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22 November 2023

Dear Interested Party

### **Application for revocation of authorisation AA1000425 and substitution of AA1000644 — draft determination**

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of the application for authorisation lodged on 16 June 2023 by One Rail Australia, Manildra Group, Pacific National, Qube, Southern Shorthaul Railroad, Sydney Rail Services, Linx Rail and Aurizon (together, the **Applicants**).

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation with conditions for 10 years.

A copy of the ACCC's draft determination is attached and also available on the ACCC's authorisations [public register](#).

#### **Next steps**

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

#### **Making a submission**

Submissions should be lodged via the web form accessible on the [public register page for this matter](#). Alternatively, if you would like to provide comments orally, please contact Sophie Magliano via the details at the end of this letter.

The ACCC will consider any submissions it receives, including any oral submissions made at a pre-decision conference (should one be called - see below), and will then release a final determination in relation to this application.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

#### **Optional pre-decision conference**

In some cases the applicant or an interested party requests that the ACCC convene a pre-decision conference in relation to its draft determination. If a conference is called it will be open to the applicant and interested parties to attend and make oral submissions in relation

to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **15 December 2023** by email to [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au).

## Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
16 June 2023	Lodgement of application and supporting submission.
23 June 2023	Public consultation process begins.
12 October 2023	Interim Authorisation Decision
22 November 2023	Draft determination
November/December 2023	Public consultation on draft determination including any conference if called
January/February 2024	Final determination

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter please do not hesitate to contact Sophie Magliano on 03 9658 6429 or [exemptions@acc.gov.au](mailto:exemptions@acc.gov.au).

Yours sincerely



David Hatfield  
Competition Exemptions