

**THE WESTERN AUSTRALIAN ELECTRICITY No 2 of 2025
REVIEW BOARD**

BETWEEN

BLUEWATERS POWER 1 PTY LTD (ABN 93 106
034 879) and **BLUEWATERS POWER 2 PTY LTD**
(ABN 57 122 896 968)

Applicant

and

ECONOMIC REGULATION AUTHORITY

Respondent

PROCEDURAL DIRECTIONS

No. 3

Date of document: 30 June 2026

Place Perth

Vacation of 24 June 2026 hearing

- 1 The hearing scheduled for 24 June 2026 be vacated.

Bifurcation

- 2 Subject to any further directions by the Board, the issue of whether, during the relevant period, the applicants breached one or more of clauses 2.16A.1 (by force of clause 2.16A.2), 2.16A.3 and or 2.16.C.5 of the Wholesale Electricity Market Rules dated 1 October 2023 be determined separately from, and prior to, all other issues in the proceeding.

Production of documents

- 3 Subject to directions being made in relation to a confidentiality regime, by 24 July 2026, the respondent electronically produce to the applicants the documents in its possession, power or control which the respondent relies upon in these proceedings on the issue of liability.

Pleadings

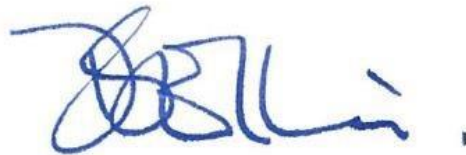
- 4 By 28 August 2026, the respondent do:
- (i) file and serve its points of claim; and
 - (ii) provide any further documents upon which it proposes to rely on the issue of liability, other than those provided by the respondent pursuant to direction 3.
- 5 By 28 October 2026, the applicants do:
- (i) file and serve their points of defence; and
 - (ii) provide any documents upon which they propose to rely on the issue of liability.

Confidentiality

- 6 The parties continue to confer in relation to an agreed confidentiality regime. If the parties do not agree on a confidentiality regime by 30 June 2026, each party shall provide the Board with a draft confidentiality regime together with brief reasons why its confidentiality regime is to be preferred.

Further procedural hearing

- 7 There be a further (virtual) procedural hearing on 6 November 2026 at 10 o'clock in the forenoon to program the matter to a hearing, including fixing dates for the provision of lay and expert evidence and any supplementary documents upon which a party intends to rely upon.

A handwritten signature in blue ink, appearing to read 'DS Ellis', is positioned above a horizontal line.

DS Ellis
Presiding Member
WA Electricity Review Board