

STAKEHOLDER NOTICE

1 October 2019

Gladstone Area Water Board regulatory submission: Submissions sought

On 30 September 2019, the QCA received Gladstone Area Water Board's (GAWB's) regulatory submission for the pricing period 1 July 2020 to 30 June 2025.

We have published GAWB's regulatory submission and supporting documents on our website (www.qca.org.au) and are inviting submissions from interested parties.

The closing date for submissions is **28 October 2019**.

Public involvement is an important part of our process and we invite all interested parties to participate in our review. We will take account of all submissions received by the due date.

Submissions should be lodged online at www.qca.org.au/Submissions.

Alternatively, submissions can be sent to:

Queensland Competition Authority
GPO Box 2257
Brisbane QLD 4001

Confidentiality

In the interests of transparency and to promote informed discussion, the QCA would prefer submissions to be made publicly available. However, if a person making a submission does not want that submission to be public, that person should claim confidentiality in respect of the document (or any part of the document).

Claims for confidentiality should be clearly noted on the front page of the submission and the relevant sections of the submission should be marked as confidential, so that the remainder of the document can be made publicly available. It would also be appreciated if two copies of each version of these submissions (i.e. the complete version and another redacting confidential information) could be provided.

Where it is unclear why a submission has been marked 'confidential', the status of the submission will be discussed with the person making the submission.

Access to confidential information

GAWB's regulatory submission includes some information over which GAWB has claimed confidentiality (confidential information).

We have not yet formally assessed these confidentiality claims pursuant to section 187 of the *Queensland Competition Authority Act 1997* (QCA Act). We have, however, published this material on our website with the confidential information omitted or redacted. We anticipate further submissions being provided where confidentiality is similarly claimed in relation to certain information.

While the QCA recognises the need to respect the confidentiality of commercially sensitive information, we also recognise that natural justice may require that an interested party is given access to confidential information provided to us by another person in respect of our price monitoring investigation.

To balance these obligations, and considering the constrained time frames for this investigation, we propose the following steps to manage requests for access to confidential information by interested parties:

- (1) If a person wishes to provide confidential information to the QCA, they should claim confidentiality in respect of the information at the time it is submitted. The QCA's requirements for making confidentiality claims are outlined above.
- (2) The QCA will not formally assess the confidentiality claim under section 187 of the QCA Act in the first instance. We will, however, publish submissions on our website with the confidential information redacted or omitted.
- (3) An interested party who seeks access to confidential information should contact the QCA, explaining why it requires access to the relevant information and identifying the persons to whom they wish access to be given. The QCA may be prepared to disclose confidential information where it considers that natural justice requires an interested party be given access to the information. The QCA may also require recipients to provide a confidentiality undertaking in respect of that information.
- (4) The QCA will inform the provider of the confidential information of the request, and identify the persons to whom the confidential information is to be given, at least 2 working days before the information is disclosed.
- (5) If the provider of the confidential information opposes the disclosure of the information, on the conditions outlined above, the QCA will formally assess the confidentiality claim in accordance with section 187 of the QCA Act. Note that if the QCA is unable to give access to information which it is bound to keep confidential, it may affect the QCA's ability to take the relevant information into account.