

STAKEHOLDER NOTICE

18 January 2017

Notice of investigation and time periods—Aurizon Network's 2017 Standard User Funding Agreement Draft Amending Access Undertaking

On 11 January 2017, the Queensland Competition Authority (the QCA) received from Aurizon Network the 2017 Standard User Funding Agreement (SUFA) draft amending access undertaking (DAAU) (UT4 SUFA DAAU), which satisfies Aurizon Network's obligation under clause 8.8.3(a) of UT4 to submit the UT4 SUFA DAAU within three months of UT4 approval date.

Therefore, the QCA must consider the UT4 SUFA DAAU in accordance with the requirements of clause 8.8.3 of UT4, which sets out the process for stakeholder submissions and the consequence in the event the QCA agrees or disagrees with the UT4 SUFA DAAU. In addition to that UT4 process, the QCA will apply the standard assessment process for a DAAU given under Division 7 of Part 5 of the *Queensland Competition Authority Act 1997* (the QCA Act).

Consultation process

Clause 8.8.3(b) of UT4 provides that the QCA must assess the proposed UT4 SUFA DAAU, and if deemed appropriate, seek submissions from stakeholders. Sections 138(3) and 143(3) of the QCA Act provide that the QCA may only approve a DAAU if (among other things) it has published the DAAU and invited persons to make submissions on it within the time stated by the QCA, and considered any submissions received within that time.

In accordance with those requirements in UT4 and the QCA Act, we have published the UT4 SUFA DAAU on our website (www.qca.org.au) and invite stakeholder submissions by 12 April 2017. Details of the address for providing submissions are set out below.

Notice of Investigation

On 18 January 2017, we gave notice to Aurizon Network of our intention to commence an investigation to decide whether to approve, or refuse to approve, the UT4 SUFA DAAU.

In accordance with section 146 of the QCA Act, this notice:

- informs stakeholders of our intention to commence the investigation to decide whether to approve, or refuse to approve, the DAAU; and
- invites stakeholders to make written submissions to the QCA on the DAAU. Details of the address for providing submissions are set out below.

Submissions

The address for submissions is:

Queensland Competition Authority

GPO Box 2257

Brisbane Q 4001

www.qca.org.au/submissions

Statutory timeframes for assessment

In accordance with section 147A of the QCA Act, the QCA must use its best endeavours to decide whether to approve or not approve a DAAU within six months from the last day of the time for making submissions stated in the investigation notice. 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
- 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 QCA under section 185 of the QCA Act
- 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 statutory timeframe for assessing the UT4 SUFA DAAU

In accordance with section 147A of the QCA Act, the six-month period commences on 13 April 2017. The six-month statutory timeframe for assessing the UT4 SUFA DAAU is currently scheduled to expire on 13 October 2017, but this 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.

An updated notice of time periods will be issued detailing any changes to the stated timeframe for assessing the UT4 SUFA DAAU, as well as reasons for the change.