

Jemena Limited

Jemena Transmission Pipelines User Access Guide

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1. USER GUIDE

1.1 INTRODUCTION

Jemena owns several gas pipelines that are classified as ‘non-scheme pipelines’ under the National Gas Law (**NGL**). These are the Eastern Gas Pipeline (**EGP**), the Queensland Gas Pipeline (**QGP**), the Darling Downs Pipeline (**DDP**), the Roma North Pipeline (**RNP**) the Colongra pipeline, the Atlas lateral and VicHub.

This user guide is intended to help customers through the process of gaining access to these pipelines. In particular, this guide explains:

- who to contact to discuss your access requirements;
- how to make a request for access, including the information you should include to assist us in dealing with your request;
- our process and timeframes for undertaking further investigations regarding your request for access, should these be required (e.g. investigations regarding the technical feasibility of providing access, as requested);
- how we will treat any confidential information that you provide to us;
- the process for negotiating the terms of access; and
- your rights in the event of a dispute regarding the terms of access.

This is intended to be a general guide only. As we understand that all customers have different needs, we encourage you to contact the relevant commercial manager for the pipeline you wish to access, to discuss your specific needs. Contact details for the relevant commercial managers are set out in this guide at page 2.

Jemena is committed to negotiating with our customers in good faith to achieve commercially acceptable outcomes. We endeavour to work with our customers to accommodate all reasonable requests for access and agree on terms that are fair and work for both of us.

Under new changes to the National Gas Rules (**NGR**), you also have the option of seeking access through a formal negotiation and arbitration process, provided for under the NGR. A number of specific requirements and timeframes apply to this process, which are also described in more detail in this User Guide.

The new and formal process is not mandatory. So while you are free to submit a formal access request at any time, triggering the formal negotiation and arbitration process, we suggest contacting us first to discuss your requirements. In our experience, the best commercial outcomes are usually delivered through open and collaborative relationships, and we are committed to working with you to help meet your service needs without the cost and inconvenience of a regulatory process.

If you would like any further information regarding the process for gaining access, or if you would like to discuss your access needs, please do not hesitate to contact us.

We look forward to working with you.

1.2 JEMENA CONTACTS

Generally, we provide gas transportation services for our pipelines based on standard terms and conditions, covering our existing receipt and delivery points and existing capacity.

However, because each of our customers usually has different needs, we encourage you to discuss your requirements with our commercial team if you are considering seeking access to our pipelines.

Our team members listed in Table 1 below will be able to help you with any preliminary enquiries or access requests in relation to access to our pipelines.

Table 1 : Contact details of our team members

Pipeline	Service Provider	Officer of the Service Provider
Eastern Gas Pipeline	Jemena Eastern Gas Pipeline (1) Pty Ltd and Jemena Eastern Gas Pipeline (2) Pty Ltd (acting jointly)	<p>Courtney Fabian Commercial Manager - Victoria, NSW & NT Ph: 03 9173 8006 Fax: 03 9173 7514 E: pipelines.commercial@jemena.com.au Address: Level 16, 567 Collins Street, Melbourne, Vic, 3000 Website: https://jemena.com.au</p>
VicHub	Jemena VicHub Pipeline Pty Ltd	<p>Courtney Fabian Commercial Manager - Victoria, NSW & NT Ph: 03 9173 8006 Fax: 03 9173 7514 E: pipelines.commercial@jemena.com.au Address: Level 16, 567 Collins Street, Melbourne, Vic, 3000 Website: https://jemena.com.au</p>
Colongra	Jemena Colongra Pty Ltd	<p>Courtney Fabian Commercial Manager - Victoria, NSW & NT Ph: 03 9173 8006 Fax: 03 9173 7514 E: pipelines.commercial@jemena.com.au Address: Level 16, 567 Collins Street, Melbourne, Vic, 3000 Website: https://jemena.com.au</p>

<p>Queensland Gas Pipeline</p>	<p>Jemena Queensland Gas Pipeline (1) Pty Ltd and Jemena Queensland Gas Pipeline (2) Pty Ltd (acting jointly)</p>	<p>Stephen Coghlan Commercial Manager Queensland Assets Ph: 03 9173 7376 Fax: 03 9173 7514 E: pipelines.commercial@jemena.com.au Address: Level 16, 567 Collins Street, Melbourne, Vic, 3000 Website: https://jemena.com.au</p>
<p>Darling Downs Pipeline</p>	<p>Jemena Darling Downs Pipeline (1) Pty Ltd</p> <p><i>Jemena Darling Downs Pipeline (2) Pty Ltd*</i></p> <p><i>Jemena Darling Downs Pipeline (3) Pty Ltd*</i></p> <p>[* These companies separately hold the three licences which comprise the Darling Downs Pipeline system. All enquiries should be directed to Jemena Darling Downs Pipeline (1) Pty Ltd in the first instance]</p>	<p>Stephen Coghlan Commercial Manager Queensland Assets Ph: 03 9173 7376 Fax: 03 9173 7514 E: pipelines.commercial@jemena.com.au Address: Level 16, 567 Collins Street, Melbourne, Vic, 3000 Website: https://jemena.com.au</p>
<p>Atlas Lateral</p>	<p>Jemena Darling Downs Pipeline (3) Pty Ltd</p>	<p>Stephen Coghlan Commercial Manager Queensland Assets Ph: 03 9173 7376 Fax: 03 9173 7514 E: pipelines.commercial@jemena.com.au Address: Level 16, 567 Collins Street, Melbourne, Vic, 3000 Website: https://jemena.com.au</p>
<p>Roma North Pipeline</p>	<p>Jemena Roma North Pipeline Pty Ltd</p>	<p>Stephen Coghlan Commercial Manager Queensland Assets Ph: 03 9173 7376 Fax: 03 9173 7514 E: pipelines.commercial@jemena.com.au Address: Level 16, 567 Collins Street, Melbourne, Vic, 3000 Website: https://jemena.com.au</p>

You are entitled to make an access request under Part 23 of the NGR by submitting a completed Jemena Transmission Pipelines Access Request Form (**Access Request Form**) by email to access.request@jemena.com.au. For your information, we have included an example of the Access Request Form as Attachment C to this guide. However, you can access an electronic soft-copy version of the Access Request Form by emailing: access.request@jemena.com.au. If you have any queries regarding the Access Request Form, please feel free to contact the relevant Jemena team member listed in Table 1 above.

1.3 HOW TO REQUEST ACCESS FOR OUR SERVICES

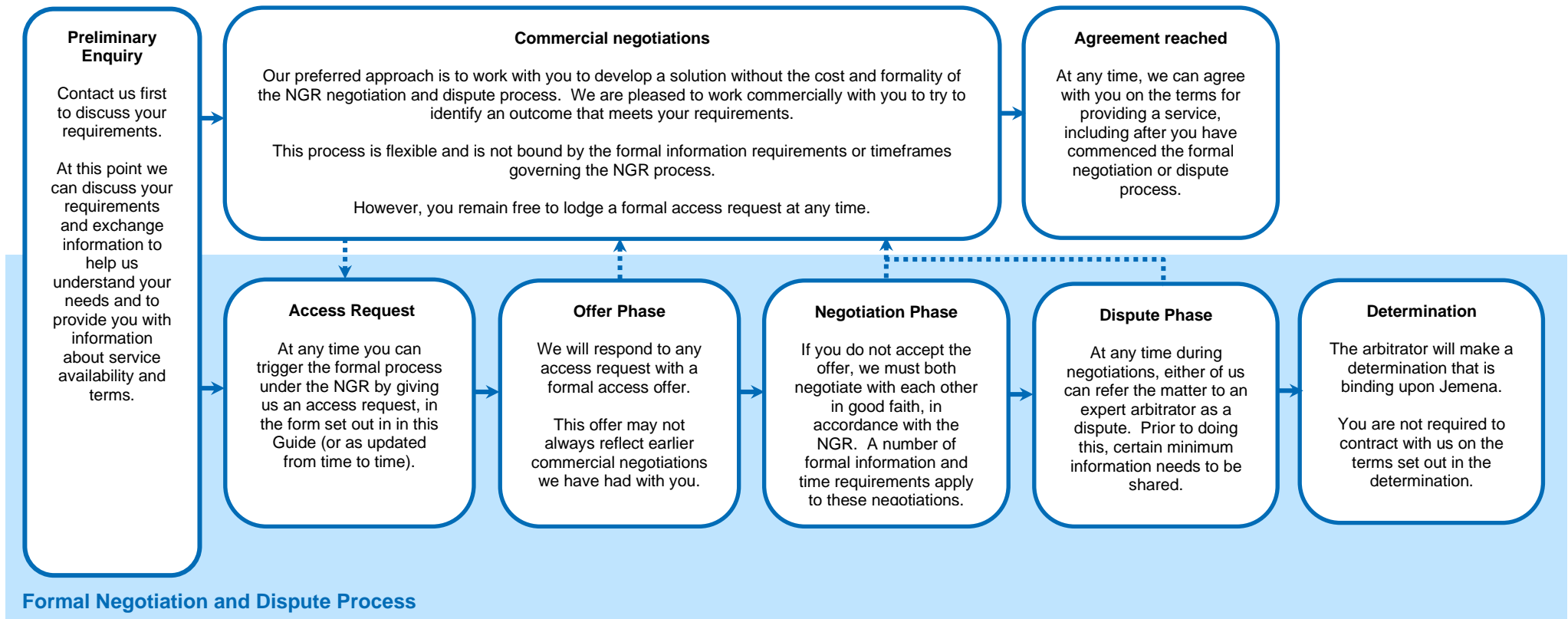
Prospective users have a number of options when seeking access to services on one of our pipelines. A snapshot of these options is provided in Figure 1, on the following page.

As Figure 1 indicates, we generally encourage prospective customers to make a preliminary enquiry with us, in the first instance, so that we can understand your needs and discuss your options and what services and terms are available.

We prefer to engage commercially with you to try to agree how to meet your service requirements, because this offers us both more flexibility. However, at any time, you are free to refer your request to the negotiation and dispute process described in Part 23 of the National Gas Rules by lodging a formal access request with us.

A more detailed outline of the process and requirements associated with the Part 23 access request and negotiation arrangements is set out in section 1.5 of this User Guide.

Figure 1. Overview of commercial and regulatory negotiation options



We have expanded on the process relating to preliminary enquiries, access requests, access offers, negotiations and access disputes in Tables 2 to 6 below.

Table 1: Preliminary Enquiries

Step	Sub step	Task	Timeframe
Preliminary Enquiry	Preliminary discussions	Send an email to us at pipelines.commercial@jemena.com.au to submit a preliminary enquiry (alternatively, you can post your enquiry to the relevant Jemena team member listed in Table 1 above).	Date A, which is the date on which you submit a preliminary enquiry to us.
		Sending us a preliminary enquiry can help you gather additional information about our pipelines and decide whether you wish to complete an Access Request Form or enter negotiations for access to our pipelines.	
		We will promptly respond to your preliminary enquiry by indicating whether further investigation is needed to assess your enquiry or whether any feasibility studies need to be undertaken. We may also inform you of any reasonable costs that you may need to pay for any investigations we undertake and the timeframes for those investigations (we will not undertake these investigations without first agreeing these matters with you).	As soon as practicable after Date A.

Table 2: Access Requests

Step	Sub step	Task	Timeframe
Access Request	Complete our Access Request Form	You can access an electronic soft-copy version of the Access Request Form by emailing: access.request@jemena.com.au . You will need to populate the fields in the Access Request Form with your contact details and some details relevant to your request (including the name of the pipeline you are seeking access to, the service type, receipt and delivery point information, the quantities sought, your credit standing and other technical information. For a more detailed description of the information to be included in the Access Request Form, see the version of the form included at Attachment C to this guide.	
	Submit your completed Access Request Form to us	Send your completed Access Request Form by email to: access.request@jemena.com.au (alternatively, you can fax / post it to the relevant Jemena team member listed in Table 1 above).	Date B, which is the date on which you submit a completed Access Request Form to us.
		We will look at the Access Request Form you sent to us and decide whether it is complete, incomplete, or complete but requiring further investigation (more on each of these below).	Date B + 5 business days.
	Your Access Request Form is	If your Access Request Form is incomplete, we will let you know and inform you of what further information is required.	Date B + 5 business days.

Step	Sub step	Task	Timeframe
	incomplete and further information is required (Type 1 Request)	You will then need to send us a revised Access Request Form which contains the requested further information. As with the original form, please send the revised Access Request Form by email to: access.request@jemena.com.au (alternatively, you can fax / post it to the relevant Jemena team member listed in Table 1 above).	The clock resets when you send us a revised Access Request Form. The process restarts at Date C, which is the date on which you submit a revised Access Request Form to us.
	Your Access Request Form is complete (Type 2 Request)	If your Access Request Form is complete, we will let you know.	Date B + 5 business days.
		We will then start developing an Access Offer (more on this at Table 4 below).	Date B + 20 business days.
	Your Access Request Form is complete but further investigations are required (Type 3 Request)	If your Access Request Form is complete but further investigations are required, we will let you know that we need to undertake further investigations in relation to your Access Request Form.	Date B + 5 business days.
		We will inform you of what further investigations are required.	Date B + 10 business days.
		We will contact you to discuss the terms and conditions on which the further investigations are to be carried out. This may include agreeing on the reasonable costs you may need to pay for us to undertake the further investigations and any reasonable extension of the timeframes that may be needed to enable the further investigations to be completed (we will not undertake these further investigations without first agreeing these matters with you).	As soon as practicable after Date B + 10 business days.
		We will then start developing an Access Offer (more on this at Table 4 below).	Date B + 60 business days (unless we agree to extend this period with you).
	You wish to amend your Access Request Form with our consent (Type 4 Request)	If, after submitting your Access Request Form, you wish to amend it with our consent, please send us your amended Access Request Form by email to: access.request@jemena.com.au (alternatively, you can fax / post it to the relevant Jemena team member listed in Table 1 above).	Date D, which is the date on which you submit your amended Access Request Form to us.
		We will then assess your amended Access Request Form and revert to you to discuss a reasonable extension of the timeframes for us to respond to your revised Access Request Form with an Access Offer.	Date D + 5 business days.

Step	Sub step	Task	Timeframe
		We will then start developing an Access Offer (more on this at Table 4 below).	Date D + 20 business days (unless an extended period is agreed between the parties).

Table 3: Access Offers

Step	Sub step	Task	Timeframe
Access Offer	We make you an Access Offer (most likely in the form of a proposed Gas Transportation Agreement (GTA))	<p>We will make you an Access Offer. It will:</p> <ul style="list-style-type: none"> - set out the price and other terms and conditions on which we offer to make the pipeline service you requested (in the Access Request Form) available to you; - contain the details of any works to be undertaken by you or us and any applicable technical and performance specifications; and - be in a form capable of acceptance by you so as to constitute a new access contract or form part of an existing access contract. 	<p>Date B + 20 business days for Type 2 Requests</p> <p>Date C + 20 business days for Type 1 Requests</p> <p>Date B + 60 business days for Type 3 Requests (unless we agree to extend this period with you).</p> <p>Date D + 20 business days (unless we agree to extend this period with you).</p>
	You decide to accept our Access Offer	You may accept our Access Offer, and we may agree to execute the proposed GTA.	Our Access Offer will be valid for up to 30 business days.
	If there is no need for Access Offer in the circumstances	<p>There may be some circumstances in which we may not need to make an Access Offer. These circumstances include:</p> <p>(a) If you decide to withdraw your Access Request Form;</p> <p>(b) If we come to the conclusion that it is not technically feasible or consistent with the safe and reliable operation of the relevant pipeline to provide the pipeline service requested by you (having used all our reasonable efforts to accommodate your reasonable requirements); or</p> <p>(c) If we would need to extend the relevant pipeline in order to provide the pipeline service requested by you.</p>	

Table 4: Negotiations

Step	Sub step	Task	Timeframe
	You do not accept our Access Offer and we enter into negotiations	If you do not wish to accept our Access Offer and instead wish to enter negotiations regarding access to our pipelines, you will need to notify us of this by contacting the representative nominated by us in the GTA or sending an email to: access.request@jemena.com.au .	

Step	Sub step	Task	Timeframe
Negotiations	You request further information as a basis for the negotiations with us ¹	Once we enter negotiations, you may request further information from us, being: <ul style="list-style-type: none"> - information about the method used to determine the price in an access offer and the inputs used in the calculation of the price; and - information regarding the costs associated with the provision of the pipeline services sought by the prospective user (Access Offer Information). 	Date E, which is the date on which you submit your request for Access Offer Information.
		We will provide you with the Access Offer Information.	Date E + 15 business days.
		Once we enter negotiations, either of us may request further information from the other, being: <ul style="list-style-type: none"> - Access Offer Information of the other party; and - information that the other party may seek to rely on for the determination of an Access Dispute in relation to the subject matter of the negotiations, including information prepared for that party such as expert reports and consultant reports, data sets, models and other documents or materials (Access Negotiation Information).	Date F, which is the date on which either of us submits a request to the other for Access Negotiation Information.
		We will provide one another with the requested Access Negotiation Information.	Date F + 15 business days.
		Once we enter negotiations, either of us may request <u>all</u> Access Negotiation Information from the other.	Date F, which is the date on which either of us submits a request to the other for <u>all</u> Access Negotiation Information.
		We will provide one another with all Access Negotiation Information, as requested.	Date F + 15 business days.
		During negotiations, we may decide to update the Access Offer (and proposed GTA) we previously sent to you.	
		You may decide to accept our updated Access Offer, and we may agree to execute a proposed GTA.	Within the period during which the Access Offer is valid.

¹ We note that clause 562(8) of the NGR provides that information does not need to be provided if it would breach a confidentiality obligation owed to unrelated third parties where the third party has not given consent to the disclosure (despite reasonable efforts having been made to obtain that consent).

Table 5: Access Disputes

Step	Sub step	Task	Timeframe
Access Dispute	You lodge an Access Dispute notice to the AER	Either of us may decide to submit an Access Dispute notice to the scheme administrator (AER) (accompanied by the applicable fee, if any).	Date G, which is the date on which either of us submits an Access Dispute notice to the AER. This Date G must be over 15 business days after Date F above (i.e. the date on which the party submitted a request to the other for <u>all</u> Access Negotiation Information).
		The AER will then invite each of us to nominate at least two arbitrators to be appointed to determine the Access Dispute.	Date G + 5 business days.
		We may agree to appoint at least two arbitrators to determine the Access Dispute.	Date G + 10 business days.
		If we do agree to appoint at least two arbitrators to determine the Access Dispute, the AER will appoint those arbitrators.	Date G + 15 business days.
		If we do not agree to appoint at least two arbitrators to determine the Access Dispute, the AER will select the arbitrators to determine the Access Dispute.	Date G + 15 business days.
		The AER will then refer the Access Dispute to arbitration.	Date G + 15 business days.
		The arbitrators will, as soon as practicable after appointment and after consultation with the parties to the Access Dispute, notify each of us of the procedures and timetable which will apply to the arbitration.	As soon as practicable after the arbitrators' appointment.
		The arbitrators will then ask each of us to provide a statement which: <ul style="list-style-type: none"> - lists the Access Negotiation Information we provided to each other during negotiations (if any) before the Access Dispute notice was submitted; and - identifies, with reasonable particularity, any Access Negotiation Information which we may be seeking leave to submit and rely on in the arbitration but which was not provided by either of us to the other (after having been requested) before the Access Dispute notice was submitted (First Statement). 	Date G + 25 business days.

Step	Sub step	Task	Timeframe
		The arbitrators will also ask each of us to provide a statement setting out the access determination we think the AER should make (Second Statement).	Date G + 30 business days.
		Each of us will then have an opportunity to provide our responses to the other’s First and Second Statements.	Date G + 25 business days + period of time determined by the arbitrator (for the First Statement). Date G + 30 business days + period of time determined by the arbitrator (for the Second Statement).
		The arbitrators will then make an interim access determination.	The timeframe for this will be determined by the arbitrators.
		The arbitrators will then make a final access determination.	Date G + 65 business days; or Date G + 105 business days (if we so agree to this timeframe with you). This timeframe will not take into account the number of days allowed by the arbitrators for an independent expert to be prepared or for a party to prepare Access Negotiation Information that were not provided during negotiations.
		You may notify us that you wish to give effect to the arbitrators’ final access determination.	10 business days after the access determination is made.

A more detailed outline of each of the phases outlined in Tables 2 to 6 above is provided in the sections below.

1.4 INFORMATION MADE AVAILABLE BY JEMENA

Under Part 23 of the NGR, we are required to make available on our website information which will enable you to determine the services you may seek from us, including the standard terms and conditions that we offer (including an indication of the likely price of our services).

This information is available at <https://jemena.com.au/> and includes:

- Service and access information, covering information about the physical configuration of the pipeline (nameplate rating, receipt and delivery points, maps, queueing etc.), the services offered and priority ranking, available capacity and use of the service (NGR rule 553), including:
 - pipeline information and pipeline service information no later than 20 days after the application date; and
 - service usage information by the last business day of each month.
- Standing terms for each pipeline service currently offered for sale including the standing price, other terms and conditions for each pipeline service, and the methodology used to calculate the standing price (NGR rule 554) no later than 20 days after the application date;
- Annual financial information reporting requirements (financial statements; methods, principles and inputs used to calculate asset values, depreciation, cost allocation; and financial performance metrics) and weighted average price paid by users and the methodology used to calculate it. The financial information is to be published annually in accordance with the AER's financial reporting guideline (NGR rule 555) and annually no later than within four months of the financial year (being 30 April for Jemena);
- Weighted average price information (NGR rule 556) annually no later than within four months of the financial year (being 30 April for Jemena);
- Monthly reporting requirements for forecast service availability (monthly firm capacity available for sale or will have available for sale for the next 36 months, and information about matters expected to affect the capacity of the pipeline (including any planned expansions of the capacity) for each month for next 12 months) and service usage for the prior month (metered and scheduled injections and withdrawals, scheduled quantities attributable to each pipeline service).

To facilitate high quality and up-to-date information provision, we update this information regularly (within 20 business days of any change).

1.5 IN DETAIL: HOW TO ACCESS OUR SERVICES

1.5.1 PRELIMINARY ENQUIRIES

We encourage you to make informal enquiries with prior to sending us an Access Request Form.

In particular, if you are seeking a service that we currently do not offer, preliminary discussions will assist you in preparing a complete Access Request Form that adequately complies with the requirements of the NGR. Such preliminary discussions would also assist us in understanding the service you are seeking and making an Access Offer promptly.

Preliminary enquiries relating to access to our pipelines can be sent to the relevant Jemena representative listed in Table 1 above.

1.5.2 ACCESS REQUEST

You may submit an access request for our pipeline services by completing the Access Request Form and sending it to access.request@jemena.com.au (alternatively, you can post it to the relevant Jemena team member listed in Table 1 above). As an example we have included the current version of the Access Request Form at Attachment C to this guide, however, you can access an electronic soft-copy version of the Access Request Form by emailing: access.request@jemena.com.au. If you are unsure of how to complete the Access Request Form, please contact the relevant Jemena representative listed in Table 1 above.

Confidential information provided by you in this process will be treated as confidential and not shared with any other party without your express consent

Within five business days of receiving your Access Request Form, we will inform you whether it is complete, or whether we need to undertake further investigations. Unfortunately, if an Access Request Form does not meet the information requirements set out in the form, we will not be able to respond to it adequately (with, for instance, an Access Offer). If this is the case, we will notify you of what the missing information requirements are, and whether further investigations are required. If required, we are also happy to meet with you to discuss the reasons for our assessment and the further information or investigations that may be required.

Once you submit a revised Access Request Form to us containing the missing information, we will reassess it against the information requirements set out in the form.

If further investigations are required, we will inform you of the scope and timeframes of those investigations within ten business days of receiving the Access Request Form. We will discuss our proposed scope and timing for the investigations with you, along with our reasons for considering investigations necessary. Each of us have a duty under section 216G of the NGL to negotiate in good faith on the terms and conditions of the further investigations (such as in relation to who will pay the expected costs of the further investigations and the timeframes for those investigations).

If at any time you wish to amend your submitted Access Request Form, please let us know as soon as possible. You will need to specify the reasons for the amendment and the implications of the amendment on the timeframes for us responding to your revised Access Request Form. We will assess the revised Access Request Form and contact you to reach an agreement regarding an extension to the period for us to respond to you with an Access Offer.

1.5.3 MAKING AN ACCESS OFFER

Our Access Offer will include:

- The service(s) we are offering and whether it is consistent with those requested by you;
- The price for those service(s);
- Terms and conditions based on our standard terms and conditions; and
- Any negotiated outcomes particular to the service(s) sought by you.

Generally, our Access Offer will be made using our standard terms and conditions set out in the GTA. A copy of these can be found on Jemena's website <https://jemena.com.au>.

An Access Offer that we make will be valid for 30 business days. However, after the Access Offer expires, you may wish to request an extension from us (we retain full discretion to decide whether to extend the expiry date of an Access Offer).

1.5.4 ACCEPTANCE OF ACCESS OFFER

You can accept an Access Offer made to you by us by notifying the relevant Jemena representative nominated in the GTA or listed in Table 1 of your acceptance. Typically, you will then need to arrange for one of your authorised representatives to sign and return to us the required number of original copies of the GTAs provided with the Access Offer (one for each of the contracting parties). The signed original copies will then need to be sent to the relevant Jemena representative listed in Table 1. Upon receipt of the required documents, our nominated representative will sign and return an original copy of the GTA to you. Where the GTA allows for the

exchange of counterparts, identical copies may need to be executed to complete the execution process (all of the identical copies, taken together, will be considered to be one instrument).

1.5.5 NEGOTIATION

Once we have made you an Access Offer, you may either accept it or choose to enter into negotiations with us on the terms and conditions of our proposed GTA. We note that you have a right to refer an Access Dispute to arbitration under section 216J of the NGL at any time.

If you wish to enter negotiations, you will need to notify us of this by contacting the representative nominated by us in the GTA or sending an email to: access.request@jemen.com.au. Upon receipt of a request to negotiate, we will make our best efforts to meet with you and come to an agreement regarding the process for negotiation.

You may request any Access Offer Information you consider necessary for negotiations. As above, please contact the representative nominated by us in the GTA or send an email to: access.request@jemen.com.au to notify us of the details of your request for Access Offer Information.

Under Part 23 of the NGR, Access Offer Information is stated to be information:

- about the method used to determine the price in an access offer and the inputs used in the calculation of the price; and
- regarding the costs associated with the provision of the pipeline services sought by the *prospective user*.

We will comply with reasonable requests for Access Offer Information within 15 business days of the date you submit the request to our representative (or any longer period agreed with you).

Once we enter negotiations, either of us may request Access Negotiation Information from the other. Under Part 23 of the NGR, Access Negotiation Information is stated to include the following information of the party to the negotiations from which information is sought:

- Access Offer Information; and
- any other information that the party may seek to rely on for the determination of an access dispute in relation to the subject matter of the negotiations,

including information prepared for the party such as expert reports and consultant reports, data sets, models and other documents or materials.

At any time during the course of negotiations, either of us may also request all Access Negotiation Information from the other.

Each of us is obliged to comply with reasonable requests for Access Negotiation Information within 15 business days of the date of submitting the request to the other (or any longer period agreed between us).

Any information provided to another party during negotiations will be treated as confidential and subject to the terms of the signed Confidentiality Agreement that accompanies the completed Access Request Form. A version of the Confidentiality Agreement is provided at Attachment A to this guide. Each of us is obliged to only use or reproduce confidential information of another party for the purpose for which it was disclosed and we must not disclose the confidential information except:

- to the scheme administrator (the AER) in an Access Dispute notice;
- to the arbitrator in the course of an arbitration;

- with the consent of the other party;
- to a professional or other adviser of the party who agrees with the party to maintain the confidentiality of the confidential information;
- if it is required by, or necessary for the purposes of, the NGR or the NGL;
- if the disclosure is in accordance with an order made or a subpoena issued by a court of competent jurisdiction; or
- if the disclosure is authorised or required by a law of a participating jurisdiction or required by a competent regulatory body, and the person making the disclosure gives written details of the disclosure (including an explanation of the reasons for the disclosure) to the other party.

During negotiations, each of us must:

- negotiate in good faith pursuant to section 216G of the NGL;
- seek to accommodate all reasonable requirements of the other parties to the negotiations regarding the timetable for negotiations (subject to key staff availability); and
- use reasonable endeavours to identify any other person who may become a party to an access dispute relating to the pipeline service the subject of the negotiations.

During negotiations, each of us is also entitled to submit an Access Dispute to arbitration (although this can be done no earlier than 15 business days after a notice requesting all the Access Negotiation Information of another party is submitted).

At any time during negotiations you may wish to accept our proposed GTA if it is still valid (that is, within 30 business days of the Access Offer being made). You may at any time by notice to us bring negotiations to an end, whether or not you also refer or have referred a related Access Dispute to arbitration.

1.5.6 ARBITRATION

No earlier than 15 business days after a notice requesting all the Access Negotiation Information of another party is submitted, either of us may submit an Access Dispute notice to the scheme administrator (the AER) accompanied by the applicable fee (if any).

An Access Dispute notice can be sent to the AER by email at: AERschemeadministrator@aer.gov.au.

The Access Dispute notice must be in writing and state:

- the pipeline service to which the Access Dispute notice relates and, if applicable, the relevant Access Request Form and the Access Offer (as set out in our proposed GTA);
- the matters (if any) on which agreement has been reached between the parties to the Access Dispute and the matters that are in dispute;
- the name and address of the person giving the Access Dispute notice and of each other party involved in the Access Dispute; and
- if the person giving the Access Dispute notice reasonably believes another person may be joined as a party to the Access Dispute under section 216I of the NGL, the name and address of that person.

While there is no prescribed form, the AER's suggested format for providing the Access Dispute notice is set out in Attachment B. If the materials included with the notice are lengthy (such as draft forms of agreement) then attachments (with an index) should be used.

1.6 ATTACHMENTS

Attachment A | Confidentiality Agreement

Attachment B | AER form of access dispute

Attachment C | Access Request Form

Attachment A | Confidentiality Agreement

Attachment B | Form of access dispute notice

Cover letter:

<Date>

[General Manager]
Networks Expenditure
Australian Energy Regulator

AERschemeadministrator@aer.gov.au

Dear Sir/ Madam

I enclose an access dispute notice with <name of company> notified under subsection 216H(1) of the National Gas Law (the NGL) on <date>.

Yours faithfully <Signatory>

Attached: Notification

Notification

AUSTRALIAN ENERGY REGULATOR Access dispute notice under subsection 216H(1) of the NGL on <date>

Notifying Party

<name of notifying company> of <address of notifying company>

Contact: <name and position of contact>

Telephone: <contact's phone number>; Facsimile: <contact's fax number>;

Email: <email address>

Other Party

<insert for each other party involved in the access dispute>

<name of other party> of <address of other party> Contact: <name and position of contact> Telephone: <contact's phone number>; Facsimile: <contact's fax number>;

Email: <email address>

User/Prospective user <delete whichever is not appropriate> <specify which party is the user/prospective user>

Service Provider

Jemena XX <the notification should specify the name of the owner(s) of the non-scheme pipeline that is or will be used to supply the pipeline service; where each owner is a legal entity separate from the persons specified above, the notification should separately identify the pipeline owner(s), if known>

Persons who the notifying party believes may be joined to the access dispute <insert for each relevant person> <name of company> of <address of company>

Details of the pipeline service to which the access dispute relates <Include all relevant details about the pipeline service the subject of the access dispute. Use an attachment if necessary.>

Details of the access request made <Specify the details of the access request made by the user/prospective user, if applicable. Use one or more attachments if necessary. >

Details of the access offer made <Specify the details of the access offer made by the service provider, if applicable. User one or more attachments if necessary.>

Details of the matters on which agreement has been reached <Specify the details of access to the relevant pipeline service which have been agreed by the parties to the access dispute. Use one or more attachments if necessary.>

Details of the matters that are in dispute <Specify the details of access to the relevant pipeline service which have not been agreed by the parties to the access dispute and which are in dispute. Use one or more attachments if necessary.>

To be signed by person notifying dispute

_____ <Name of signatory and position> <Date>

Attachment C | Sample Access Request Form

The sample Access Request Form current as at 1 January 2018 is set out in this schedule.

An electronic soft-copy of the Access Request Form which can be directly populated can be accessed by emailing access.request@jemen.com.au .
