



# NOTICE

## Invitation for Public Submissions

### WESTNET RAIL – OVERPAYMENT RULES AND COSTING PRINCIPLES

The Economic Regulation Authority is seeking public comment on the revised [Overpayment Rules](#) and [Costing Principles](#) proposed by railway owner WestNet Rail (WNR) for its railway network.

These documents are available on the Authority's website in clean and marked-up versions.

Costing Principles establish a basis for the Authority to determine upper and lower cost bounds for each route section for price negotiations associated with access agreements made under the *Railways (Access) Code 2000 (Code)*.

Overpayment Rules establish a basis for the railway owner to reimburse operators in the event that total revenue earned on a particular route section exceeds total costs attributable to that route section. The Overpayment Rules apply only to operators who are provided with access under the Code.

Pursuant to WNR's current approved Overpayment Rules and Costing Principles, the Authority is required to commence a review of these two Part 5 instruments in October 2010. WNR submitted its proposed revised Overpayment Rules and Costing Principles to the Authority on 30 September 2010.

Interested parties are invited to make submissions in print and electronic form on WNR's Overpayment Rules and Costing Principles by **4:00 pm (WST) on Tuesday, 2 November 2010**.

Submissions should be marked to the attention of the Senior Project Officer (Rail), Access.

Postal address: PO Box 8469, PERTH BC WA 6849  
Office address: Level 6, 197 St Georges Terrace, PERTH WA 6000  
Email address: [publicsubmissions@erawa.com.au](mailto:publicsubmissions@erawa.com.au)

### Confidentiality

In general, all submissions from interested parties will be treated as being in the public domain and placed on the Authority's website. Where an interested party wishes to make a submission in confidence, it should clearly indicate the parts of the submission for which confidentiality is claimed, and specify in reasonable detail the basis for the claim. Any claim of confidentiality will be considered in accordance with the provisions of the *Railways (Access) Act 1998* and *Railways (Access) Code 2000*.

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.

For further information contact:

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LYNDON ROWE

**CHAIRMAN**

6 October 2010