

# NOTICE

## DRAFT DETERMINATIONS

### WestNet Rail's Proposed Part 5 Instruments

The Economic Regulation Authority (Authority) today issued its Draft Determinations on the four proposed Part 5 Instruments submitted by WestNet Rail. The Draft Determinations result from the review of the Part 5 Instruments as required by the then Independent Rail Access Regulator when the Part 5 Instruments were first approved in 2002 and 2003. The Part 5 Instruments consist of the Costing Principles; Over-payment Rules; Train Management Guidelines (TMG) and Train Path Policy (TPP).

The Draft Determinations of the Authority are to not approve WestNet Rail's four proposed Part 5 Instruments. The Authority has identified a total of twenty five amendments that need to be made before the Authority will approve these Part 5 Instruments. Nine amendments are required to the TPP, seven amendments to the TMG, five amendments to the Over-payment Rules and four amendments to the Costing Principles.

#### Public Submissions

Submissions are invited from interested parties on the Authority's Draft Determinations. All submissions should be in both electronic and hard copy form.

In general, submissions made to the Authority will be treated as in the public domain and placed on the Authority's website unless confidentiality is claimed in respect of the submission or part of the submission and the issues or parts of the submission in relation to which confidential treatment is sought are clearly marked. Any claim of confidentiality will be considered in accordance with the provisions of section 23 of the *Railways (Access) Act 1998*.

The publication of a submission on the Authority's website shall not be taken as indicating that the Authority has knowledge either actual or constructive of the contents of a particular submission and, in particular, whether the submission in whole or part contains information of a confidential nature and no duty of confidence will arise for the Authority.

Submissions to the Authority on the Draft Determinations on WestNet Rail's proposed Part 5 Instruments must be received by **4:00pm WST, Thursday 8 June 2006**.

#### Documentation Available

The Authority's Draft Determinations, WestNet Rail's proposed Part 5 Instruments and copies of public submissions to the Authority on the proposed Instruments can be downloaded from the Authority's website ([www.era.wa.gov.au](http://www.era.wa.gov.au)). Copies of each of the Draft Determinations can be downloaded at <http://rail.era.wa.gov.au/html/det00.php>.

Printed copies of these documents are available directly from the Authority for \$25.00 per set.

For further information contact:

**General Enquiries**

Mr Russell Dumas  
Director, Gas and Rail Access  
Ph: +61 8 9213 1900  
Fax: +61 8 9213 1999

**Media Enquiries**

Mr Paul Byrne  
Byrne & Byrne Corporate Communications  
Ph: +61 8 9385 9941  
Mb: 0417 922 452

LYNDON ROWE  
**CHAIRMAN**

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