

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
 - (iii) the NCC; and
 - (iii) the AEMC; and
 - (b) must be published on the NCC's website.