

STAKEHOLDER NOTICE

24 August 2023

Aurizon Network's April 2023 GAPE and Newlands pricing DAAU — Updated notice of time periods

The QCA has updated the notice of time periods for the assessment of Aurizon Network's April 2023 GAPE and Newlands pricing draft amending access undertaking (April 2023 DAAU), in accordance with the *Queensland Competition Authority Act 1997* (QCA Act).

Overview of regulatory process

On 6 April 2023, Aurizon Network submitted the April 2023 DAAU that seeks to amend the 2017 access undertaking to address ongoing issues arising from the Goonyella to Abbot Point expansion (GAPE) project and change the application of private incremental costs (PIC) discounts.

The April 2023 DAAU was published on the QCA's website and submissions were invited from interested parties.

On 24 August 2023, the QCA published its draft decision on Aurizon Network's April 2023 DAAU. The draft decision sets out that the QCA is minded to refuse to approve the April 2023 DAAU and outlines the way in which it considers the DAAU should be amended. Submissions are invited on the draft decision by 29 September 2023.

Statutory timeframe for assessment

In accordance with section 147A(2) of the QCA Act, the QCA must use its best endeavours to decide whether to approve, or refuse to approve, a DAAU within six months from the day that is two weeks from the day the undertaking was given to the authority. 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 DAAU or a related document
- 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.

The six-month period commenced on 20 April 2023 and is now scheduled to end on 2 January 2024. The six-month period does not include the days given to Aurizon Network and interested parties to make submissions on:

- the April 2023 DAAU (20 April 2023 to 25 May 2023)
- the draft decision (24 August 2023 to 29 September 2023)

The end date may be extended to account for any future periods of time that are excluded from the statutory timeframe in accordance with section 147A of the QCA Act, including any further consultation periods. An updated notice of time periods will be issued detailing any changes to the stated timeframe for assessing Aurizon Network's April 2023 DAAU.