



# INFORMATION

## DAMPIER TO BUNBURY NATURAL GAS PIPELINE: PROPOSED REVISED ACCESS ARRANGEMENT

### CALCULATION OF TIME FOR PUBLICATION OF A FINAL DECISION

The Economic Regulation Authority has decided to disregard certain periods of time, under rule 11 of the National Gas Rules (**NGR**), for the purpose of calculating the time by which a final decision must be made on the DBNGP (WA) Transmission Pty Ltd (**DBP**) proposed revised access arrangement for the Dampier to Bunbury Natural Gas Pipeline.

The periods of time to be disregarded relate to periods of time allowed for submissions from relevant parties on the Economic Regulation Authority's proposals to disclose confidential information and the time that it took to consider the submissions it received and to decide whether to disclose the information.

The Economic Regulation Authority has decided to disregard 30 business days for the disclosure of the following submissions which DBP claimed to be confidential:

- Submission 26: Response to 3rd Party Submissions (Confidential Version, 6 August 2010);
- Submission 35: Response to ERA Information Request of 28 October 2010 (Confidential, 7 January 2011); and
- Submission in response to ERA Discussion Paper - Measuring the Debt Risk premium: A Bond-Yield Approach (Confidential, 7 January 2011).

It is anticipated that the Authority's draft decision on DBP's proposed revised access arrangement will be published in March 2011. A subsequent public submission period will also be considered as disregarded time under rule 11 of the NGR. The date of the publication of the final decision will be affected by the timing of this consultation process.

### Background

DBP lodged proposed revisions to its access arrangement on 1 April 2010. Rule 62(7) of the NGR states that "an access arrangement final decision must be made within six months of the date of receipt of the access arrangement proposal".

Where a time limit has been prescribed in the NGL or the NGR, the Authority as the decision-maker, under rule 11 of the NGR, has the discretion to disregard certain periods for the purpose of calculating elapsed time.

Pursuant to rule 13(2) of the NGR, there is an overall time limit of 13 months between the date on which a service provider submits an access arrangement proposal and the date for the publication of a final decision. The Authority's final decision must therefore be published by 1 May 2011.

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