

**IN THE WESTERN AUSTRALIAN GAS REVIEW BOARD**

**No 1 of 2004**

Re Application for review of the decision by the Western Australian Independent Gas Pipelines Access Regulator published on 30 December 2003 to approve its own Access Arrangement for the Dampier to Bunbury Natural Gas Pipeline owned and operated by the Applicants

Application by:

**EPIC ENERGY (WA) NOMINEES PTY LTD (ACN 081 609 289) (RECEIVERS AND MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED) and EPIC ENERGY (WA) TRANSMISSION PTY LTD (ACN 081 609 190) (RECEIVERS AND MANAGERS APPOINTED) (ADMINISTRATORS APPOINTED)**

Applicants

**No. 2 of 2004**

Re application for Merits Review of the Independent Gas Pipeline Access Regulator's decision of 30 December 2003 to approve his own Access Arrangement for the Dampier to Bunbury National Gas Pipeline

Application by:

**NORTH WEST SHELF GAS PTY LTD (ACN 063 763 342)**

Applicant

**No. 4 of 2004**

Re application for Merits Review of the Independent Gas Pipeline Access Regulator's decision of 30 December 2003 to approve his own Access Arrangement for the Dampier to Bunbury National Gas Pipeline

Application by:

**NORTH WEST SHELF GAS PTY LTD (ACN 063 763 342)**

Applicant

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**ORDERS IN RELATION TO DISCONTINUANCE  
OF PROCEEDINGS AND COSTS**

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The Western Australian Gas Review Board directs that:

1. Application for Review No. 1 of 2004 dated 14 January 2004 is hereby discontinued.
2. Orders as to the costs of Application for Review No. 1 of 2004 are reserved.
3. Western Power Corporation bring any application for costs in relation to Application for Review No. 1 of 2004 by 15 November 2004, such application to be accompanied

by a written outline of submissions in support of the application and any affidavit evidence upon which it intends to rely.

4. The Economic Regulation Authority (**ERA**) to file and serve a written outline of submissions as to whether the Western Australian Gas Review Board has the power to make orders that a party or parties to an application for review pay the costs incurred by the Board itself and, if it does have such a power then the orders that are appropriate in these proceedings by 8 November 2004.
5. Epic Energy file and serve any written outline of submissions in reply to the ERA's submissions within 7 days of receipt of the ERA's written outline of submissions.
6. Western Power Corporation file and serve any written outline of submissions in reply to the submissions filed by the ERA and Epic Energy within 7 days of receipt of the outline of submissions filed by Epic Energy.
7. North West Shelf Gas Pty Ltd file and serve any outline of submissions in reply to the submissions of the ERA and Epic but restricted to the issue whether the Western Australian Gas Review Board has power to make orders that a party or parties to an application for review pay the costs incurred by the Board itself within 7 days of receipt of Epic Energy's written outline of submissions.
8. The issues relating to costs be adjourned for determination on a date to be fixed.



**ROBERT EDEL**  
**PRESIDING MEMBER**  
**WESTERN AUSTRALIAN GAS REVIEW BOARD**  
**APPEALS 1, 2 AND 4 OF 2004**

**DATED: 8 November 2004**