

29 April 2016

Mr Warwick Anderson  
General Manager – Network Finance and Reporting  
Australian Energy Regulator  
GPO Box 3131  
Canberra ACT 2601

Dear Mr Anderson

**Correction of typographical errors in the Reference Services Agreement - access arrangement 2016-21 ActewAGL (ACT, Queanbeyan and Palerang)**

I refer to my telephone discussion with Lynley Jorgensen on 22 April 2016.

ActewAGL Distribution has identified two typographical errors in ActewAGL Distribution's proposed Reference Services Agreement (**RSA**) submitted to the AER on 6 January 2016. Those errors are contained in "Clause 9.4 - Responsibility for Gas" and "Annexure 3 - clause 5.4 - Gas Balancing" (see pages 28 and 98 respectively of the attached RSA).

The changes required to correct these errors, being to:

- insert an additional bracket after "..and 9.5(e)" in clause 9.4(a); and
- replace "positive" with "negative" in clause 5.4(c) of Annexure 3,

are marked-up on the attached copy of RSA (a clean copy of the RSA is also attached).

ActewAGL Distribution considers these errors to be manifest on the face of the RSA. Regarding the error in clause 5.4(c) of Annexure 3, as currently drafted it would result in the Operational Balancing Cost being borne by Network Users that have not contributed to the shortfall rather than the users that have so contributed. This result is absurd and manifestly incorrect. It follows that a Court would likely read the relevant RSA provisions in their correct form but, as the RSA has not yet been finalised, it is desirable that they be corrected.

Against this background, ActewAGL Distribution requests that the AER correct the errors identified above in making its upcoming Final Decision.

Please contact me ([philip.deamer@actewagl.com.au](mailto:philip.deamer@actewagl.com.au) or phone 02 6248 3438) to discuss any aspects of this letter.

Yours sincerely



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ActewAGL