



Australian
Competition &
Consumer
Commission

CONSULTATION NOTICE

VITERRA OPERATIONS LIMITED

Application to vary Port Terminal Services Access Undertaking

The Australian Competition and Consumer Commission (ACCC) invites submissions from interested parties on an application from Viterra Operations Limited (Viterra) to vary its Port Terminal Services Access Undertaking accepted by the ACCC on 28 September 2011.

On 11 April 2012, the ACCC issued an Auction Objection Notice in response to Viterra's Auction Variation Notice. Viterra's Port Terminal Services Access Undertaking requires Viterra to introduce an auction system for the allocation of port terminal capacity. The Auction Objection Notice stated that 'the ACCC considers that more time should be given to address the issues in Viterra's proposed auction system, which will involve industry, before an auction system is introduced in South Australia'.

Viterra's proposed variation seeks to provide additional time for Viterra, industry participants and the ACCC to consider and address the issues in Viterra's proposed auction system as well as make arrangements for Viterra to re-open the stem in the absence of an auction system. The proposed variation also provides the ACCC with greater flexibility in its ability to withdraw its Auction Objection Notice.

Viterra's proposed variation is available on the ACCC's website at www.accc.gov.au/Viterra together with Viterra's explanatory submission.

Submissions should be addressed to:

Mr David Salisbury
A/g General Manager
Transport & General Prices Oversight
ACCC
GPO Box 520
MELBOURNE VIC 3001
Email: transport@acc.gov.au

Submissions must be received by **Monday, 7 May 2012**. The ACCC may disregard any submissions received after this date.

The ACCC strongly encourages public submissions. Unless a submission, or part of a submission is marked confidential, it will be published on the ACCC's website and may be made available to any person or organisation upon request.

Sections of submissions that are claimed to be confidential should be clearly identified. The ACCC will consider each claim of confidentiality on a case by case basis. If the ACCC refuses a request for confidentiality, the submitting party will be given the opportunity to withdraw the submission in whole or in part.

For further information about the collection, use and disclosure of information provided to the ACCC, please refer to the ACCC publication *Australian Competition and Consumer Commission / Australian Energy Regulator Information Policy – the collection, use and disclosure of information*, available on the ACCC website.

For further information, please contact:

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