

Request for Comments

Draft Amending Access Undertaking

**Infrastructure, Train Planning and Control
Amendments**

THE AUTHORITY'S REQUEST FOR COMMENTS

1. Introduction

On 24 September 2003, the Authority received from QR a draft amending access undertaking comprised of two parts. This draft amending access undertaking follows on from two earlier applications which QR lodged with the Authority on 14 August 2003.

2. Infrastructure Changes

The first part of QR's application, which is titled 'Submission 4', deals with updating QR's access undertaking to reflect changes in the rail infrastructure or in Network Access' management responsibilities for that infrastructure, such as the Callemondah marshalling yard. Each of these matters is dealt with in sections 2.1 and 2.2 below.

2.1 Schedule A — Line Diagrams

The declaration of QR's network for third party access under Part 5 of the *Queensland Competition Authority Act 1997* (the QCA Act) is based on the definition of rail transport infrastructure in the *Transport Infrastructure Act 1994* and covers all of the intrastate rail network in Queensland for which QR is the railway manager. QR's undertaking covers a subset of the declared services, namely those parts of the network that are identified as being managed by Network Access in the line diagrams in Schedule A (defined as rail infrastructure). However, the undertaking includes a process to bring within the scope of the undertaking infrastructure that is within the scope of the declaration, but is not currently identified as the management responsibility of Network Access (clause 2.2).

Changing some of the infrastructure identified as rail infrastructure (assigned to Network Access in Schedule A) will not change QR's obligation to provide access to that infrastructure provided it is within the scope of the declaration. However, to the extent that infrastructure is to be removed from the Schedule A line diagrams, future access to that infrastructure by a third party could be made more difficult. A third party would have the option to seek to have that infrastructure made the management responsibility of Network Access (clause 2.2) and then to negotiate access to the infrastructure in the normal way. Alternatively, QR would still be obliged to negotiate to provide access if requested by an access seeker, but any such negotiations would not be governed by the terms of the undertaking. As such, there would be less certainty for both QR and the access seeker about the access negotiation process.

To the extent that new or existing infrastructure is included into the Schedule A line diagrams, this would seek to simplify and streamline any access negotiations.

In this context, QR has indicated that, following the approval of its undertaking, a number of changes have been made which affect rail infrastructure. Consequently, QR has proposed that the Schedule A line diagrams should be updated to reflect recent changes in the railway infrastructure, including:

- allocating management responsibility to Network Access for infrastructure that was previously managed by QR's Operational Business Groups;
- creating new infrastructure;
- identifying and removing existing redundant infrastructure; and

- updating the infrastructure diagrams to accord with more recent information concerning the layout of the network.

The Authority seeks comments on the appropriateness of the proposed changes to Schedule A.

2.2 Marshalling Yards

At the time the Authority approved QR's undertaking in December 2001, management of yard control services at QR's marshalling yards remained a responsibility of its above rail groups. Consequently, clause 3.1(f) of QR's access undertaking provided for a review of the provision of yard control services at the Jilalan and Callemondah marshalling yards. It also provided for the Authority to approve QR's implementation of the review's findings. On 3 June 2003, QR submitted, for the Authority's approval, proposed reforms to management arrangements at these marshalling yards.

On 11 July 2003, the Authority approved QR's proposal. In doing so, the Authority noted that:

- in terms of the Jilalan yard, if in the future QR was to provide below rail services beyond that of a limited nature, the Authority would expect QR to undertake a further review of the management of that yard; and
- approval of the proposed reforms for the Jilalan and Callemondah yards was conditional on QR conducting a staged reform of the region between the Callemondah yard and Barney Point, which would involve the transfer of all train control responsibilities to Network Access.

QR has indicated that, as a result of the Authority's approval of changes to the management of the Jilalan and Callemondah yards, the undertaking requires amendment. Specifically, QR's Operational Business Groups are no longer responsible for performing yard control services at the Callemondah yard on behalf of Network Access. As such, QR has proposed to add the provision of yard control services to the list of responsibilities Network Access assumes in managing the provision of below rail services (clause 3.1(b)). This amendment would require consequent amendments to clause 3.1(c)(iv).

QR has also proposed amending clause 3.1(f) to reflect the completion of the Callemondah review and to include a proviso for the Authority and QR, during the term of the undertaking, to jointly review the appropriateness of yard control services at all other major yards. It is proposed that QR will, after first obtaining the approval of the Authority, take whatever reasonable steps are required to implement the findings of any such review.

The Authority seeks comments on whether the proposed amendments:

- **reasonably reflect the new management arrangements at the Jilalan and Callemondah marshalling yards, as approved by the Authority; and**
- **reflect the conditions the Authority placed on its approval of the revised management arrangements.**

3. Train planning and control

The second part of QR's application, which is titled 'Submission 5', proposes to include additional detail on the development of the weekly train plan (WTP) in the central Queensland coal region and to include additional flexibility in the day to day management of trains.

3.1 Weekly Train Planning Principles

QR has proposed amending Schedule G (Network Management Principles). These principles guide the performance of scheduling and train control functions. QR has indicated that further detail is required as a result of experience it has gained through access negotiations following the approval of the undertaking. In particular, QR considers that further details are required about the additional scheduling steps specified in clause 2.i of Schedule G.

Moreover, in order to provide greater certainty for access seekers, QR has proposed that further explanation is required about the intermediate steps pertaining to the development of a weekly train plan in the central Queensland coal region.

The Authority seeks comments on whether:

- **the proposed amendments to Schedule G provide access seekers with greater certainty;**
- **the proposed amendments to Schedule G provide access holders and QR with greater clarification of their respective responsibilities;**
- **access holders would make other changes to Schedule G, given their experience with access negotiations; and**
- **the definition of ‘Train Orders’ is reasonable.**

3.2 Traffic Control Matrix

QR’s Network Management Principles (NMPs) contain a Traffic Management Decision Matrix (Appendix 2) and an associated set of rules that are used by QR when making train control decisions. In particular, this matrix and associated rules are used to allocate a ‘right of way’ for trains at crossings, based on priority. In general, a train operating on schedule is accorded priority status, although a train’s priority status may be over-ridden by the rules. For example, Rule 5 provides that QR may give passenger and livestock trains priority or ‘right of way’ over other trains.

Currently there are seven rules. Rule 7 provides for a situation where there are two trains operated by the same access holder and where QR has to decide which of the two trains should be allocated priority. The rule provides for QR to ask the Access Holder how they would prefer their trains to be directed.

QR has proposed an additional rule (Rule 8 Appendix 2, Schedule G), which is similar to Rule 7 except that it provides for a situation where the two trains are operated by different access holders. Rule 8 provides for QR to ask each of the Access Holders how they would prefer their trains to be directed and, where the Access Holders agree to a preferred course of action, for the Train Controller to follow the Access Holders’ request. QR has indicated that the purpose of the additional rule is to allow access holders to operate as flexibly as possible.

The Authority seeks comments on whether the addition of rule 8 is reasonable.