



Stage 2 notice of dispute

Under Rules 135HB and 135HC of the National Gas Rules (NGR)

How to use this form

Purpose of this form

This form is used to escalate a dispute under the National Gas Rules (NGR) from Stage 1 to Stage 2. It triggers formal resolution efforts by the Adviser and, if necessary, referral to a dispute resolution panel (DRP).

Instructions

- **Timing is critical:**
This form should usually be submitted within 60 business days of the Stage 1 Notice being served.
- **Have you served a Stage 1 notice?**
If not, complete Part C of this form and explain the circumstances.
- **Submit to the Adviser:**
Email completed and signed form to wemdra@resolution.institute, including any supporting material (correspondence, AEMO determinations, Stage 1 Notice).
- **Requesting a direction to disclose information:**
Use Part B of the form if you require information to complete or support your claim.
- **For compensation claims:**
Ensure the USR process has been followed if relevant. Refer to Rule 217 and attach AEMO determinations.

Hints and tips

- Clearly identify all parties to the dispute. Only parties can access evidence and be bound by the DRP outcome.
- Be concise but thorough in outlining the issues, remedies sought, and relevant rule breaches.
- Use the Adviser process (Part 4) to narrow the issues before moving to a formal panel.
- Provide detail about preferred DRP member qualifications if requesting a panel.
- Ensure your contact information is accurate – the Adviser may contact you for further clarification.

Remember

- If you do not agree to the Adviser's process, a DRP will be constituted within strict timeframes.
- Parties will be asked to provide issue statements, responses, and witness lists before a DRP is constituted.
- This notice may be made public or referenced in market reports for precedent purposes.

A DRP cannot be convened if doing so would cause undue prejudice due to delay – submit this form on time.

For further guidance, refer to the NGR or contact Resolution Institute via wemdra@resolution.institute or phone **1800 651 650**



Stage 2 Notice

Pursuant to Part 15C Division 3 Rule 135HB and HC

This is the approved form published by the Adviser in accordance with Part 15C Division 3 Rule 135HB and HC of the NGR | Version: 010725

Please note that this form will be given to a Dispute Resolution Panel (DRP) if one is constituted and the Notice may also be included in the summary report and on the dispute resolution portion of the AER website for precedent purposes.

PRELIMINARY CHECKS

- Have you already provided a Stage 1 Notice? If not, please go to **Part C** and then return to the start of the form.
- For a direction to have a party **disclose information**, please complete **Part B**.
- For a request for compensation for an **Unexpected Scheduling Result (USR)**, please read *the [Guidelines on Compensation for a USR](#)*. (The purpose of this document is to provide guidelines for making a claim for compensation from the Participant Compensation Fund when there has been an Unintended Scheduling Result as provided for Under Part 19 Rule 217 of the National Gas Rules.)
Note: Where AEMO has made a Decision that a USR exists and there are no matters in dispute, you can use the 'Application for compensation for an USR where AEMO has made a Decision confirming the USR'. This will result in a simplified process.

DETAILS OF REGISTERED PARTICIPANT(S) REFERRING THE MATTER TO THE ADVISER

Organisation:	
DMS contact name:	
Phone:	
Email:	
Mobile:	
Date of submission:	

PART A – NOTICE OF DISPUTE

1. TIMING

IMPORTANT NOTICE

This Notice is due to be served within 60 Business days of a Stage 1 Notice.

If a Stage 1 Notice has not been served within the time period applicable under rule 135H(2), or this notice hasn't been served within 60 business days of service of the Stage 1 Notice, it can still be served. However, the matter will only be determined by a panel if in their opinion no party would suffer undue prejudice as a result of the referral outside the specified period [see rule 135HA].

Date of service of the Stage 1 Notice:		
Period fixed by the rules for this dispute (if any):	Time:	
	Clause number:	

2. MATTER TO BE RESOLVED OR DECIDED

[Please provide additional details via attachments if necessary.]

A brief history of the relevant dispute and circumstances giving rise to the dispute:

[Includes claims for compensation, relevant clause number and the date / other details of the issue]

A statement of the issues involved in the relevant dispute or request for compensation:

[For compensation claims specify the relevant trading intervals and the categories of compensation sought]

Remedy sought:

For Unexpected Scheduling Result – whether AEMO has determined in accordance with Rule 218(1)(b) that a USR has occurred:

YES – Report is attached

NO

Issues not agreed with AEMO / others:

[NOTE: If all agreed, you are using the wrong form – please refer to the [Guidelines for Compensation for a USR](#)]

Name and firm of external legal advisers (if applicable):

Additional correspondence to Section 2 is attached

3. ALL PARTIES TO THE DISPUTE

Names of other parties that the applicant considers parties to the dispute.

PLEASE NOTE

Considering the identity of who should be a party to this dispute is important. Being a party gives a participant the right to access information and to participate in the process.

It is also necessary to consider who will need to be bound by any determination. In general terms, if you need a participant to be bound by the determination they need to be a party.

If there is a difference of view between the participants about who is a party / affected, please indicate below or via attachment. We can then have a dialogue about this matter as a preliminary issue before progressing further.

PARTY 1

Organisation:	
DMS contact name:	
Phone:	
Mobile:	
Email:	

PARTY 2 (IF APPLICABLE)

Organisation:	
DMS contact name:	
Phone:	
Mobile:	
Email:	

THERE ARE ADDITIONAL PARTIES – details attached

4. PROCESS ELECTION – REQUEST FOR ADVISER PROCESS

Do you AGREE / NOT AGREE to the Adviser attempting to resolve the dispute by any means they consider appropriate (see rule 135HB(3)(a) of the Rules)?

AGREE **DO NOT AGREE**

NOTE REGARDING ADVISER PROCESS

The Rules provide fairly tight time frames for the establishment of the DRP as an alternative to the Adviser process. Agreeing to the Adviser resolving the dispute can take a number of forms.

Scope of adviser process:

There may be agreement to resolve it generally, appoint a mediator or some other process. A number of disputes have been resolved this way.

It may also be more limited including meeting to agree a time frame and a process for bringing the dispute into a sharper focus. This can include having the parties exchange issues statements and clarify the exact scope of the dispute.

What happens on referral:

Generally once referred, the Adviser will contact the other parties to the dispute and then meet by phone or in person to agree next steps.

If adviser process cannot resolve the dispute:

Prior to referral to DRP, there will be a meeting with the parties to discuss:

- the constitution of the DRP
- the exchange of information prior to submitting the matter to a DRP

Information exchange will include:

- Confirmation of all the parties to the dispute
- Applicant providing a full statement of issues, facts and contentions in dispute (around 5 days)
- Respondent(s) providing a reply statement of issues, facts and contentions in dispute (around 7–10 days)
- The parties, if possible, agreeing on a list of documents (at the same time)
- The parties providing an estimate of the number and type of witnesses

5. REQUEST TO ESTABLISH A DRP

Please provide names of person(s) the Registered Participant(s) would like the Adviser to consider in constituting any DRP if not currently in the published pool of experts:

[Please provide additional names via attachments, if necessary.]

Name:	
Technical expertise:	
Contact details:	
Details of referee (if possible):	
Suggested number of members to be included in a DRP:	
Expertise and technical experience required:	

Additional correspondence to Section 5 is attached *(please tick if applicable)*

PART B – DIRECTION TO DISCLOSE INFORMATION

APPLICANT DETAILS:

Organisation:	
Contact:	
Email:	
Mobile:	

INFORMATION REQUESTED FROM:

Organisation:	
DMC contact:	
Email:	
Mobile:	

NATURE OF INFORMATION SOUGHT (summary):

THE APPLICANT NEEDS THE INFORMATION TO:

- Prepare a Stage 1 Notice
- Participate in a Stage 1 dispute resolution process
- Prepare a statement for this form as required by rule 135HB(2)

**DATE OF THE ORIGINAL
INFORMATION REQUEST:**

Copy of request attached

**REASON FOR THE REQUEST
FOR DIRECTION:**

*[Summary of the reason why the
information hasn't been
obtainable without an order]*

PART C – APPLICATION WHERE NO STAGE 1 NOTICE HAS BEEN SERVED

PLEASE NOTE

The definitions are relevant to see who can use this section: party to a relevant dispute means an eligible person whose interests are involved in or directly affected by the relevant dispute.

1. ARE YOU AN ELIGIBLE PERSON?

Eligible person means any of the following:

- (A) AEMO
- (B) a Registered participant
- (C) a person classified by some other provision of these rules or the Procedures as a person to whom the dispute resolution provisions of this Part apply

Category of eligible person:	<input type="checkbox"/> (A) <input type="checkbox"/> (B) <input type="checkbox"/> (C)
Please state which provision or procedure applies (if relevant):	
Name of initiating organisation:	
Name of DMC in initiating organisation:	
Phone:	
Mobile:	
Email:	

2. WHAT TYPE OF DISPUTE IS IT?

PLEASE NOTE

As well as a dispute or interpretation of the Rules, this section can also be used for such matters including whether there has been an Unintended Scheduling Result (Part 19 Division 2 Rule 217), the payment of compensation from the Participant compensation fund (Part 19 Division 2 Subdivision 4).

It must be a relevant dispute and one that is not excluded.

Excluded dispute means:

- an access dispute; or
- a dispute about the content, preparation or publication of a budget; or
- a dispute that is classified as an excluded dispute under another provision of these rules.

Select the appropriate type of relevant dispute or rule dispute:

(a) **A dispute between eligible persons about:**

- the application or interpretation of these rules or the Procedures; or
- a liability or alleged liability under these rules or the Procedures; or
- a matter that is, by agreement between the parties to the dispute, to be resolved under this Part

or (b) **A matter that is under some other provision of these rules or the Procedures to be determined under this Part.**

Please specify the provision of the Rules or the Procedure which is relevant:	
Circumstances giving rise to the dispute:	

PART D – DECLARATION AND SIGNATURE

I declare that:

- The information provided in this Notice is true and accurate
- I am authorised to serve this Notice
- This Notice is served in accordance with the National Gas Rules

Name:	
Position (title):	
Date:	
Signature:	

IMPORTANT NOTICE

The Adviser must **within 30 business days of being served with this Notice**, depending on the parties' election, attempt to resolve the dispute or refer it to a dispute resolution panel.

If the Adviser is to refer the matter to a dispute resolution panel, they will publish Notice of Referral to all Registered participants and give notice to AEMO, the AER and the AEMC.

RETURN COMPLETED AND SIGNED FORM TO:
wemdra@resolution.institute