



DBNGP (WA) Transmission Pty Limited

Postal Address
PO Box Z5267
Perth St Georges Tce WA 6831
Facsimile: + 61 8 9223 4301

ABN 69 081 609 190
Level 6, 12-14 The Esplanade
Perth WA 6000
Telephone: +61 8 9223 4300

1 April 2010

Lyndon Rowe
Chairman
Economic Regulation Authority
PO Box 8469
Perth BC WA 6849

Dear Lyndon

Complying Service Provider

I refer to your correspondence of 22 January 2010 in regards to service providers under the *National Gas Access (WA) Act 2009 (NGA)*.

In that correspondence you advise that the Authority considers DBNPG (WA) Transmission Pty Ltd to be a service provider for the DBNGP under the NGA and that additional service providers for the DBNGP include:

- DBNGP Compressor Co Pty Ltd;
- DBNGP (WA) Nominees Pty Ltd; and
- DBNGP Holdings Pty Ltd.

While DBP does not dispute the position outlined above, as you would no doubt now be aware, in complying with the NGA, a revised access arrangement proposal must be lodged by a covered pipeline service provider.

DBP is of the view that the only covered pipeline service providers in respect of the DBNGP are:

- DBNGP (WA) Nominees Pty Ltd (in its capacity as trustee of the DBNGP WA Pipeline Trust); and
- DBNGP (WA) Transmission Pty Ltd.

As you would also be aware, under section 10(2), Chapter 1, Part 1 of the National Gas Access (Western Australia) Law text (**NGL**), a service provider of the service provider group (the complying service provider) may act on behalf of the other service provider if the complying service provider has the written permission of all of the service providers of that group.

DBNGP (WA) Nominees Pty Ltd (in its capacity as trustee of the DBNGP WA Pipeline Trust) has appointed DBNGP (WA) Transmission Pty Ltd in writing to be a complying service provider

(pursuant to section 10 of the NGL) to perform or comply with (as the case may be) the following obligations under the NGL on behalf of DBNGP (WA) Nominees Pty Ltd:

- (a) the obligation under section 135 of the NGL to comply with the queuing requirements of the access arrangement;
- (b) the obligations under Chapter 2, Part 1, Division 4 of the NGL in relation to regulatory information notices;
- (c) the obligation under section 132 of the NGL to lodge a revised access arrangement proposal; and
- (d) the obligations under the National Gas Rules in relation to the assessment of a revised access arrangement proposal.

Accordingly, there will be one revised access arrangement proposal lodged on 1 April 2010 by DBNGP (WA) Transmission Pty Ltd on its own behalf and on behalf of DBNGP (WA) Nominees Pty Ltd (in its capacity as trustee of the DBNGP WA Pipeline Trust).

Yours sincerely

Anthony Cribb
General Manager Corporate Services
Company Secretary