

## STAKEHOLDER NOTICE

5 July 2019

### **DBCT Management's 2019 draft access undertaking (DAU)**

#### **Notice of investigation and time periods**

On 1 July 2019, the Queensland Competition Authority received a DAU from DBCT Management for the regulatory period beginning 1 July 2021 (the 2019 DAU)

In accordance with section 146 of the *Queensland Competition Authority Act 1997* (QCA Act), this notice:

- informs stakeholders, including DBCT Management, of the QCA's intention to conduct an investigation to decide whether to approve, or refuse to approve, DBCT Management's 2019 DAU
- invites stakeholders to make written submissions to the QCA on DBCT Management's 2019 DAU.

#### **Submissions**

Section 138(3) of the QCA Act provides that the QCA may only approve a DAU if, among other things, it has published the DAU, invited written submissions on it, and considered any submissions received within the time provided.

The QCA has published DBCT Management's 2019 DAU on our website ([www.qca.org.au](http://www.qca.org.au)) and invites submissions from all interested parties by **Monday, 23 September 2019**. Details for providing submissions are shown below.

#### **Statutory timeframe for assessment**

In accordance with section 147A of the QCA Act, the QCA must use its best endeavours to decide whether to approve, or refuse to approve, a DAU 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 DAU or 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 DBCT Management's 2019 DAU**

In accordance with section 147A of the QCA Act, the six-month period will begin on 23 September 2019. As outlined in the Statement of Regulatory Intent (June 2019), the QCA will allocate an additional stakeholder collaborative period to begin after the closing date for submissions on DBCT Management's 2019 DAU.

The six-month timeframe for assessing DBCT Management's 2019 DAU is scheduled to expire on 23 March 2020. However, this date will be changed to account for any future periods of time that are excluded from the statutory timeframe—in accordance with section 147A of the QCA Act. The expiry date for the six-month timeframe will be updated through notices of time periods that will be included in stakeholder notices as matters develop.

## Making submissions

**Closing date for submissions: 23 September 2019**

Public involvement is an important element of the decision-making processes of the QCA. Therefore, submissions are invited from interested parties concerning the assessment of DBCT Management's 2019 DAU. The QCA will take account of all submissions received within the stated timeframes.

Submissions, comments or inquiries should be directed to:

Queensland Competition Authority

GPO Box 2257

Brisbane Q 4001

Tel (07) 3222 0555

Fax (07) 3222 0599

[www.qca.org.au/submissions](http://www.qca.org.au/submissions)

### Confidentiality

In the interests of transparency and to promote informed discussion and consultation, the QCA intends to make all submissions publicly available. However, if a person making a submission believes that information in the submission is confidential, that person should claim confidentiality in respect of the document (or the relevant part of the document) at the time the submission is given to the QCA and state the basis for the confidentiality claim.

The assessment of confidentiality claims will be made by the QCA in accordance with the QCA Act, including an assessment of whether disclosure of the information would damage the person's commercial activities and considerations of the public interest.

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

A confidentiality claim template is available on request. We encourage stakeholders to use this template when making confidentiality claims. The confidentiality claim template provides guidance on the type of information that would assist our assessment of claims for confidentiality.

### Public access to submissions

Subject to any confidentiality constraints, submissions will be available for public inspection at our Brisbane office, or on our website at [www.qca.org.au](http://www.qca.org.au). If you experience any difficulty gaining access to documents, please contact us on (07) 3222 0555.