



2 September 2014

Ms Lyn Camilleri  
Acting Deputy General Manager  
Infrastructure & Transport – Access & Pricing  
Infrastructure Regulation Division

**By email: [transport@acc.gov.au](mailto:transport@acc.gov.au)**

Dear Ms Camilleri

**Co-operative Bulk Handling Ltd's ("CBH") proposed 2014-17 Port Terminal Services Access Undertaking**

Bunge Agribusiness Australia Pty Ltd (**Bunge**) is pleased to have the opportunity to provide a submission in response to the ACCC's request for comments on CBH's proposed change to long term capacity allocation at its Ports. Bunge's submission is limited to responding to the matters raised in the ACCC's request and it should not be assumed that we agree with the remaining issues in CBH's submission to the ACCC dated 22 August 2014.

In general, Bunge has until recently been supportive of CBH's wish to implement long term agreements ("LTA's") and did initially participate in the process. However, as the process of negotiating the LTA's progressed, Bunge felt that there had been insufficient industry consultation to give Bunge sufficient certainty and transparency as to how CBH was allocating LTA capacity.

By way of example, during the LTA allocation process in August of this year, CBH provided Bunge with a LTA capacity offer. In that offer, Bunge was told by CBH that it would not enter into negotiations regarding the offered capacity. Instead, Bunge was given 2 days to accept, reject or revise downwards the allocation sought. The level and spread of the LTA capacity offered by CBH did not enable Bunge to properly plan for and execute its proposed future export program. As CBH would neither negotiate on the LTA capacity offered nor provide any transparency as to how it allocated the LTA capacity, Bunge decided to reject the offer and discontinue further participation in the LTA process.


As noted above, until recently Bunge had been supportive of CBH's LTA initiative. If CBH changes its approach to the implementation of the LTA's, so that a fair, transparent and proper consultation process takes place, Bunge would participate.

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**BUNGE**

Yours sincerely

A handwritten signature in black ink, appearing to read 'Chris Aucote', written in a cursive style.

Chris Aucote  
General Manager