

OFFICE OF GAS ACCESS REGULATION

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NOTICE

DRAFT DECISION: RING FENCING ARRANGEMENTS

PARMELIA PIPELINE

This is to notify that I have today issued a Draft Decision on an application for waiver of certain ring fencing obligations lodged on 31 March 2000 by CMS Gas Transmission Australia (CMS) for the Parmelia Pipeline [Pipeline License No's: 1-3, 5 and 23].

In accordance with section 4.20 of the *National Gas Pipelines Access Code for Natural Gas Pipeline Systems* (the Code), this is to advise that I do not intend issuing a notice under section 4.15 of the Code granting a waiver of the ring fencing obligations under sections 4.1(b), 4.1(h) or 4.1(i) of the Code in respect of the Parmelia Pipeline.

However, there are a number of issues requiring additional information from CMS before these issues can be adequately addressed. Since the Code does not provide sufficient time for this information to be provided prior to issuing this Draft Decision, the required information will be obtained and made publicly available during the public consultation period that commences today.

On the basis of the available information, I have assessed the application for waiver of ring fencing obligations against the requirements of the Code. In addition, I have considered issues raised by two submissions lodged in respect of this pipeline.

With independent advice, I have concluded that the Application, as submitted, has not met the requirements for waiving ring fencing obligations as outlined under Section 4.15 (a) and (b) of the Code.

My decision has been made after considering the interests of all stakeholders and those of CMS. Each application for waiver is assessed on a case by case basis.



Available Documentation

A copy of the Draft Decision can be obtained from the Office of Gas Access Regulation and is available from the Office of Gas Access Regulation's web site at <http://www.offgar.wa.gov.au/>. Printed copies of the document are also available at a cost of \$10 each by contacting:

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Invitation to Comment

In handing down this Draft Decision and considering the need to obtain additional information from the applicant, I have set a period of 3 months for responses from CMS and other interested parties. Submissions in relation to this Draft Decision should be received by the Office of Gas Access Regulation by 4pm (WST) Thursday 31 August 2000. All issues raised by the due date will be taken into account.

Confidentiality

In general, all submissions from interested parties will be treated as in the public domain and placed on the *OffGAR* web site. Where an interested party wishes to keep part or all of the contents of a submission confidential, it should indicate these parts clearly. However, where the Regulator considers that the release of this information would not be 'unduly harmful' to the legitimate business interests of any party, it will provide the party making the submission the option of revising or withdrawing its submission.

Submissions should be in both written and electronic form and addressed to Mr. Mike Jansen at the address above.

KEN MICHAEL
GAS ACCESS REGULATOR

22 May 2000