



New South Wales

Gas Pipelines Access (New South Wales) (Savings and Transitional) Amendment Regulation 2002

under the

Gas Pipelines Access (New South Wales) Act 1998

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Gas Pipelines Access (New South Wales) Act 1998*.

KIM YEADON, M.P.,
Minister for Energy

Explanatory note

The object of this Regulation is to amend the *Gas Pipelines Access (New South Wales) (Savings and Transitional) Regulation 1999* so as:

- (a) to postpone, from 30 June 2004 to 31 December 2004, the date of expiry of a provision of that Regulation that deems certain pipelines to be a single pipeline for the purpose of establishing revised access arrangements, and
- (b) to postpone, from 1 July 2002 to 1 July 2007, the date of expiry of a provision of the *Gas Pipelines Access (New South Wales) Act 1998*, so extending the period for which certain pipelines are taken to be distribution pipelines for the purposes of the *Gas Pipelines Access (New South Wales) Law*, and
- (c) to identify the capital base value of certain pipelines for the purpose of establishing revised access arrangements for those pipelines under the *National Third Party Access Code for Natural Gas Pipeline Systems*.

This Regulation is made under the *Gas Pipelines Access (New South Wales) Act 1998*, including clause 1 of Schedule 2 (the power to make regulations of a savings or transitional nature) and clause 7 (2) of that Schedule.

2002 No 422

Clause 1 Gas Pipelines Access (New South Wales) (Savings and Transitional) Amendment Regulation 2002

Gas Pipelines Access (New South Wales) (Savings and Transitional) Amendment Regulation 2002

1 Name of Regulation

This Regulation is the *Gas Pipelines Access (New South Wales) (Savings and Transitional) Amendment Regulation 2002*.

2 Amendment of Gas Pipelines Access (New South Wales) (Savings and Transitional) Regulation 1999

The *Gas Pipelines Access (New South Wales) (Savings and Transitional) Regulation 1999* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Clauses 9 and 10

Omit clause 9. Insert instead:

9 Aggregation of distribution pipelines and determination of initial capital bases

- (1) This clause has effect for all purposes relating to the application of the new Access Code as part of the *Gas Pipelines Access (New South Wales) Law*.
- (2) This clause applies to the following pipelines:
 - (a) the pipeline from Wilton, via Horsley Park, Plumpton and Killingworth, to Walsh Point (Pipeline Licence Nos 1, 3, 7 and 8),
 - (b) the pipeline from Wilton to Wollongong (Pipeline Licence No 2),
 - (c) the pipelines within the AGL NSW distribution system,
 - (d) the pipelines within the AGL Central West distribution system.
- (3) The pipelines referred to in subclause (2) (a)–(d) (each of which is a covered pipeline within the meaning of the new Access Code) are taken to comprise a single pipeline.
- (4) Subclause (3) ceases to have effect on 31 December 2004.
- (5) For the purpose of determining and giving effect to access arrangements, and revisions to access arrangements, with respect to the pipelines referred to in subclause (2) (a)–(d), the initial capital base for each pipeline, as at 1 July 1996, is as set out in Amendment 6 of the Tribunal's determination *Final Decision on the Access Arrangement for AGL Gas Networks Limited—Natural Gas System*, dated July 2000.
- (6) This clause has effect despite any provision of the new Access Code.

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Schedule 1 Amendment

10 Postponement of expiry of clause 7 of Schedule 2 to Act

1 July 2007 is prescribed as the date on which clause 7 (1) of Schedule 2 to the Act ceases to apply to a pipeline referred to in that subclause, as referred to in clause 7 (2) (a) of that Schedule.

BY AUTHORITY