

Re application for review of the decision by the Western Australia 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
(RECEIVERS AND MANAGERS APPOINTED)
(ADMINISTRATORS APPOINTED) (ACN 081 609 289)**

and

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

Applicants

Re Application for review of the decision by the Western Australia Independent Gas Pipeline Access Regulator dated 30 December 2003 to approve the Regulator's own Access Arrangement for the Dampier to Bunbury Natural Gas Pipeline.

Application by:

WESTERN POWER CORPORATION (WA 0124360E)

Applicant

**DIRECTIONS ON APPLICATION BY EPIC ENERGY (WA) NOMINEES PTY LTD
(RECEIVERS AND MANAGERS APPOINTED)(ADMINISTRATORS APPOINTED)
AND EPIC ENERGY (WA) TRANSMISSION PTY LTD
(RECEIVERS AND MANAGERS APPOINTED)(ADMINISTRATORS APPOINTED)
FOR ACCESS TO CONFIDENTIAL DOCUMENTS BY NOMINATED PERSONS
AND FOR DISCLOSURE OF DOCUMENTS OBTAINED PURSUANT TO
SECTION 41 OF SCHEDULE 1 TO THE GAS PIPELINES ACCESS
(WESTERN AUSTRALIA) ACT, 1998**

Member: Mr R M Edel, Presiding Member
Date of Directions: 19 July 2004
Where Made: Perth

Representation:

Counsel:

Applicants in Appeal No.1:	Mr G H Murphy SC and Mr J A Thompson
Applicants in Appeal No. 3:	Mr P K Walton
Economic Regulation Authority:	Mr S G Colvin SC
Australian Gas Light Company	Mr K De Kerloy

Solicitors:

Applicants in Appeal No.1:	Mallesons Stephen Jacques
Applicants in Appeal No.3:	Jackson McDonald
Economic Regulation Authority:	Corrs Chambers Westgarth
Australian Gas Light Company:	Freehills

THE GAS REVIEW BOARD ORDERS THAT:

1. Its order of 9 July 2004 be rescinded.
2. Each of the following persons shall be added to the list of persons referred to in paragraph 5(c) of the orders and directions of the Board made on 16 April 2004:

John Leslie Williams;

Martin Madden;

Brian Keith McMaster;

Jack Robert James;

Alison Stacey Kingston; and

Selena Veronica Barker.

save that Martin Madden, Brian Keith McMaster and Jack Robert James shall not be entitled to inspect or be provided with any documents relating to:

tariff paths contained in a bid from a consortium comprising the Australian Gas Light Company and CMS Energy for the purchase of the Dampier to Bunbury Natural Gas Pipeline in or around 1998; and

bid value of the Australian Gas Light Company/CMS Energy consortium for the DBNGP

that were provided to the Regulator by AGL or CMS Energy pursuant to a notice received from the Regulator under section 41(1) of schedule 1 to the Gas Pipeline Access (Western Australia) Act 1998 or have the contents of those documents disclosed to them until further order.

3. Within 7 days the Economic Regulation Authority shall provide to Epic Energy and Western Power an amended draft Index of Documents in the form of annexure "B" to the orders and directions made by the Western Australian Gas Review Board on 16 April 2004 which includes in the draft Index of Documents:

all documents received pursuant to the exercise of the Regulator's power under subsection 41(1) of schedule 1 to the Act, and all notices issued in connection therewith, during the course of deciding whether to approve Epic Energy's proposed access arrangement for the Dampier to Bunbury Natural Gas Pipeline;

the complete financial model and all related spreadsheets and calculations (including working papers) for the derivation of the reference tariffs set out in the

access arrangement for the Dampier to Bunbury Natural Gas Pipeline, drafted and approved by the Regulator.

Dated the 19 day of July 2004

.....
RM Edel
Presiding Member Western Australian Gas Review Board
Appeals 1, 2, 3 and 4 of 2004