



NOTICE

Disclosure of information under the National Gas Access Act (WA) 2009

PROPOSED REVISED ACCESS ARRANGEMENT FOR THE DAMPIER TO BUNBURY NATURAL GAS PIPELINE

The Economic Regulation Authority has today published two submissions from DBNGP (WA) Transmission Pty Ltd (**DBP**) on its [website](#):

- DBP, 6 August 2010, Submission 26: Response to 3rd Party Submissions
- DBP, 11 August 2010, Submission 27: Response to Rio Tinto Submission.

In deciding to publish these submissions, the Authority has decided to disclose some information in Submission 26 that DBP has claimed to be confidential. This disclosure decision has been made pursuant to section 329 of the Western Australian National Gas Access Law (**NGL(WA)**), as implemented by the *National Gas Access (WA) Act 2009*.

A summary of the information the Authority agrees should remain confidential is included in [Schedule 1](#) of this notice.

BACKGROUND

Notice of disclosure

Pursuant to section 329(2) of the NGL(WA), on 14 September 2010, the Authority issued an *Initial Disclosure Notice* to DBP giving notice of the Authority's intention to disclose information in Submission 26 that DBP claimed to be confidential. Pursuant to section 329(3), separate disclosure notices were issued to three additional parties, being persons from whom DBP received information which DBP claimed to be confidential.

All parties were given until 5:00 PM (WST) Tuesday, 21 September 2010 to make representations to the Authority not to disclose the information in question. DBP was the only party who made representations to the Authority.

The Authority considered DBP's representations. On 26 October 2010, the Authority issued a *Further Disclosure Notice* to DBP pursuant to section 329(6) of the NGL(WA) giving notice of the Authority's intention to disclose certain information in Submission 26 that DBP claimed to be confidential.

Pursuant to section 329(1), the Authority is authorised to disclose the information the subject of the *Further Disclosure Notice* 5 business days after the *Further Disclosure Notice* was provided to DBP.

Proposed revised access arrangement

The proposed revised access arrangement currently under review was submitted to the Authority on 1 April 2010 by DBP for approval under the NGL(WA).

The Authority invited submissions from interested parties on the proposed revisions over the period 15 April 2010 to 9 July 2010. Public submissions are available from the Authority's [website](#).

The Authority appreciates input from interested parties on the proposed revisions and is considering the matters raised in submissions as part of its decision-making process. The Authority will publish a draft decision as soon as practicable.

For further information contact:

General Enquiries

Rasmus Moerch / Sarah Walsh
Manager Projects, Access
Ph: 61 8 9213 1900
Fax: 61 8 9213 1999

Media Enquiries

Sue McKenna
The Communications Branch Pty Ltd
Ph: 61 8 9254 4044
Mb: 0424 196 771

LYNDON ROWE
CHAIRMAN

3 November 2010

SCHEDULE 1: SUMMARY OF REDACTED ELEMENTS OF DBP SUBMISSION 26 AND CORRECTIONS

Redacted information

The Authority has published DBP's confidential Submission 26 redacting only the information that the Authority is of the opinion would, if disclosed:

- a) cause detriment to DBP or the person providing that information to DBP; and
- b) the public interest does not outweigh that detriment.

The following numbered paragraphs of Submission 26 remain confidential and have been redacted:

- Paragraph 8.5(d) (only those parts identified as being confidential);
- Paragraphs 8.6 and 8.7;
- Paragraph 8.8 (only those parts identified as being confidential);
- Paragraphs 8.10 and 8.11;
- Paragraph 8.13(b) (only those parts identified as being confidential);
- Paragraph 8.13(e) (only those parts identified as being confidential);
- Paragraph 8.16 (only those parts identified as being confidential); and
- Clause 2.6 of Attachment 2 (only those parts identified as being confidential).

Editorial changes

Section 3 of Submission 26 has been amended to correct typographical errors that were identified by DBP. Specifically, references to "submission 12" have been amended to be references to "submission 8" in the following paragraphs.

- Paragraph 3.19 (line 10)
- Paragraph 3.37 (lines 7 and 15)
- Paragraph 3.39 (lines 5 and 7)
- Paragraph 3.40 (line 4)
- Paragraph 3.53 (lines 1 and 6)
- Paragraph 3.55 (line 7)