

## STAKEHOLDER NOTICE

15 December 2022

### **Aurizon Network's Concept Study DAAU — Updated notice of time periods**

The QCA has updated the notice of time periods for the assessment of Aurizon Network's Concept Study DAAU, in accordance with our Queensland Competition Authority Act 1997 (QCA Act) obligations.

#### **Overview of our regulatory process**

On 8 June 2022, we received a draft amending access undertaking (DAAU) from Aurizon Network seeking to amend the process for resolving identified capacity deficits set out in the 2017 Access Undertaking (UT5). We published Aurizon Network's Concept Study DAAU on our website and invited submissions from stakeholders.

On 25 August 2022, we released a preliminary position paper and provided stakeholders with an opportunity to provide submissions in relation to our preliminary view.

On 15 December, we published a draft determination that we are minded to refuse to approve the Concept Study DAAU. Our draft determination also outlines the way in which we consider it appropriate to amend the Concept Study DAAU. We have invited submissions on our draft determination by 27 January 2023.

#### **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 DAAU within six months from the day that is two weeks from the day the undertaking was given to the authority. 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
- 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 Aurizon Network's Concept Study DAAU**

In accordance with s. 147A of the QCA Act, the six-month period commences on the day that is two-weeks from the day the Concept Study DAAU was given to the QCA (8 June 2022).

The six-month statutory timeframe does not include the days given to Aurizon Network and interested parties to make submissions on:

- the Concept Study DAAU (8 June 2022 to 21 July 2022)
- our preliminary position (25 August 2022 to 4 November 2022)
- our draft determination (15 December 2022 to 27 January 2023).

The six-month period is scheduled to end on 15 May 2023. However, the end 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, including any further consultation periods.

An updated notice of time periods will be issued detailing any changes to the stated timeframe for assessing Aurizon Network's Revised UT5 DAAU.