

20 May, 2016

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By email: Sarah.Sheppard@accc.gov.au

AUSTRALIAN RAIL TRACK CORPORATION LTD
ARTC 2016 HUNTER VALLEY COAL NETWORK ACCESS UNDERTAKING
APPLICATION TO THE ACCC

Please find enclosed a copy of the application documentation supporting the requested 6 month extension of ARTC's Hunter Valley Coal Network Access Undertaking accepted by the Australian Competition and Consumer Commission (**ACCC**) on June 29, 2011 (**2011 HVAU**) for the ACCC's consideration.

The 2011 HVAU is scheduled to expire on 30 June 2016. As the 2016 Hunter Valley Coal Network Access Undertaking submitted on 23 December, 2015 will not be finalized by the expiry date of the 2011 HVAU, an extension of the 2011 HVAU is required to provide certainty to customers whilst the 2016 HVAU is finalized. ARTC submits this voluntary access undertaking pursuant to the provisions of Part IIIA of the *Competition and Consumer Act 2010* (Cth) to extend the term of the existing 2011 HVAU and make consequential changes.

The documentation relating to ARTC's extension application of the 2011 HVAU is intended for publishing should the ACCC wish to do so and includes:

- 1 Application for the 6 month extension of the 2011 Hunter Valley Coal Network Access Undertaking which outlines ARTC's proposed changes to the 2011 HVAU including reasons for the proposed changes.
- 2 A marked up version of the 2011 HVAU incorporating the changes required to extend the term for 6 months
- 3 A clean version of the amended 2011 HVAU:

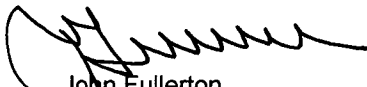
ARTC will separately provide confidential financial modelling and documentation in support of the proposed Indicative Access Charge to apply for the 6 month extension period and to be set out in the amended 2011 HVAU.

ARTC seeks the ACCC's acceptance and approval of the extension of the 2011 HVAU.

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For further information regarding the preparation of this application, please contact Simon Ormsby on (08) 8217 4314 (Ph) or sormsby@artc.com.au (email) or Gavin Carney on (08) 8217 4189 on GCarney@ARTC.com.au (email).

Yours sincerely



John Fullerton

Chief Executive Officer