

File Ref: 3-2-9/SC:jm

14 January 2022

Mr Matthew Schroder  
General Manager  
Infrastructure & Transport Branch,  
Infrastructure Regulation Division  
Australian Competition and Consumer Commission  
Level 19 | 2, Casselden Place, Melbourne VIC 3000

Dear Mr Schroder

### Port of Portland Limited – Capacity allocation process

Thank you for your letter of 20 December 2021, in relation to the capacity allocation process undertaken by the Port of Portland Limited (**POPL**) in respect of capacity for the bulk wheat loading facility located at the Port of Portland (**Port**) and operated by POPL.

POPL welcomes the ACCC's decision in relation to that capacity allocation process, and we sincerely appreciate the opportunity to engage with the ACCC in relation to it. POPL also notes your comments about the need for POPL to ensure the industry is kept informed of future capacity releases, and to give due notice to industry before further capacity allocation processes at the Port.

As noted in your letter, POPL has an outstanding application for exemption from Parts 3-6 of the *Port Terminal Access (Bulk Wheat) Code of Conduct 2014 (Code)* which is under currently assessment by the ACCC.

POPL acknowledges that unless and until an exemption is granted, POPL is a non-exempt port terminal service provider (**PTSP**) under the Code and must comply with all application obligations in Parts 1 to 6 of the Code. Accordingly, and as requested, POPL confirms its commitment to comply with the requirements of Parts 1 to 6 of the Code for so long as it remains a non-exempt PTSP.

For completeness, we note that all grounds upon which POPL has sought exemption from Parts 3-6 of the Code in our application remain applicable to our business. This includes particularly the administrative costs and time that must be incurred by POPL to ensure its full compliance with Parts 3 to 6 of the Code.

Yours sincerely

Shannon Curran  
Commercial Manager

Port of Portland is proud of its Safety & Environment Management System which includes the following certifications:

- ISO 45001 – Occupational Health & Safety Management Systems
- ISO 14001 – Environmental Management System



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