



BALLERA TO WALLUMBILLA NATURAL GAS PIPELINE

ANNEXURE C

DEFINITIONS

**SUBMISSION VERSION
17 AUGUST 2000**

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In the Access Arrangement and the Additional Terms and Conditions except where the context expressly provides for another meaning definitions are as follows:

Access Arrangement has the meaning given in the Access Principles;

Access Arrangement Information means the material submitted by Epic Energy in compliance with sections 2.6, 2.7, 2.8 and Attachment A of the Code;

Access Arrangement Period means the date the Regulator approves the Access Arrangement until the Revisions Commencement Date;

Access Principles means the Reference Tariff and Reference Tariff Policy derogated by the Queensland Government pursuant to Section 58 of the Law and contained in Annexure A to the Access Arrangement. When read with the Additional Terms and Conditions and the Definitions the document constitutes the Gas Transportation Agreement Terms and Conditions;

Additional Terms and Conditions means the document contained at Annexure B to the Access Arrangement. When read with the Access Principles and the Definitions the document constitutes the Gas Transportation Agreement Terms and Conditions;

Annexure means an annexure to the Access Arrangement;

Authorised Overrun Service has the meaning given in the Access Principles;

Back Haul means the transport of Gas in the SWQP from the direction of Wallumbilla towards Ballera;

Back Haul Service has the meaning given in the Access Principles;

Back Part Haul Service (Zonal) has the meaning given in the Access Principles;

Bare Transfer has the meaning given in the Code;

Business Day means any Day except Saturdays, Sundays and gazetted public holidays in Brisbane;

Capacity means the capacity in the SWQP to transport quantities of Gas from a Receipt Point to a Delivery Point;

Capital Contribution has the meaning given in the Code;

Code means the National Third Party Access Code for Natural Gas Pipeline Systems as in force in Queensland from time to time;

Commencement Date means the date on which a Shipper's Gas Transportation Agreement commences or is deemed to commence pursuant to a Gas Transportation Request;

Contract Carriage Pipeline has the meaning given in the Code;

Contracted Capacity has the meaning given in the Code;

Covered Pipeline means the SWQP and any extension or expansion of the SWQP which becomes covered under the Access Arrangement;

CPI has the meaning given in the Access Principles. If that Index is discontinued or modified, an alternative equivalent index provided by the Australian Bureau of Statistics. If no equivalent alternative index is available, then either the Shipper or Epic Energy may request the Institute of Actuaries of Australia to provide an alternative index which is equivalent to the CPI, and that alternative index shall be deemed to be the CPI for the purposes of the Gas Transportation Agreement;

Curtailed Notice has the meaning given in clause 14 of the Additional Terms and Conditions;

Customer Reporting System or **CRS** has the meaning given in clause 12.1 of the Additional Terms and Conditions;

Day means a period of 24 consecutive hours beginning at 8:00am;

Defaulting Party has the meaning given in clause 20.3(a) of the Additional Terms and Conditions;

Definitions means this document which is Annexure C to the Access Arrangement;

Delivery Point has the meaning given in the Access Principles;

Delivery Point MDQ has the meaning given in the Access Principles;

Epic Energy means Epic Energy Queensland Pty Limited (ABN 67 066 656 219) or its successors;

Excess MHQ Rate means the same rate as the Unauthorised Overrun Rate in the Access Principles;

Existing Firm Service means those Shipper's with Gas Transportation Agreements for the transportation of Gas in the SWQP on a firm basis prior to the commencement of the Access Arrangement;

Force Majeure has the meaning given in clause 18 of the Additional Terms and Conditions;

Forward Haul means the transport of Gas in the SWQP from the direction of Ballera towards Wallumbilla;

Forward Part Haul Service (Zonal) has the meaning given in the Access Principles;

Full Forward Haul Service means the Reference Service as defined in Paragraph 6.2 of the Access Arrangement and in the Access Principles is the service described as "Forward Haul Service" or "FH1 Service";

Gas means any mixture of hydrocarbons or of hydrocarbons and non-combustible gases in a gaseous state which meets the Gas Specifications, and any Out-of-Specification Gas accepted by Epic Energy under clause 7.4 of the Additional Terms and Conditions;

Gas Specifications means the gas specifications given in clause 13.7 (b) of the Access Principles;

Gas Transportation Agreement means the contract entered into between Epic Energy and a Shipper for a Transportation Service, which agreement includes the Gas Transportation Agreement Terms and Conditions;

Gas Transportation Agreement Period means the term of the Gas Transportation Agreement specified in the Gas Transportation Request accepted by Epic Energy;

Gas Transportation Agreement Terms and Conditions means the terms and conditions governing the Transportation Service and is the Access Principles read together with the Additional Terms and Conditions and the Definitions as may be altered or varied by Epic Energy from time to time;

Gas Transportation Guide has the meaning given in Paragraph 5.1 of the Access Arrangement.

Gas Transportation Request means the request for access to Services by a Shipper as set out in the Gas Transportation Guide;

GJ has the meaning given in the Access Principles;

Gross Heating Value means energy produced by the complete combustion of one Cubic Metre of Gas with air, at an absolute pressure of 101.325 kPa and temperature of 15° Celsius, with the Gas free of all water vapour, the products of combustion cooled to a temperature of 15° Celsius and the water vapour formed by combustion condensed to the liquid state;

GST has the meaning given in clause 3.1(b) of the Additional Terms and Conditions;

Imbalance has the meaning given in the Access Principles;

Independent Expert has the meaning given in clause 16 of the Additional Terms and Conditions;

Information Package has the meaning given in the Code;

Interconnect Party means a person who operates Interconnection Facilities;

Interconnection Facilities means those pipeline facilities that are required to connect the SWQP to the facilities of the Shipper or of another person who receives or delivers Gas for the Shipper's account, to enable Epic Energy to receive or deliver Gas under the Gas Transportation Agreement;

Interest means a rate of interest equal to the "Reference Rate" as published by the National Australia Bank in the financial press from time to time and if at any time the "Reference Rate" ceases to be published, then such other rate per annum as the Parties may agree is a reasonable substitute, or failing agreement, as may be determined as a financial matter in accordance with clause 16.

Interruptible Part Haul Service (Zonal) has the meaning given in the Access Principles;

Interruptible Transportation Service has the meaning given in the Access Principles;

Joule or **J** is the amount of work done when the point of application of a force of one newton is displaced a distance of one metre in the direction of the force;

KPa is one kilopascal and is equal to one thousand pascals absolute;

Law means the Gas Pipelines Access (Queensland) Act, 1998 as amended and in force from time to time;

Licence has the meaning given in the Access Principles;

Linepack has the meaning given in the Access Principles;

MAOP has the meaning given in the Access Principles;

MDQ has the meaning given in the Access Principles;

Metering Equipment has the meaning given in the Schedule to the Additional Terms and Conditions;

Metering Station has the meaning given in clause 6.1(a) of the Additional Terms and Conditions;

MHQ or **Maximum Hourly Quantity** means $1/24^{\text{th}}$ of the Receipt Point MDQ or $1/24^{\text{th}}$ of the Delivery Point MDQ respectively;

Month means a period beginning at 8:00 a.m. on the first Day of the calendar Month and ending at 8:00 a.m. on the first Day of the succeeding calendar Month;

Monthly Reservation Charge means the reservation charge paid by the Shipper each Month in accordance with clause 4.1 of the Access Principles;

New Facilities means facilities constructed for or on behalf of the Shipper by Epic Energy, including but not limited to meter stations, receipt points and delivery points;

New Facilities Investment has the meaning given in the Code;

Nomination Form means the nomination form contained in the Gas Transportation Guide;

Non-Defaulting Party has the meaning given in clause 20.3(a) of the Additional Terms and Conditions;

Non Reference Services means those services described in Paragraph 6.1(b) of the Access Arrangement.

Out-of-Specification Gas has the meaning given in clause 7.4 of the Additional Terms and Conditions;

Out-of-Specification Gas Rate means the same rate as the Unauthorised Overrun Rate in the Access Principles;

Overrun Quantity or **Overrun Quantities** has the meaning given in the Access Principles;

Paragraph means a paragraph of the Access Arrangement;

Park and Loan Service is a service where Epic Energy agrees that a Shipper may deliver a quantity of Gas into the SWQP at a Receipt Point on a Day, without the Shipper taking delivery of that Gas at a Delivery Point on the same Day ("**Park Service**") OR where Epic Energy agrees that a Shipper may take a quantity of Gas at a Delivery Point without supplying an equivalent quantity of Gas at a Receipt Point on the same Day and consequently that Gas is delivered to Shipper out of Linepack ("**Loan Service**");

Party means Epic Energy or the Shipper, as the context requires;

Pipeline Licence means a pipeline licence issued under the Petroleum Act, 1923 (Queensland);

PJ has the meaning given in the Access Principles;

Prescribed Fee means the non refundable amount of \$5,000, plus any applicable GST or other Supply Tax as may be levied from time to time;

Prospective Shipper means a person who seeks or is reasonably likely to seek to enter into a contract for Services and includes a Shipper who seeks or may seek to enter into a contract for an additional Service;

Reasonable and Prudent Efforts means, in relation to an undertaking, the exercise of skill, diligence, prudence and foresight which would be expected to be exercised by a skilled, competent and experienced person complying with all recognised standards and applicable laws in the same type of undertaking under the circumstances;

Receipt Point has the meaning given in the Access Principles;

Receipt Point MDQ has the meaning given in the Access Principles;

Reference Service means Full Forward Haul Service and is described in Paragraph 6.2 of the Access Arrangement;

Reference Tariff means the Reference Tariff for Full Forward Haul Service as set out in the Access Principles;

Reference Tariff Policy has the meaning given in the Access Principles;

Reference Tariff Structure and Charges means the Reference Tariff Structure and Charges for Full Forward Haul Service as set out in the Access Principles;

Regulator means the Regulator appointed under the Law;

Related Company means a related body corporate defined under Section 50 of the Corporations Law;

Revisions Commencement Date has the meaning given in the Code;

Revisions Submission Date has the meaning given in the Code;

Roma to Brisbane Pipeline or **RBP** means the pipeline and pipeline facilities owned by Australian Pipeline Trust and IOL Petroleum Ltd or their successors as tenants in common that commences near Wallumbilla and terminates in Brisbane and is fully described in Pipeline Licence 2;

Roma to Brisbane Pipeline Delivery Point means the point of interconnection of the SWQP with the RBP;

Service or **Services** means a Reference Service or a Non Reference Service as the case may be;

Shared Revenue has the meaning given in the Access Principles, therein described as "Revenue Sharing";

Shared Revenue Agreement means a Gas Transportation Agreement receiving Shared Revenue;

Shared Revenue Service has the meaning given in the Access Principles;

Shared Revenue Shipper means a Shipper whose Gas Transportation Agreement is a Shared Revenue Agreement;

Shipper means the shipper specified in the Gas Transportation Request and is described in the Access Principles as "User".

Standard Conditions for Gas measurement shall be:

- (a) standard pressure of 101.325 kPa,
- (b) standard temperature of 15.0 degrees Celsius and
- (c) density of air at standard temperature and pressure of 1.2255 kg/m³;

State means the State of Queensland;

State Gas Pipeline or **SGP** has the meaning given in the Access Principles;

State Gas Pipeline Delivery Point means the point of interconnection of the SWQP with the SGP;

Supply Tax has the meaning given in clause 3.1(a) of the Additional Terms and Conditions;

Surcharge has the meaning given in the Code;

SWQP means the pipeline from Ballera to Wallumbilla in South-West Queensland, as fully described in Pipeline Licence 24 and also described in the Access Arrangement Information;

System Use Gas has the meaning given in the Access Principles;

System Use Gas Percentage means the System Use Gas Percentage determined according to clause 4.2 of the Additional Terms and Conditions;

Trading Policy means the policy set out in Paragraph 11 of the Access Arrangement;

Transportation Service has the meaning given in the Access Principles;

Unauthorised Overrun Rate has the meaning given in the Access Principles;

Unauthorised Overrun Service has the meaning given in the Access Principles;

Upstream Deliveries has the meaning given in Paragraph 6.3 of the Access Arrangement;

Year means a period of 365 consecutive Days, provided however, that any Year which contains a date of 29 February shall consist of 366 consecutive Days; and

Zone has the meaning given in the Access Principles.