

AREA DISTRIBUTION AUTHORITY No. DA – A –

NAME OF HOLDER

ANNUAL REPORT
TO THE REGULATOR UNDER THE
GAS SUPPLY ACT 2003
FOR THE PERIOD
1 JULY 2008 TO 30 JUNE 2009

Energy Regulation and Legislation
Queensland Mines and Energy
Department of Employment, Economic Development and Innovation
61 Mary Street, Brisbane Queensland 4000
PO Box 15216, City East Queensland 4002 Australia
Telephone +61 7 3898 0680
Facsimile +61 7 3237 1344
Website www.dme.qld.gov.au

Area Distribution Authority Annual Report to the Regulator for the year ended 30 June 2009

Under the *Gas Supply Act 2003*, the Regulator (currently Director-General of the Department of Employment, Economic Development and Innovation) issues authorities for the distribution of reticulated processed natural gas in Queensland.

A condition of an Area Distribution Authority is that its holder must, in the approved form and manner, submit an annual report to the Regulator for each financial year (the report period). This report should be submitted as soon as possible after 30 June, but not later than 31 October for the prior financial year.

The primary aim of the Area Distribution Authority Annual Report is to gather information to allow the Regulator to assess the ongoing suitability of a distributor to hold an authority and assist with the performance of the Regulator's statutory functions. Information collected in the Annual Report also allows the Regulator to maintain an up-to-date register of information relating to the authority and its holder.

A further condition of an Area Distribution Authority is that the distributor must, in the approved form and manner, submit reports to the Regulator on the exercise of entry powers under section 139 of the *Gas Supply Act 2003*, (*Power to enter to make gas infrastructure safe*) and section 140 of the *Gas Supply Act 2003*, (*Power to enter for emergency*). The annual reports on exercise of entry powers are included in this Area Distribution Authority Annual Report.

The information requested in this document covers the financial year ended 30 June 2009. Where an entity (defined by ABN / ACN) holds more than one Area Distribution Authority, the entity has the choice of submitting either separate or combined Annual Reports. Where an entity has held a Area Distribution Authority for less than the full financial year, the entity should indicate the period on which the entity is reporting.

From:.....

Instructions for Completion

This Annual Report consists of **three parts**, all of which must be completed:

- **Part 1** relates to information about the distribution authority holder and the exercise of entry powers.
- **Part 2** seeks information specific to each distribution area held. If an authority holder has more than one distribution area, a separate Part 2 section must be completed for each distribution area held.
- **Part 3** is the signature and declaration component of the report and applies to information supplied within the entire report. Only one declaration needs to be submitted per annual report.

Please return the completed report to:

**The Director
Energy Regulation and Legislation Unit
Queensland Mines and Energy
Department of Employment, Economic Development and Innovation
PO Box 15216
CITY EAST QLD 4002**

No later than:

31 October 2009

For enquiries contact:

**Robert Griffiths
Queensland Mines and Energy
Telephone: (07) 3898 0680
Email: robert.griffiths@deedi.qld.gov.au**

This form is available in PDF or Word format from the Queensland Mines and Energy website at www.dme.qld.gov.au/Energy/licensing_1.cfm

Information about the use and management of collected data

The Department of Employment, Economic Development and Innovation (DEEDI) is committed to the ethical management of information collected from prospective and existing distribution and retail authority holders. Information is collected by DEEDI in annual reports from distribution and retail authority holders, and through application processes to obtain, amend, renew, surrender or transfer an authority.

The information gathered in these processes is in accordance with the provisions of the *Gas Supply Act 2003* and related licences and regulations and may be used by the Regulator in carrying out his/her role. Under the *Gas Supply Act 2003*, some of the information collected will be included in a register and made available to the public. Sections 308 to 310 of the *Gas Supply Act 2003* outline the information to be included in the public register.

Any personal information collected in the application and reporting process by DEEDI may be used for the purposes set out in the *Gas Supply Act 2003* and related licences and regulations. Information will be disclosed as set out in the *Gas Supply Act 2003* and related licences and regulations, including making applications available to the public, with the exception of exempt matter under the *Right to Information Act 2009*, in accordance with sections 29(2)(a)(iv), 150(2)(a)(v), 310(2) and 318(1)(b) of the *Gas Supply Act 2003*. Subject to the provisions of the *Gas Supply Act 2003* and other legal requirements, personal information will not be disclosed to third parties outside DEEDI without your consent.

While DEEDI encourages suppliers of information to clearly identify any information they consider to be confidential, it is important to note that all information collected through application and reporting processes is subject to the *Right to Information Act 2009* and will be retained as required by the *Public Records Act 2002* and other relevant Acts and regulations.

If you have queries in relation to data collection and management under the *Gas Supply Act 2003* and its related licences and regulations, contact Robert Griffiths at Queensland Mines and Energy on telephone (07) 3898 0680 or email robert.griffiths@deedi.com.au.

Part 1: Information about the Holder of the Authority & Exercise of Entry Powers

A. Area Distribution Authorities Held

Area Distribution Authority holder	
Area Distribution Authority No. / s (Note: Only the Area Distribution Authority / ies the subject of this report).	
ABN and / or ACN	

B. Contact Details

Contact name and position title	
Company (only if different from holder)	
ABN and / or ACN (only if different from holder)	
Postal address and postcode	
Contact office telephone number and mobile telephone number	
Contact facsimile number	
Contact email address	
If different from above, please nominate a Queensland contact person for business matters (name, position title, email address, contact telephone and facsimile numbers)	

C. Prudential and business information

Note: this information will remain confidential.

Please answer **Yes** or **No** to the following questions by **placing a tick** in the appropriate box. If **Yes** is the response to any of these questions, please provide further details.

- | | | |
|---|--------------------------|--------------------------|
| | Yes | No |
| (i) Has the Distribution Authority holder been placed into bankruptcy, receivership, administration or liquidation, or has action been taken by the authority holder or creditors of the authority holder to wind up the company? | <input type="checkbox"/> | <input type="checkbox"/> |

If Yes, provide full details.

- | | | |
|---|--------------------------|--------------------------|
| | Yes | No |
| (ii) Has the Distribution Authority holder had any criminal convictions or civil judgements (where the civil judgement involves compensation or a fine in excess of \$1,000) awarded against it during the report period? | <input type="checkbox"/> | <input type="checkbox"/> |

If Yes, provide full details.

- | | | |
|--|--------------------------|--------------------------|
| | Yes | No |
| (iii) If you hold any corresponding authorities, have you had action taken against you for breaches (eg fines, suspensions or cancellations) relating to the authority/ies or licence/s for the report period? | <input type="checkbox"/> | <input type="checkbox"/> |

If Yes, provide full details.

If you do not hold any corresponding authorities, please respond **N/A**.

- | | | |
|--|--------------------------|--|
| | N/A | |
| (iv) Do you hold current public liability insurance? | <input type="checkbox"/> | |

**If Yes, what level of public liability insurance do you hold?
(Please indicate a figure).**

(\$ Million)
\$ _____

- | | | |
|---|--------------------------|--------------------------|
| | Yes | No |
| (v) Has any enforcement action been taken against the Distribution Authority holder, during the report period, by the Queensland Competition Authority (QCA) for contravention of industry codes under Chapter 5A, Part 5 of the <i>Gas Supply Act 2003</i> ? | <input type="checkbox"/> | <input type="checkbox"/> |

(Note: Enforcement action includes issue of a warning notice, issue of a code contravention notice, civil penalty order, court injunction or other court action.)

If Yes, provide full details.

If a Yes answer was given to any of Questions (i) to (v) above, please provide details below or in an attached statement.

Question No.	Details

D. Exercise of Entry Powers

Entry under section 139 — Power to enter to make gas infrastructure safe

Section 139 (subsection 1) of the *Gas Supply Act 2003* authorises a distribution officer¹ to enter a place to make the distributor's gas infrastructure safe if the occupier of the place has been given at least 48 hours notice of the entry. However, the officer cannot under subsection (1):

- (a) enter a part of the place where a person resides; or
- (b) enter the place between 5 p.m. on any day and 8 a.m. on the next day.

The power under subsection (1) may be exercised without the occupier's consent.

Please answer **Yes** or **No** to the following question by placing a tick in the appropriate box.

- During the report period, has a distribution officer acting on behalf of the holder exercised the section 139 powers? **Yes** **No**

If Yes, complete table below.

Date of Entry	Work Request No.	Specific Reason for Entry e.g. to fix gas leak as a result of damage caused by private earthworks	Customer Class		Consent for Entry		Outcome of Entry
			Residential	Non-residential	Was occupier's consent obtained? (Yes/No)	If no, what was the reason occupier's consent was not obtained?	
Total no. of entries for each customer class							
Total no. of entries under section 139							

¹'distribution officer' is defined, for a distributor, to mean a person appointed, under section 132, as a distribution officer for the distributor, whose appointment is still in force (Schedule 4 of the Act).

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Entry under section 140 — Power to enter for emergency

Section 140 (section 1) of the *Gas Supply Act 2003* authorises the entry of a distribution officer to a place to prevent or deal with an emergency involving, or that may involve, processed natural gas transported through the distributor's distribution pipeline. The power under subsection (1) may be exercised without the consent of, or notice to, the occupier of the place. However, if the occupier is present at the place, before entering the place, the officer must do, or make a reasonable attempt to do, the following things (subsection 3):

- (a) comply with section 136 for the occupier (production or display of identity card);
- (b) tell the occupier the purpose to the entry;
- (c) seek the consent of the occupier to the entry;
- (d) tell the occupier the officer is permitted under this Act to enter the place without the occupier's consent.

Also, if the occupier is not present at the place, the officer must take reasonable steps to advise the occupier of the officer's intention to enter the place (subsection 4). Subsections (3) and (4) do not require the officer to take a step that the officer reasonably believes may frustrate or otherwise hinder the prevention or dealing with the emergency.

Please answer **Yes** or **No** to the following question by placing a tick in the appropriate box.

- During the report period, has a distribution officer acting on behalf of the holder exercised the section 140 powers? **Yes** **No**

If Yes, complete table below.

Date of Entry	Work Request No.	Specific Reason for Entry e.g. to fix gas leak as a result of damage caused by private earthworks	Customer Class		Consent for Entry		Outcome of Emergency
			Residential	Non-residential	Was occupier notified before entry? (Yes/No)	If no, what was the reason prior notification was not given to occupier? eg. customer was unable to be contacted	
Total no. of entries for each customer class							
Total no. of entries under section 140							

E. Dealing with Complaints

Indicate the systems and training the distributor has in place for dealing with complaints by answering **Yes** or **No** to the following questions by placing a tick in the appropriate box.

- (i) Do you (the distributor) have systems in place to manage complaints? **Yes** **No**
- (ii) Does this complaints management system comply with Australian Standard ISO 10002-2006 (Customer satisfaction – Guidelines for complaints handling in organisations). **Yes** **No**

Please provide a description of your complaints management system, including an overview of the processes involved.

- (iii) Have you (the distributor) provided training (including refresher training) to staff to manage complaints? If so, when was the training undertaken? (please provide details below) **Yes** **No**

Please provide details of your staff training in complaints management.

F. Customer Complaints

Notes:

1. This applies to complaints about the distributor's operations under the authority / ies the subject of this report. It does not apply to complaints about the operations of a contracted retailer.
2. The complaint categories in the table below are the same as those previously collected by the QCA Service Quality Report. As of 1 July 2008, these QCA responsibilities were transferred to the Australian Energy Regulator (AER). If you currently supply these data to the AER, you may attach a copy of the report covering the same time period as covered in this report.
3. For the purpose of the table, 'complaint' is defined as:
"a communication from an external customer that requirements or expectations have not been met. A complaint does not include reports of system failures."

Indicate the type and number of complaints received during the reporting period. (Applies only to complaints actionable by the distributor).

Nature of Complaint	Number
Complaints received regarding metering.	
Complaints received regarding connections and disconnections.	
Complaints received regarding reliability of supply.	
Other complaints received regarding distribution issues [including complaints about exercise of entry powers].	
Total no. of complaints	

This completes Part 1 of the Annual Report.

Please proceed to Part 2 and complete a separate section for each distribution area.

Part 2: Business Activities of Each Distribution Area

Note: Responses to Part 2 of this Annual Report (sections A to E below) must be completed for **each distribution area**. If this report covers a number of distribution areas, then a corresponding number of Part 2 sections needs to be completed.

A. Distribution Area

What is the distribution area (name and map number as described in the Distribution Authority) that these data pertain to?

Distribution Area:
Gas Map Number: GAS

B. Customer Numbers / Classification

As at 30 June 2009, how many customer premises were connected to your network for the above described distribution area?

Please complete the table below.

<1TJ per year		1-10 TJ per year	>10-100 TJ per year	>100 TJ per year
Residential	Non-residential			
Total number of premises connected				

C. Quantity of Gas Transported

Specify the total quantity of gas (in terajoules) delivered during the report period for the distribution area described above.

Quantity of Gas delivered on behalf of retailers (TJ)	Quantity of Gas delivered on behalf of non-retailers (TJ)	Total Quantity of Gas delivered (TJ)

D. Retailers

Please provide a list of retailers who retailed reticulated processed natural gas through your network in the distribution area during the report period.

E. Distribution Mains

Please provide an estimate of the total length (in kilometres) of your distribution pipes / network contained in this distribution area, at 30 June 2009.

Total Length (km):

- | | | |
|---|--------------------------|--------------------------|
| | Yes | No |
| i. Has the distribution authority holder laid any new mains in the distribution area in the reporting period? | <input type="checkbox"/> | <input type="checkbox"/> |

If Yes, provide details below.

Details of new mains

This completes Part 2 of the Annual Report.

Once you have completed Part 2 for each distribution area you hold, please proceed to Part 3: Signature and Declaration.

Part 3: Signature and Declaration

Section 290 of the *Gas Supply Act 2003* makes it an offence to provide information that is false or misleading. The maximum penalty for such action is 60 penalty units. Penalty units are defined in dollar terms in the *Penalties and Sentences Act 1992*.

I declare that:

- (i) The information provided in Parts 1 and 2 of this annual report is correct to the best of my knowledge;
- (ii) I am aware of the requirements under the *Gas Supply Act 2003*, including the Regulations made under that Act, applying to distribution authorities;
- (iii) I understand and agree that all information provided in or with this annual report is subject to the provisions of the *Right to Information Act 2009*, and that selected parts of the information provided may be made available on a public register of authorities; and
- (iv) I have the authority to make this declaration on behalf of the distribution authority holder.

Signed by the authority holder or their agent:

Full name and position	
Signature	
Date	

Witnessed by:

Full name and position	
Signature	
Date	