

## STAKEHOLDER NOTICE

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15 December 2017

### Notice of time periods - Aurizon Network's 2017 draft access undertaking investigation

The QCA has updated the notice of time periods for the assessment of Aurizon Network's 2017 DAU, in accordance with our *Queensland Competition Authority Act 1997* (QCA Act) obligations.

#### Late information

In September 2017, Aurizon Network submitted seven additional reports (late information) with respect to its 2017 draft access undertaking (2017 DAU). The late information submitted by Aurizon Network, as well as associated correspondence, is published on the QCA's website.

Processing the information submitted by Aurizon Network outside of the QCA's structured consultation process had consequences for the QCA's assessment timeframes. Aurizon Network agreed to exclude the time period 22 September 2017 to 14 November 2017 from the statutory timeframe to assess Aurizon Network's 2017 DAU to account for the additional time required to process the late information.

#### QCA draft decision

On 15 December 2017, the QCA released a draft decision proposing to refuse to approve Aurizon Network's 2017 DAU.

The draft decision sets out the QCA's preliminary assessment of Aurizon Network's 2017 DAU and the reasons why we do not consider it is appropriate to approve the 2017 DAU.

The QCA has invited submissions on this draft decision by 12 March 2018.

### Six-month statutory timeframes

In accordance with s. 147A of the QCA Act, the QCA must use its best endeavours to decide whether to approve or not approve a draft access undertaking within six months from the last day of the time for making submissions stated in the investigation notice. However, the six-month period does not include any of the following periods:

- a day in the period given by the QCA for making submissions in relation to a draft access undertaking or a related document
- a day in the period where a person has been required to give information or produce a document in response to a notice given by the QCA under s. 185 of the QCA Act
- day(s) agreed to, by the owner or operator of the service or the responsible person, as not being included in the six-month period.

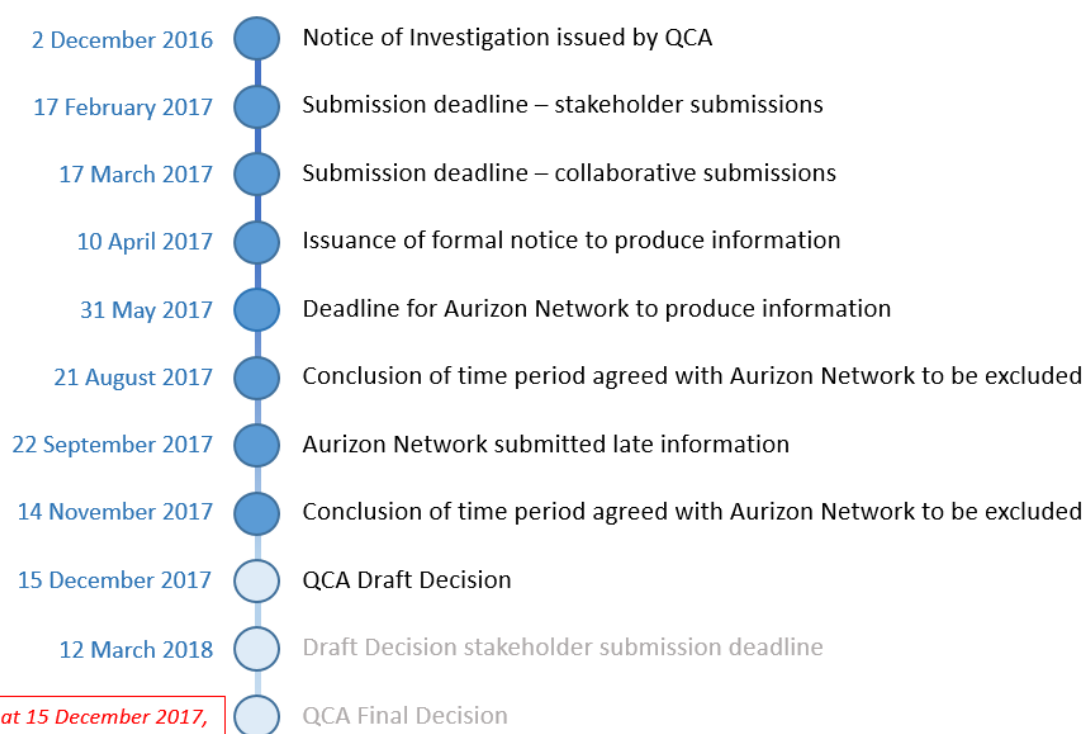
### Six-month statutory timeframe for assessing Aurizon Network's 2017 DAU

In accordance with s. 147A of the QCA Act, the six-month period commenced on 17 February 2017, following the closing date for submissions on Aurizon Network's 2017 DAU.

The six-month statutory timeframe does not include the following:

|   |                                       |
|---|---------------------------------------|
| • The collaborative consultation period   | 17 February 2017 to 17 March 2017     |
| • Issuance of a notice to produce information under s. 185 of the QCA Act - maintenance information | 10 April 2017 to 31 May 2017          |
| • Period of time agreed with Aurizon Network to be excluded - maintenance information               | 31 May 2017 to 21 August 2017         |
| • Period of time agreed with Aurizon Network to be excluded - late information                      | 22 September 2017 to 14 November 2017 |
| • The QCA draft decision consultation period  | 15 December 2017 to 12 March 2018     |

### Six-month statutory timeframe for assessing Aurizon Network's 2017 DAU



*As at 15 December 2017, 84 days of this period had lapsed.*

The six-month statutory timeframe for assessing Aurizon Network's 2017 DAU is now scheduled to expire on 20 June 2018, but this date will be extended to account for any future periods of time that are excluded from the statutory timeframe in accordance with s. 147A of the QCA Act.

An updated notice of time periods will be issued detailing any changes to the QCA's timeframe for assessing Aurizon Network's 2017 DAU, as well as reasons for the change.

**Charles Millstead**

Chief Executive Officer