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Your Ref: C2004/507

20 February 2006

Mr Mike Buckley
General Manager
Regulatory Affairs - Gas
Australian Competition & Consumer Commission
GPO Box 3648
SYDNEY NSW 2001

Dear Mr Buckley

Revisions to Access Arrangement for Moomba to Adelaide Pipeline System

I refer to Mr Warrick Anderson's letter of 17 November 2005.

Background

On 27 October 2005, I wrote to the Acting General Manager – Gas, Mr Warren Anderson, seeking an extension of time for the lodgement by Epic Energy South Australia Pty Ltd ('EESA') under section 2.28 of the *National Third Party Access Code for Natural Gas Pipeline Systems* ('Code') of proposed revisions to the Access Arrangement for the Moomba to Adelaide Pipeline System ('MAPS').

His letter of 17 November 2005 advised EESA that the Commission had decided, pursuant to 7.19 of the Code, to grant the requested extension until 27 March 2006.

In April 2005, the Commission approved a request by EESA to extend the lodgement date from 1 July 2005 until 1 October 2005, and in September 2005, the Commission granted EESA a further extension until 16 January 2006.

Request for further extension of time

I am writing again on behalf of EESA to request a further extension of time for the lodgement of revisions. Section 7.19 of the Code permits the granting of extensions on one or more occasions.

Reasons for application

My letter of 27 October 2005 outlined that the initial extension of time was sought because EESA had made an application to the National Competition Council ('NCC') for revocation of coverage of MAPS as a Covered Pipeline under the Code, and the subsequent extension of

time was sought due to delays in the release of the NCC's recommendation on the revocation application.

Since that time, the NCC has reached its final recommendation on the revocation application. That recommendation is that coverage of the MAPS under the Code be revoked. The matter is now with the relevant Minister for his consideration.

Currently EESA is required to lodge revisions to the Access Arrangement on 27 March 2006. As it is not clear when the relevant Minister will reach a decision on the revocation matter, EESA requests a further extension of time to the lodgement date. EESA seeks the Commission's approval to extend the lodgement date to be a date that is two months after the date the relevant Minister makes his decision on the revocation application. Obviously, if the Minister's decision is to revoke coverage, there will be no requirement for lodgement of revisions to the Access Arrangement.

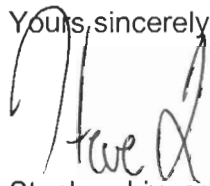
For the reasons outlined in my earlier letters, EESA would need two months lead time between knowing the Minister's decision and the date for submission of revisions in order to prepare the revisions.

Lack of prejudice to third parties if further extension is granted

We consider that the position outlined in our earlier letters about a lack of prejudice to other persons if an extension of time is granted continues still to be the case for the reasons outlined in my earlier letters. A further extension of time for submission of revisions should not materially prejudice any third parties.

If there is any aspect of this application which you wish to discuss with EESA or if there is any further information that the Commission requires for its consideration of the application, would you please advise us. If the Commission considers that the grant of an extension should be made subject to further conditions or assurances from EESA, we would also be pleased to address those issues.

Yours sincerely



Stephen Livens
Manager Risk and Regulation