

IN THE WESTERN AUSTRALIAN ELECTRICITY REVIEW BOARD

File No 1 of 2010

Re Application for review of the decision by the Western Australian Economic Regulation Authority published on 5 August 2010 to approve its own revised Access Arrangement for the Goldfields Gas Pipeline

Applicant BHP Billiton Nickel West Pty Ltd (ABN 76 004 184 598)

First Respondent Southern Cross Pipelines Australia Pty Limited, Southern Cross Pipelines (NPL) Australia Pty Ltd, Alinta DEWAP Pty Ltd and Goldfields Gas Transmission Pty Ltd

Second Respondent Economic Regulation Authority

File No 2 of 2010

Re: Application under section 39(1) of Schedule 1 of the *Gas Pipelines Access (Western Australia) Act 1998* (which provision continues to apply by reason of section 28(4) of Schedule 3 of the *National Gas Access (WA) Act 2009*) for a review of the decision of the Economic Regulation Authority to draft and approve revisions of the access arrangement to apply to the Goldfields Gas Pipeline in place of the access arrangement revisions submitted for approval by Goldfields Gas Transmission Pty Ltd on behalf of the Goldfields Gas Transmission Joint Venture

Applicant: Southern Cross Pipelines Australia Pty Limited, Southern Cross Pipelines (NPL) Australia Pty Ltd, Alinta DEWAP Pty Ltd and Goldfields Gas Transmission Pty Ltd

First Respondent BHP Billiton Nickel West Pty Ltd (ABN 76 004 184 598)

Second Respondent Economic Regulation Authority

ORDERS VARYING PROCEDURAL TIMETABLE

Made by DS Ellis
Date of Order 28 February 2011
Where made Perth

THE WESTERN AUSTRALIAN ELECTRICITY REVIEW BOARD ORDERS THAT:

- 1 Orders 1 to 6 inclusive of the Orders made by the Board on 23 December 2010 be varied to reflect the Minute of Consent Orders dated 24 February 2011 , a copy of which is annexed hereto.

.....
DS Ellis
Chairperson
Electricity Review Board

APPLICATION FOR REVIEW BY

THE WESTERN AUSTRALIAN ELECTRICITY REVIEW BOARD

IN THE WESTERN AUSTRALIAN ELECTRICITY REVIEW BOARD

File No 1 of 2010

Re: Application for review of the decision by the Western Australian Economic Regulation Authority published on 5 August 2010 to approve its own revised Access Arrangement for the Goldfields Gas Pipeline

Applicant BHP Billiton Nickel West Pty Ltd (ABN 76 004 184 598)

First Respondent Southern Cross Pipelines Australia Pty Limited, Southern Cross Pipelines (NPL) Australia Pty Ltd, Alinta DEWAP Pty Ltd and Goldfields Gas Transmission Pty Ltd

Second Respondent Economic Regulation Authority

File No 2 of 2010

Re: Application under section 39(1) of Schedule 1 of the Gas Pipelines Access (Western Australia) Act 1998 (which provision continues to apply by reason of section 28(4) of Schedule 3 of the National Gas Access (WA) Act 2009) for a review of the decision of the Economic Regulation Authority to draft and approve revisions of the access arrangement to apply to the Goldfields Gas Pipeline in place of the access arrangement revisions submitted for approval by Goldfields Gas Transmission Pty Ltd on behalf of the Goldfields Gas Transmission Joint Venture

Applicant Southern Cross Pipelines Australia Pty Limited, Southern Cross Pipelines (NPL) Australia Pty Ltd, Alinta DEWAP Pty Ltd and Goldfields Gas Transmission Pty Ltd

First Respondent BHP Billiton Nickel West Pty Ltd (ABN 76 004 184 598)

Second Respondent Economic Regulation Authority

MINUTE OF CONSENT ORDERS

10642869_1

Filed on behalf of BHP Billiton Nickel West Pty Ltd by:
MALLESONS STEPHEN JAQUES
Level 10, Central Park
152 St George's Terrace
PERTH WA 6000

Date of Document: 24 February 2011
T+ 61 8 9269 7000
F+ 61 8 9269 7999
Ref: BJD:09-5504-6840

- 1 On or before **4 March 2011**, the Applicants file and serve a statement of issues, facts and contentions, together with a written outline of submissions, in relation to their respective applications.
- 2 On or before **18 March 2011**:
 - (a) BHP file and serve a statement of issues, facts and contentions, together with a written outline of its submissions in reply in File No. 2 of 2010.
 - (b) the GGTV and GGT file and serve a statement of issues, facts and contentions, together with a written outline of its submissions in reply in File No. 1 of 2010.
- 3 On or before **28 March 2011**, the Economic Regulation Authority file and serve a statement of issues, facts and contentions, together with a written outline of its submissions in Files No. 1 and 2 of 2010.
- 4 On or before **8 April 2011**, the Applicants file and serve a written outline of any submissions in reply to the materials provided pursuant to orders 2 and 3.
- 5 On or before **11 April 2011**, the Applicants, in consultation with the Economic Regulation Authority and the Registrar, prepare and review a book index to include:
 - (a) the applications for review;
 - (b) all submissions on the applications; and
 - (c) a copy of all documents to be relied on by the parties.
- 6 On or before **13 April 2011**, the Applicants file and serve the review book.
- 7 The matters be listed for hearing for four days on **18 April 2011** to **21 April 2011** (inclusive).
- 8 There be liberty to apply.

Mallesons Stephen Jaques
Solicitors for BHP Billiton Nickel West

Gilbert + Tobin
Solicitors for Southern Cross Pipelines

Talbot Olivier Lawyers
Solicitors for the Economic Regulation
Authority