

File Ref: 1258508

15 September 2017

Mr Anthony Timbrell
Chief Executive Officer
DBCT Management Pty Ltd
PO Box 7823 Waterfront Place
Brisbane Qld 4001

Dear Mr Timbrell

Notice of Investigation—DBCTM's Modification DAAU

On 15 September 2017, the Queensland Competition Authority (the QCA) received from DBCT Management Pty Ltd (DBCTM) a draft amending access undertaking (DAAU) seeking to modify the wording of the 2017 access undertaking.

The application was lodged with us in accordance with section 142(1) of the *Queensland Competition Authority Act 1997* (QCA Act).

Notice of Investigation

Section 145 of the QCA Act enables the QCA to conduct an investigation for approving a DAAU.

In accordance with section 146 of the QCA Act, we hereby notify DBCTM that we intend to conduct an investigation to decide whether to approve, or refuse to approve, the DAAU.

Submissions

To this end, we invite DBCTM to make written submissions to the QCA on the DAAU by **Friday 20 October 2017**. Submissions should be directed as per the submissions page attached to the stakeholder notice published on our website (www.qca.org.au).

The QCA will also publish this letter for stakeholders' information.

Yours sincerely



Charles Millstead
Chief Executive Officer

STAKEHOLDER NOTICE

15 September 2017

Notice of time periods—DBCTM's Modification DAAU

On 15 September 2017, the Queensland Competition Authority (the QCA) received from DBCT Management Pty Ltd (DBCTM) a draft amending access undertaking (DAAU) seeking to modify the wording of the 2017 access undertaking. DBCTM said the purpose of the proposed amendments was to:

- clarify a number of inconsistencies between the QCA's final decision of 21 November 2016 (QCA Final Decision) and the 2017 AU
- clarify internal inconsistencies between the various provisions of the 2017 AU
- implement the expected changes such as updating placeholders and deleting amendments approved as part of the DBCT Incremental Expansion Study DAAU, and
- address typographical errors and formatting issues.

The application was lodged with us in accordance with section 142(1) of the *Queensland Competition Authority Act 1997* (QCA Act).

In accordance with section 146 of the QCA Act, we hereby notify DBCTM that we intend to conduct an investigation to decide whether to approve, or refuse to approve, the DAAU.

Our investigation into the Modification DAAU will begin on 15 September 2017 and stakeholders are given until Friday 20 October 2017 to lodge submissions.

Time periods

In accordance with section 147A(2) of the QCA Act, we must endeavour 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.

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 draft access undertaking 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 period for DBCTM's Modification DAAU

In accordance with section 147A(4) of the QCA Act, and subject to section 147 A(3), the six-month period:

- commences on 23 October 2017
- ends on 23 April 2018.

Submissions

Closing date for submissions: 20 October 2017

Public involvement is an important element of the decision-making processes of the Queensland Competition Authority (QCA). Therefore submissions are invited from interested parties concerning its assessment of DBCTM's Modification DAAU. The QCA will take account of all submissions received.

Submissions, comments or inquiries regarding this paper should be directed to:

Queensland Competition Authority
GPO Box 2257
Brisbane Q 4001

Tel (07) 3222 0587
Fax (07) 3222 0599

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 *Queensland Competition Authority Act 1997*, 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 the Brisbane office, or on the website at www.qca.org.au. If you experience any difficulty gaining access to documents, please contact us on (07) 3222 0555.