

**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. 2

Date of document: 11 June 2026

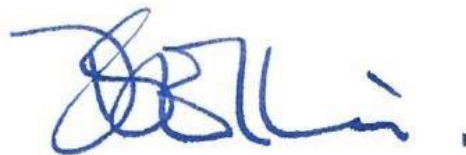
Place Perth

The Board makes the following directions.

- 1 The parties having agreed on the resolution of the preliminary issue identified at paragraph 1 of the Procedural Directions dated 9 April 2026 (as amended on 23 April 2026) (PD1), that preliminary issue be answered as follows:

There proceedings are not proceedings to which Regulation 43 of the
Electricity Industry (Electricity System and Market) Regulations 2004 applies.

- 2 Direction 7 of PD1 (service of points of claim) be vacated, without prejudice to the making of further direction to similar effect.
- 3 There be a further procedural hearing on 24 June 2026 at 11.15 am. The hearing is to consider issues arising out of or in connection with the description by the parties of the parties of the hearing of these proceedings as a hearing do novo, including but not limited to the onus of proof of elements of the contraventions found to have been committed by the respondent and the appropriateness of requiring the applicants to provide 'points of claim'.
- 4 The mode and venue of the hearing is to be determined administratively, after consultation with the parties.
- 5 The applicant do provide an outline of its submissions relating to the procedural hearing by 17 June 2026.



DS Ellis
Presiding Member
WA Electricity Review Board