

Our Ref: C2002/1134  
Contact Officer: Nicole Moffatt  
Contact Phone: 02 9230 9115

16 May 2003

Mr Michael McCormack  
General Manager - Commercial  
Australian Pipeline Trust  
PO Box 934  
Mascot NSW 2020

Dear Mr McCormack

**Moomba – Sydney Pipeline access arrangement**

I refer to your letter of 14 May 2003 regarding the process to be adopted by the Commission prior to determination of a final decision on the Moomba-Sydney pipeline access arrangement.

As a point of correction, your letter states that the Commission intends to consider a Final Decision, without necessarily issuing a Draft Decision. This is not a true representation of the Commission's position as stated in its meeting with EAPL/APT representatives on 24 March 2003. During that meeting, Ms Copley explained that the Commission is currently drafting a decision document which, once completed, the Commission will consider before deciding on the process. That is, whether it will be released as a draft or final decision. Commission staff also reiterated the Commission's earlier commitment to EAPL/APT (ACCC letter to M. McCormack dated 15 October 2002) to provide a seven day period between advising EAPL/APT of the proposed process and releasing its decision to enable EAPL/APT to consider and obtain advice on the Commission's process.

The Commission has not changed its position regarding its previous advice to EAPL/APT on this issue.

Notwithstanding this advice, your letter requests that the Commission advise EAPL/APT of its intended course of action as soon as possible. As you are aware, the Commission has only been in receipt of EAPL/APT's revised volume forecasts for four days and is still waiting on outstanding information arising from this latest proposed change by EAPL/APT. The Commission will need to assess the new information and consider the issues raised in your letter before deciding whether they necessitate the release of a further draft decision.

Accordingly, at this stage the Commission can only reconfirm to you its earlier advice.

For the purposes of transparency, your correspondence and this response have been placed on the Commission's website.

If you have any queries in relation to these matters please ring either Nicole Moffatt (02 9230 9115) or John Bastick (02 6243 1364).

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Phillips'.

Russell Phillips  
Acting General Manager  
Regulatory Affairs - Gas