

5 March 2014

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Dr Richard Chadwick
General Manager Adjudication Branch
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Dear Richard

North West Power System - Dispatch Protocol

We refer to Stanwell Corporation Limited's and Diamantina Power Station Pty Limited (**DPS Co**)'s applications for interim and final authorisation lodged 27 February 2014.

The application for interim authorisation was made on the basis that the applicants wished the arrangements the subject of the applications for final authorisation be authorised prior to the expected date of Second Commercial Operation at Diamantina Power Station (**DPS**), at that time estimated to be mid 2014.

As the ACCC may be aware, the primary contractor for the construction of DPS, Forge Group Limited, has encountered financial difficulties, and was placed in receivership last month. As a result, it became necessary for DPS Co to reconsider the scheduled delivery time of DPS. At the time of the application for interim authorisation, no revised programme schedule was agreed, and we understand it was not clear that a lengthy delay would be required.

However DPS Co has this week finalised its programme schedule review. It now expects Second Commercial Operation to be achieved no earlier than 4 September 2014. On that basis, if the authorisation process proceeds in the usual way, there is no need for interim authorisation before the final determination of the applications for authorisation is reasonably expected.

The applicants accordingly withdraw the application for interim authorisation but maintain the applications for final authorisation in the form lodged on 27 February 2014. We thank you for the work the ACCC has already undertaken, and regret any inconvenience the application may have caused.

If you have any questions or wish to discuss any aspect of this matter, please do not hesitate to contact us.

Yours faithfully
MINTER ELLISON



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enclosure

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