

Notice of Time Periods

Queensland Rail's February 2013 Draft Access Undertaking

On 25 February 2013, the Authority received from Queensland Rail Ltd a draft access undertaking (the February 2013 DAU) to replace the existing access undertaking that expires on 30 June 2013. The Authority intends to conduct an investigation into the February 2013 DAU.

On 25 February 2013, the Authority sought submissions from stakeholders in respect of the February 2013 DAU. Stakeholders were requested to lodge submissions by 8 April 2013.

On 28 March 2013, in response to stakeholder requests for additional time for consultation the Authority invited submissions from interested parties with respect to above-rail operational issues; Western System pricing and proposed standard access agreement; Mount Isa pricing; and investment framework matters. Submissions on these matters were requested to be submitted by 3 May 2013.

Time periods

In accordance with s.147A of the *Queensland Competition Authority Act 1997* (the QCA Act), the Authority must endeavour 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.

The six-month period does not include any of the following periods:

- (a) a day in the period given by the Authority for making submissions in relation to a draft access undertaking or a related document;
- (b) 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 Authority under s.185 of the QCA Act; and
- (c) 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 period for Queensland Rail's February 2013 DAU


In accordance with s.147A(4) of the QCA Act, the Authority states the following time periods for Queensland Rail's 2013 DAU:

- (a) the six-month period commences on 3 May 2013; and
- (b) the six-month period ends on 3 November 2013.

The six-month period does not include the following days:

From	To	Total Days	Reason
25 Feb 13	3 May 13	67	These days were given by the Authority to Queensland Rail and interested parties to make submissions on the 2013 DAU.

On 30 June 2013, Queensland Rail submitted reference tariffs for western system coal services with consequential amendments to its February 2013 DAU. This submission is, in effect, a withdrawal of the February 2013 DAU and submission of a new voluntary draft access undertaking (the June 2013 DAU). The Authority's consideration of the February 2013 DAU therefore concluded on 30 June 2013.


Paul Bilyk
Director – Rail and Ports
2 July 2013