

Level 17, Casselden
2 Lonsdale Street
Melbourne Vic 3000
GPO Box 520
Melbourne Vic 3001
Tel: (03) 9290 1800
www.aer.gov.au

Our Ref D19/85975
Contact Officer: Dale Johansen
Contact Phone: 07 3835 4679

14 June 2019

Peter Bolding
General Manager, Strategy and Regulatory
APA Group

Dear Mr Bolding

Re: APT Pipelines (NT) Pty Ltd request to extend time for submission of reference service proposal

I refer to your letter of 6 June 2019 with which you sought to extend the time for submission of the reference service proposal for the Amadeus Gas Pipeline (Amadeus) beyond 1 July 2019.

Based on the information provided, I understand:

- APT Pipelines (NT) Pty Ltd (APT NT) is preparing its reference service proposal
- in doing so APT NT will consult with users and end-users of Amadeus
- this process of consultation is unlikely to be completed before 1 July 2019.

Your letter requested that the AER extend the time limit for submission of a reference service proposal. That time limit is 12 months prior to the review submission date for the access arrangement.

You requested that time limit be extended to 1 August 2019, an extension of 1 calendar month.

In considering this matter I have noted:

- NGR Rule 47A was established 21 March 2019
- stakeholder consultation is a key element of a service provider's development of a reference service proposal
- use of the AGP going forward may be substantially affected by construction of the Northern Gas Pipeline (NGP) which will intersect with Amadeus
- consultation with prospective users and end-users will require more time than if the NGR interconnection were not to occur

- your proposed time extension will avoid triggering NGR 47A(5) which states that, should a reference service proposal fail to be submitted by a date 11 months prior to the review submission date, the AER must itself propose a reference service proposal.

Consistent with the AER's *'Compliance and Enforcement Statement of Approach'* the AER has discretion in deciding whether to take enforcement action and the nature of that action. In this case I have specifically considered:

- the nature and extent of the conduct that forms the breach
- the impact of the conduct including any detriment to consumers or other parties
- the extent of any potential future gain by APT NT
- APT NT's actions in relation to this matter.

Based on the material before me, I do not propose to take any action in relation to any potential breach of NGR 47A(3) that occurs solely as a result of submission of a reference service proposal no later than 1 August 2019. This decision is based on your letter of 6 June 2019.

The approach to take no action in respect of non-compliance with the 1 July time limit gives effect to your request.

This decision should not be interpreted as a general approval or acceptance by the AER of non-compliance with the NGR.

If you have any queries, please contact Dale Johansen on 07 3835 4679 or [Dale.Johansen@aer.gov.au](mailto:Dale.Johansen@ aer.gov.au).

Sincerely

A handwritten signature in blue ink, appearing to read 'S. Roberts', with a horizontal line extending to the right.

Sebastian Roberts
General Manager
Transmission and Gas Branch