

## Part 4 Coverage

### Division 1 Coverage determination

#### 15 Application for coverage determination (Section 92(2) of the NGL)

- (1) An application for a coverage determination must:
  - (a) state the applicant's name and *contact details*; and
  - (b) identify the pipeline for which coverage is sought; and
  - (c) give details of the pipeline's classification or, if there is no classification, the classification the applicant considers appropriate; and
  - (d) state the applicant's reasons for seeking coverage of the pipeline (including a demonstration of how coverage of the pipeline would give effect to the pipeline coverage criteria); and
  - (e) include any information or documents on which the applicant relies in support of the application.
- (2) An application for a coverage determination for a pipeline to which a voluntary access arrangement applies may only be made if the coverage sought in the application is to commence from, or after, the expiry of that arrangement.

**Note:**

A pipeline is regarded as a covered pipeline for the duration of a voluntary access arrangement. (See section 127 of the *NGL*.)

#### 16 Making of coverage recommendation (Sections 93 and 95 of the NGL)

- (1) The NCC must deal with an application for a coverage determination in accordance with the *standard consultative procedure*.
- (2) The NCC must make its final recommendation on the application within 4 months after receiving the application.
- (3) The time limit fixed by subrule (2) cannot be extended by more than a further 2 months.
- (4) A coverage recommendation must:—
  - (a) be in writing; and
  - (b) identify the pipeline to which the recommendation relates; and

- (c) include a reference to a website at which a description of the pipeline can be inspected; and
- (d) state the terms of the recommendation and the reasons for it.

**Note:**

A light regulation determination or a *decision* not to make a light regulation determination must be attached to the coverage recommendation (unless the pipeline is a designated pipeline) – See section 110(3)(b) of the *NGL*.

## **17 Relevant Minister's determination of the application (Section 99 of the NGL)**

- (1) A coverage determination, or a *decision* not to make a coverage determination, must –
  - (a) be in writing; and
  - (b) identify the pipeline to which the determination or *decision* relates; and
  - (c) include a reference to a website at which a description of the pipeline can be inspected; and
  - (d) state the terms of the determination or *decision* and the reasons for it.
- (2) A copy of the determination or *decision*:
  - (a) must be given without delay to:
    - (i) the service provider; and
    - (ii) the applicant (if not the service provider); and
    - (iii) the NCC; and
    - (iv) the AEMC; and
  - (b) must be published on the NCC's website.

## **Division 2 Coverage revocation determination**

### **18 Application for coverage revocation determination (Section 102 of the NGL)**

- (1) An application for a coverage revocation determination must:
  - (a) state the applicant's name and *contact details*; and
  - (b) state whether the application is for revocation of coverage for the whole, or part only, of the covered pipeline; and

- (c) state the applicant's reasons for the application (including a demonstration of how the coverage revocation determination would give effect to the pipeline coverage criteria); and
  - (d) include information, and be accompanied by the documents, on which the applicant relies in support of the application.
- (2) The application must also include the following information:
- (a) the capacity of the pipeline and the extent to which that capacity is currently utilised; and
  - (b) for a transmission pipeline, a description of:
    - (i) all locations *served* by the pipeline (i.e. all locations at which *receipt or delivery points* for natural gas carried by the pipeline exist); and
    - (ii) all pipelines that currently *serve* the same locations; and
    - (iii) all pipelines that currently pass within 100 km of any location *served* by the pipeline; and
  - (c) for a distribution pipeline, a description of:
    - (i) the geographical area *served* by the pipeline; and
    - (ii) the points at which natural gas is, or is to be, injected into the pipeline; and
  - (d) a description of the pipeline services provided, or to be provided, by the pipeline; and
  - (e) an indication of any other sources of energy available to consumers of gas from the pipeline; and
  - (f) the identity of the parties with an interest in the pipeline and the nature and extent of each interest; and
  - (g) a description of the following relationships:
    - (i) any relationship between the owner, operator and controller of the pipeline (or any 2 of them);
    - (ii) any relationship between the owner, operator or controller of the pipeline and a user of pipeline services or a supplier or consumer of gas in a location or geographical area *served* by the pipeline;
    - (iii) any relationship between the owner, operator or controller of the pipeline and the owner, operator or controller of any other pipeline *serving* any one or more of the same locations or the same geographical area; and

- (h) an estimate of the annual cost to the service provider of regulation; and
- (i) any other information the applicant considers relevant to the application of the National Gas Objective or the pipeline coverage criteria in the circumstances of the present case.

**19 Making of coverage revocation recommendation (Sections 103 and 104 of the NGL)**

- (1) The NCC must deal with an application for a coverage revocation determination in accordance with the *standard consultative procedure*.
- (2) The NCC must make its final recommendation on the application within 4 months after receiving the application.
- (3) The time limit fixed by subrule (2) cannot be extended by more than a further 2 months.
- (4) A coverage revocation recommendation must:
  - (a) be in writing; and
  - (b) identify the covered pipeline to which the recommendation relates; and
  - (c) include a reference to a website at which a description of the pipeline can be inspected; and
  - (d) state the terms of the recommendation and the reasons for it.

**20 Relevant Minister's determination of the application (Section 106(5) of the NGL)**

- (1) A coverage revocation determination, or a *decision* not to make a coverage revocation determination, must:
  - (a) be in writing; and
  - (b) identify the pipeline to which the determination or *decision* relates; and
  - (c) include a reference to a website at which a description of the pipeline can be inspected; and
  - (d) if there is a coverage determination for the pipeline, refer to the determination; and
  - (e) state the terms of the determination or *decision* and the reasons for it.
- (2) A copy of the determination or *decision*:
  - (a) must be given without delay to:

- (i) the service provider; and
  - (ii) the applicant (if not the service provider); and
  - (ii) the NCC; and
  - (iii) the AEMC; and
- (b) must be published on the NCC's website.