Incentive Mechanisms is to encourage efficiency savings and increase pipeline capacity utilisation. This, according to the Discussion Paper, suggests that there is a need to distinguish between variances (relative to forecast) that are earned by the Service Provider and variances that occur by chance or good fortune. This focus on forecasts and variances to forecasts is a

fundamental consideration of the Discussion Paper. The preparation and approval of forecasts is also the source of risk asymmetry which the Discussion Paper proposes to address with Incentive Mechanisms.

However, the extent and impact of forecasting in Access Arrangements approved to date has been amplified by methodologies and procedures which maximise the use of forecasting in setting Reference Tariffs and designing Access Arrangements. That methodology has relied on forecasting demand for services, forecasting capital works programs and budgets, forecasting asset redundancy and forecasting operating costs and business continuation capital.

An alternative approach to setting Reference Tariffs would accept the pipeline system and operating costs of the system as they are currently configured and simply forecast demand for services up to a cap defined by the system's currently installed capacity. This would effectively set a Reference Tariff for the Service Provider equal to the average current cost of supplying services to meet forecast demand. The resulting Reference Tariff might be expected to be slightly above the tariff derived using extensive forecasts of pipeline operating parameters but the difference should be minimal and the risk attributable to forecasting error is virtually eliminated by this alternative approach.

This approach to designing Access Arrangements and setting Reference Tariffs would enhance the value of the current Reference Tariff model as an Incentive Mechanisms. A Service Provider would have a powerful incentive to improve on current performance (which might be encouraged further by building an efficiency factor into the tariff path), and to invest and innovate, provided the marginal return from the investment/innovation exceeds the current average cost of service provision. That is to say, investment will take place where the investment satisfies section 8.16 of the Code. Under the current rules, the surplus of marginal revenue over marginal cost, generated by efficiency gains, marketing or innovation, is retained by the Service Provider until the end of the current approved Access Arrangement. At the end of the Access Arrangement Period the actual cost of any investment/innovation (subject to a prudence test) will be rolled into the Service Provider's capital base. There is no distortion of investment and there is no variance from forecast to consider because no forecasts of investment or efficiency gains are used to calculate Reference Tariffs. There may be a need to revisit the definition of "prudent" investment in this context to ensure that the concept of imprudence is limited to demonstrably inadequate management by the Service Provider. Indeed, the Discussion Paper alludes to this same need.

It is WMC's submission that there is no basis for designing Incentive Mechanisms to offset the forecasting risk, and related information asymmetry, in designing and approving Reference Tariffs and Access Arrangements. Other means are available under the Code for mitigating these risks.

5.2 Earned or Unearned Sources

At the moment, as the Code is administered, unearned increases and decreases in sales and, or, costs are appropriated to the Service Provider until the end of the current approved Access Arrangement. Should any such unearned changes impose a significant hardship on the Service Provider, the Service Provider may request a revision of its Reference Tariff and Access Arrangement. To a large extent this whole question is avoided in existing Access Arrangements because some of the principal sources of this risk, CPI risk and Impost risk (the endogenous risk most noted in the Discussion Paper) are almost universally passed on to Users in approved Access Arrangements.

WMC is concerned with the current asymmetry in the Code that allows Service Providers to capture the benefits of unearned improvements in costs and revenues and also allows the Service Provider to seek to pass unearned deteriorations in costs and revenues to Users by the operation of sections 2.28ff and 8.3Aff of the Code. Whilst it may be technically beyond consideration of Code-based Incentive Mechanisms, WMC requests that this inconsistency in approach adopted in the Code be considered in the context of this inquiry.

Other risks that might give rise to unearned changes in revenues and costs appear to include interest rate risk, financial market risk and pipeline operating risk.

The Discussion Paper proposes that the Service Provider should be able to carry forward unearned cost and revenue deteriorations for a period equal to the term of the Access Arrangement Period. As such, Users would be expected to absorb risks that they are unable to manage or influence for the apparent purpose of underwriting (at least partially) the Service Provider's regulated rate of return.

It is WMC's submission that:

- the Service Provider is the only party in a position to assess and manage these risks;
- the proposal that the Service Provider be entitled to develop an Incentive Mechanism designed to carry forward unearned losses does not advance any of the objectives set out in section 8.46 of the Code; and
- there is no justifiable rationale for this proposal.

Under the Code, as it stands, the Service Provider secures the benefit of earned improvements in costs and revenues for the remainder of the current approved Access Arrangement. Earned deteriorations in costs and revenues might be considered to be those for which the Service Provider is directly responsible, presumably, as a result of negligence or mismanagement. There does not appear to be any specific suggestion in the Discussion Paper that earned cost and revenue deteriorations should be partially absorbed by Users. Indeed, the impact of such adverse movements on future Access Arrangements could be expected to be removed from any future Reference Tariffs and Access Arrangements by the application of the prudence test.

Whilst there is no specific recommendation that Users bear part of the risk of Service Provider negligence, the Discussion Paper recommendations may, however, have the effect of passing these risks to Users. Take, for example, the Discussion Paper suggestions that movements in exchange rates may give rise to an earned cost variance that could be shared by an Incentive Mechanism. Such variance is the result of a decision/failure to cover the risk of such movements with an appropriate hedging instrument. Deciding whether a movement in exchange rates is earned or unearned is clearly a matter for considerable conjecture. What is obvious, however, is that it is not possible for Users to know whether hedging has been put in place by the Service Provider regarding these risks or to prudently protect against such risks.

5.3 Integrated Forecasts

When Access Arrangements and Reference Tariffs depend on forecasting a number of key parameters, it is not possible to adopt the partial approach to Incentive Mechanisms implicit in the Discussion Paper. For example, a shortfall in sales of pipeline services may significantly reduce the operating costs of the pipeline (through compression savings) and, or, forecast capital expenditures. An Incentive Mechanism designed to automatically adjust for under-performance on sales runs the risk of ignoring the offsetting cost savings associated with those unrealised forecast sales.

Clearly, the methodology that should be applied to assessing any claimed variation from forecast should:

- ignore the variation unless it is material;
- subject the variation to a comprehensive review as to the cause and total impact, where the variation is material; and
- avoid the question altogether by reconsidering how Reference Tariffs and Access Arrangements are designed or approved.

The Code, as configured, currently allows variations from forecast to be assessed in accordance with the methodology set out above.

5.4 Optimising the Sharing of Benefits

The Discussion Paper focuses upon the concept of optimisation when it looks at alternative models for sharing benefits using Incentive Mechanisms. Whilst it is somewhat tenuous to focus on optimisation in this context, the empirical results regarding the present value sharing of benefits under alternative scenarios is particularly helpful.

The Discussion Paper both recognises and emphasises the risk and the cost of deferred investment, innovation and the deferred introduction of efficiency gains. This risk can be attributed to the truncation of benefit sharing when an investment, innovation or initiative is introduced at the end of an Access Arrangement Period. There is a real risk under the Code, as it is currently configured, that an opportunity identified toward

the end of an Access Arrangement Period will be held over to the next Access Arrangement Period. The proposal to eliminate this truncation effect, therefore, has considerable merit.

Providing the empirical benefit sharing results presented in the Discussion Paper can be shown to be robust, WMC supports the proposition that Service Providers should receive the benefit of earned savings and revenue gains for a period of five years from the date on which the saving/gain is first generated. This would suggest that Service Providers would capture in the order of 35% of cost savings/revenue gains which they generate. This result could be achieved without changing the Code.

Further, WMC submits that it may be justified, in those instances where an initiative taken by a Service Provider is considered to be of the highest merit, to treat the above proposal as a base line and to empower the Regulator to allocate more of the present value of any resulting benefit to the Service Provider. WMC considers that it may, at times, be appropriate to allocate as much as 70% of the present value of earned benefits to the Service Provider where the Regulator judges the Service Provider's performance to warrant that allocation.

WMC is not at all clear why the Discussion Paper suggests that operating cost savings and capital cost savings be treated differently in regard to benefit sharing, unless the difference in treatment is designed to address gaming when forecasts are being prepared. (The Discussion Paper suggests that capital cost savings should be captured by the Service Provider for the remainder of the currently approved Access Arrangement rather than for a fixed five year period). However, a simple alternative approach to settling Reference Tariffs and Access Arrangements could avoid any possibility of capital cost overruns/underruns. There is a risk that the proposal set out in the Discussion Paper may continue the truncation effect, in so far as investment initiatives are concerned, and result in a distorted resources allocation.

5.5 Contract and Spot Sales

Without being explicit, the Discussion Paper is framed in language that suggests that when cost and revenue variances are carried forward, they are reflected in the tariffs paid by Users. This suggests that Users are not contracted to pay pre-existing regulated or negotiated tariffs under continuing contracts but in fact, at any time, Users pay the prevailing Reference Tariff. This would be inconsistent with how the services of most transmission pipeline systems are sold.

In any assessment of the value of carrying forward unforeseen cost variances, it is necessary to consider:

- the extent to which any carried forward cost overrun or revenue shortfall and tariff adjustment will be actually passed on to Users; and
- whether the tariff adjustment will be permitted to be geared up to allow the full recovery of any benefit sharing from those Users who pay for services on a spot basis.

The proposed Incentive Mechanisms, to allow the carry forward of unforeseen costs, may reasonably be expected, ceteris paribus, to result in increased Reference Tariffs and may have little or no value to Service Providers where pipeline services are sold under contract. By contrast, Incentive Mechanisms that satisfy the objectives in section 8.46 of the Code are designed specifically to dampen tariff reductions attributable to superior marketing, operations and innovation by Service Providers. The benefits of Incentive Mechanisms that deliver the objectives set out in section 8.46 of the Code will flow to the Service Provider even when the bulk of its services are sold under contract. It may be far more appropriate to encourage Service Providers to put forward additional service offerings to Users where alternative risk sharing arrangements are passed on to willing contract counterparties. In these additional service offerings, the alternative risk sharing arrangement can be properly defined and priced.

6. SUBMISSION

Based upon the Code as it is currently configured, and on the analysis set out above, WMC submits that:

1. an Incentive Mechanism should only be approved as part of an approved Access Arrangement if it achieves the objectives set out at section 8.46 of the Code;
2. the Code should retain the premise that the sharing of benefits by Incentive Mechanisms should be limited to benefits "earned" by the Service Provider;
3. when a Service Provider takes decisive action and achieves:
   - savings in operating expenditure; and, or,
   - sales and revenue outcomes which exceed forecast,

   the Service Provider should be entitled to appropriate the benefit of those savings/revenues for a period of five years (the period not being limited to the term of the current approved Access Arrangement);
4. where 3 above applies, the Regulator should be empowered to approve Incentive Mechanisms which allocate, to the Service Provider, up to 70% of the benefit of any initiative taken by that Service Provider where the Regulator agrees that the exemplary performance of the Service Provider was fundamental to delivering that benefit;
5. when a Service Provider benefits from good fortune (not attributable to the efforts of the Service Provider) which results in:
   - savings in operating expenditure; and, or,
   - sales and revenue outcomes which exceed forecast,

   the Service Provider will be entitled to appropriate the benefit of those savings/revenues for the remaining term of the current approved Access Arrangement but it should not have a right to carry forward any of that benefit beyond the term of the current approved Access Arrangement;

6. when a Service Provider undertakes an investment during the current Access Arrangement Period, the actual cost of that investment should be included in future Access Arrangements provided that the investment otherwise satisfies the requirements of the Code;
7. when a Service Provider undertakes an investment during the current Access Arrangement Period which results in cost savings or efficiency gains, the Service Provider should be entitled to appropriate the benefit of the associated cost savings of that investment for a period of five years (the period not being limited to the term of the current approved Access Arrangement) in those instances where the investment can be attributed to the underlying effort, and, or, initiative of the Service Provider;
8. when a Service Provider suffers from:
   - a decrease in sales or revenue relative to Access Arrangement forecast; and, or,
   - an increase in costs,

   whether the decrease is caused by the Service Provider or otherwise, the Service Provider should absorb these cost overruns and, or, revenue shortfalls for the period of the current approved Access Arrangement; and
9. when a Service Provider suffers from:
   - a decrease in sales or revenue relative to Access Arrangement forecast; and, or,
   - an increase in costs,

   whether the decrease is caused by the Service Provider or otherwise, the Service Provider has a right to submit to the Regulator a revised Access Arrangement and, or, a revised Reference Tariff, thus truncating the period in which it absorbs such adverse outcomes.

Whilst it may be beyond the power of the Authority to deliver, as it may require an amendment to the Code, WMC submits that the merits of removing the asymmetry in section 2.28*ff* and 8.3A*ff* of the Code should be considered as part of the Authority's current enquiry. Such asymmetry may be removed by removing the option for Service Providers to submit an Access Arrangement revision before the Access Arrangement review date.