

13 October 2023

Charles Millstead
Chief Executive Officer
Queensland Competition Authority

Dear Charles

DBCT 2021 Access Undertaking – Extension DAAU

The 2021 DBCT Access Undertaking (**2021 AU**) expires on 1 July 2026. As a result, DBIM will either need to submit a Draft Access Undertaking (**DAU**) to take effect for the 5-year regulatory period beginning 1 July 2026 or, alternatively, a Draft Amending Access Undertaking (**DAAU**) to extend the 2021 AU to 1 July 2031.

Accordingly, under section 142 of the QCA Act, DBIM submits the attached DAAU to extend the Terminating Date of the 2021 AU to 1 July 2031 (**Extension DAAU**). The extension of the 2021 AU will provide ongoing regulatory certainty for stakeholders. DBIM considers this extension is reasonable in circumstances where:

- DBIM has reached agreement on pricing and commercial terms for a 10 year period to 30 June 2031 with all of its existing customers at Dalrymple Bay Terminal (**DBT**) under the 2021 AU regulatory framework;
- the negotiated pricing arrangements have largely been established on the existing 2021 AU provisions and definitions, including for example NECAP approvals processes;
- in relation to the proposed 8X Expansion Project at DBT, DBIM has followed processes in accordance with the 2021 AU and entered into Conditional Access Agreements and Standard Underwriting Agreements with Access Seekers; and
- DBIM is not seeking any amendments to the 2021 AU that are unrelated to the extension of its Terminating Date.

Attached for the QCA's consideration is a marked-up version of the 2021 AU to reflect the amendments proposed under the Extension DAAU.

Please contact me if you have any queries or require more information.

Yours sincerely,



Jonathan Blakey
Chief Commercial & Sustainability Officer
Dalrymple Bay Infrastructure Management Pty Ltd

Attached: Extension DAAU (mark up of 2021 AU); Extension DAAU (clean)