



Australian  
Competition &  
Consumer  
Commission

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3 July 2009

Mr Dave Poddar  
Partner  
Mallesons Stephen Jaques  
Level 61, Governor Phillip Tower  
1 Farrer Place  
Sydney NSW 2000

By email: [dave.poddar@mallesons.com](mailto:dave.poddar@mallesons.com)

Dear Mr Poddar,

**Re: ABB Grain Ltd (ABB) Port Terminal Services Access Undertaking**

I refer to an article in The Australian newspaper of 2 July 2009 titled *To shift exports, go hard to port – Infrastructure: Special Report*, by Jo Studdert, and in particular the reference to ‘AWB/ABB/Mobil consortium plans a \$100m grain terminal development at Port Stanvac.’

In light of the ACCC’s consideration of ABB’s proposed port terminal services access undertakings, we would appreciate if ABB could confirm whether it is involved in a consortium to develop a grain terminal at Port Stanvac. Further, if ABB is involved in such a consortium, we invite ABB’s submission on how, if at all, such involvement is relevant to the current proposed access undertakings.

We would appreciate your response by close of business on Tuesday 7 July, 2009.

Please contact me on (03) 9290 1804, or Sarah Sheppard on (03) 9290 1992, if you have any questions in relation to above.

Yours sincerely,

Anthony Wing  
General Manager  
Transport & General Prices Oversight