



**Australian Competition & Consumer Commission**

PO Box 1199  
Dickson ACT 2602  
470 Northbourne Ave  
Dickson ACT 2602  
Australia

Our Ref: C1999/3  
Contact Officer: Simon Brinsmead  
Contact Phone: (02) 6243 1232

Ph (02) 6243 1123  
Fax (02) 6243 1122

11 January 2002

Mr Mick McCormack  
General Manager - Commercial  
Australian Pipeline Trust  
PO Box 934  
MASCOT NSW 2020

Dear Mr McCormack

**Access Arrangement For The Moomba to Sydney Pipeline System**

Thank you for your letter of 19 December 2001 addressed to Ms Kanwaljit Kaur requesting a further postponement of the Australian Competition and Consumer Commission's ("the Commission's") *Final Decision* on East Australian Pipeline Limited's ("EAPL's") proposed access arrangement for the Moomba to Sydney Pipeline System ("the MSP").

The Commission has considered the case put in your letter that the *Final Decision* should again be postponed as EAPL's application to the NCC to revoke coverage of the MSP has not yet been finalised. The Commission acknowledges that, were the Minister to decide that coverage should be revoked, EAPL would not be required to submit an access arrangement in respect of either the Moomba to Sydney mainline or the Dalton to Canberra lateral.

However, the Commission considers it appropriate at this time to proceed with the release of its *Final Decision*. The Commission's principal reason for adopting this course of action is that the NCC has relied in part on the Commission's *Draft Decision* in its Draft Recommendation of 17 December 2001 on EAPL's revocation application for the MSP.

The *Draft Decision* is now over 12 months old, and the Commission has not yet responded to the comments of interested parties in relation to the *Draft Decision*, the Commission considers it appropriate to proceed with release of the *Final Decision*. In Agility's submission to the Commission of 14 March 2001 on behalf of EAPL, Agility expressed the intention of EAPL to submit a revised access arrangement to the Commission addressing the issues raised in the *Draft Decision*, as well as some other matters.

The Commission considers it appropriate that EAPL be given until 28 February 2002 to submit a revised access arrangement incorporating, or substantially incorporating, the



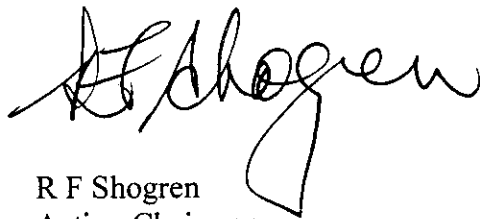
revisions specified in the *Draft Decision*. The Commission also intends to seek further submissions from interested parties.

After taking into account submissions received in response to the *Draft Decision*, any revised access arrangement submitted by EAPL, and further submissions from interested parties, the Commission will proceed to release its *Final Decision*.

A copy of this letter will be placed on the Commission's website.

If you have any inquiries in relation to this matter, please contact Simon Brinsmead on (02) 6243 1232.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R F Shogren'. The signature is written in a cursive style with a large, sweeping flourish at the end.

R F Shogren  
Acting Chairman