



CONSULTATION

Proposed Revised Access Arrangement for the Dampier to Bunbury Natural Gas Pipeline

AMENDMENT OF NOTICE - EXTENSION OF TIME TO MAKE SUBMISSIONS

The Economic Regulation Authority has decided to extend the public consultation process for interested parties to respond to the Authority's Draft Decision on the Dampier to Bunbury Natural Gas Pipeline (**DBNGP**) Access Arrangement issued on 14 March 2011, DBP's amended revised access arrangement proposal (18 April 2011) and DBP's supporting submissions (20 May 2011).

Interested parties are invited to make submissions in print and electronic form by **4:00 pm (WST) on Wednesday, 20 July 2011**.

Submissions should be marked to the attention of Executive Director 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

Background

The Authority published a notice on 14 March 2011 specifying the revision period and inviting interested parties to make submissions on the draft decision and the amended revised access arrangement proposal by 20 May 2011 (**Notice**).

In response to the Authority's Draft Decision, DBNGP Transmission (**DBP**) submitted its amended revised access arrangement proposal on 18 April 2011. DBP stated that it would make 10 additional submissions to explain and substantiate the amendments and additions in the amended revised access arrangement proposal.

In response to DBP's approach to provide supporting and explanatory information, the Authority wrote to DBP raising its concern that DBP's supporting and explanatory information is required for the Authority and third-party assessment of DBP's revision proposal.

Several third parties also wrote to the Authority raising their concern that they are not sufficiently informed to make submissions. As a result, these parties sought an extension of the public consultation period.

DBP submitted its supporting submissions to the Authority by 4:00 pm (WST) Friday 20 May 2011. However, DBP has claimed confidentiality over DBP Submissions 51, 52, 54, 55 and 56. The public submissions provided by DBP are available on the Authority's [website](http://www.erawa.com.au) together with third party submissions provided by 20 May 2011.

Disclosure Process

The Authority has commenced a disclosure process for DBP's confidential supporting submissions to allow third parties to make informed submissions on DBP's amended revised Access arrangement proposal.

Decision to extend the public consultation process

The Authority is of the view that third parties should have approximately 20 business days to consider DBP's supporting submissions that are subject to a disclosure process. To allow for the expected time of the disclosure process and an additional 20 business days, the Authority has extended the public consultation process until 20 July 2011.

However, the timing of the disclosure process currently underway is uncertain, and the Authority will consider any extensions of the public consultation process if the disclosure process proceeds contrary to expectations.

The Authority has formed this view after consideration of:

- the timing of DBP's supporting and explanatory submissions for its amended revised access arrangement proposal;
- the nature of the content and confidentiality claims of DBP's supporting and explanatory submissions for its amended revised access arrangement proposal; and
- other interested parties' submissions seeking an extension of the public submission process.

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 National Gas Access (Western Australia) Law implemented by the *National Gas Access (Western Australia) Act 2009*.

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

26 May 2011