

NOTICE

DRAFT DECISION

Dampier to Bunbury Natural Gas Pipeline

Stage 5 Expansion

The Economic Regulation Authority (Authority) today issued its Draft Decision on the application by DBNGP (WA) Transmission Pty Limited (DBP) for the Authority's approval under section 8.21 of the *National Third Party Access Code for Natural Gas Pipeline Systems* (Code) related to its proposed Stage 5 expansion of the Dampier to Bunbury Natural Gas Pipeline (DBNGP).

The Draft Decision of the Authority is to agree that the forecast New Facilities Investment by DBP for its proposed Stage 5 expansion of the DBNGP, based on its preferred development option, meets the requirements of section 8.16(a) of the Code up to a maximum capital cost of \$1,521 million (dollars at 31 December 2005) subject to four conditions.

The effect of the Authority's agreement under the provisions of section 8.21 of the Code would be to bind the Regulator's decision when the current Access Arrangement is reviewed. The binding of the Regulator's decision would see the agreed New Facilities Investment rolled into the capital base for the DBNGP to the extent that the expenditure was incurred up to the maximum agreed level. The next review of the Access Arrangement for the DBNGP is scheduled to commence on 1 April 2010 and to be completed by 31 December 2010 in time for revised Reference Tariffs to apply from 1 January 2011.

Public Submissions

The Code requires that the public consultation for an application under section 8.21 of the Code be conducted as if it were a proposed revision to the Access Arrangement submitted under section 2.28 of the Code. Accordingly, the Authority is required to call for public submissions for a period of at least 14 days following issue of the Draft Decision.

Submissions are invited from interested parties on the Authority's Draft Decision. 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 sections 7.11 to 7.14 of the Code.

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 Decision regarding DBP's application must be received by **4:00pm WST, Monday 15 May 2006**.

Documentation Available

The Authority's Draft Decision, DBP's application and copies of public submissions to the Authority on DBP's application can be downloaded from the Authority's website (www.era.wa.gov.au). Printed copies of this documentation are available directly from the Authority for \$25.00 per set.

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