



## THE ESSENTIAL SERVICES COMMISSION

### V/LINE PTY LIMITED PROPOSED ACCESS ARRANGEMENT VARIATION: DECISION

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#### **Application**

The commission has received an application from V/Line Pty Limited (V/Line) for the variation of its access arrangement applying to the Victorian country rail network. The access arrangement currently in place has a term of five and a half years, and is set to expire on 31 December 2017. This application was made pursuant to section 38ZO of the *Rail Management Act 1996* (Vic).

V/Line's proposed variation is to extend the operation of the current access arrangement by 12 months until 31 December 2018. V/Line has not sought to vary any other provision in its access arrangement other than minor administrative changes.

#### **Process**

The commission may vary a binding access arrangement on the application of an access provider under section 38ZO of the Rail Management Act. The Rail Management Act requires the proposed variation be consistent with the requirements set out in section 38ZO(3) and section 38ZO(6) requires the commission to consider whether any proposed variation is 'material'. If the commission considers a variation is 'material', it is required to undertake a public consultation process with respect to the application.

With the exception of the extension to the expiry date and a few minor amendments, V/Line's existing access arrangement will continue unchanged.

The commission is not required to undertake a public consultation process because the amendments are minor and administrative in nature.

#### **Commission's Decision**

The commission considers that the proposed variation is consistent with the requirements set out in section 38ZO(3) of the Rail Management Act and that the proposed amendments are not material. The commission agrees to the proposed variation of V/Line's access arrangement and has approved the changes to the binding access arrangement indicated in Annexure 1 pursuant to section 38ZO of the Rail Management Act.

This decision takes effect on and from the date of this decision (13 December 2017).

**DATED:** 13 December 2017