

Decision on the Water Corporation's Request for an amendment to Operating Licence No.32

22 September 2006

Economic Regulation Authority



WESTERN AUSTRALIA

A full copy of this document is available from the Economic Regulation Authority website at www.era.wa.gov.au.

For further information, contact:

Mr Paul Kelly
Executive Director
Licensing, Monitoring and Customer Protection
Economic Regulation Authority
Perth, Western Australia
Phone: (08) 9213 1900

© Economic Regulation Authority 2006

The copying of this document in whole or part for non-commercial purposes is permitted provided that appropriate acknowledgment is made of the Economic Regulation Authority and the State of Western Australia. Any other copying of this document is not permitted without the express written consent of the Authority.

DECISION

- 1) The Water Corporation (Corporation) has applied to the Economic Regulation Authority (Authority) for an amendment to Licence No.32 to extend the Corporation's Gingin Water Supply Operating Area to include the area contained within the Operating Licence, IL/8, currently held by Nilgin Services Company Limited (NSCL). The amendment is to take effect at the expiry of the NSCL licence.
- 2) The proposed licence area covers the Nilgin land allotments 8 kms north east of Lancelin.
- 3) The Application was made pursuant to section 28(1) of the *Water Services Licensing Act 1995 (Act)*.
- 4) Pursuant to section 28(2) of the Act, the Authority approves the amendment of Operating Licence No.32 to extend the Corporation's Gingin Water Supply Operating Area (ERA map reference OWR-OA-247B) to include a licence area consistent with the area contained within Operating Licence IL/8 (ERA map reference OWR-OA-198C). The licence amendment is to be granted on and from 1 October 2006.

REASONS

1. Section 31 of the Act sets out the factors governing the Authority's decision to amend a water services operating licence. Section 31 is reproduced below:
 31. Amendment of licence
 - (1) The Authority may determine that a licence is to be amended.
 - (1a) The Authority is not to make a determination under subsection (1) unless the Authority is satisfied that it would not be contrary to the public interest to do so.
2. A notice advising receipt of the Corporation's licence application was published on the Authority's website on 15 June 2006. In addition, the notice was forwarded to existing licensed water service providers. The Authority did not receive any objection to the amendment of the Corporation's Licence No.32.
3. In its consideration of the licence application, the Authority considered the public interest, including the matters set out in section 19(1b) of the Act as required by section 28(2) of the Act. The Authority is satisfied that both licence applications are not contrary to the public interest.
4. The Authority will publish notice of the decision in the *Government Gazette* as soon as is practicable.

LYNDON ROWE

CHAIRMAN

22 September 2006