



AUSTRALIAN RAIL TRACK CORPORATION LTD

6 January 2012

Mr Anthony Wing
General Manager, Transport & General Pricing
Australian Competition and Consumer Commission
GPO Box 520
MELBOURNE VIC 3001

By e-mail: anthony.wing@accc.gov.au

Dear Mr Wing

Application for variation of ARTC Interstate Access Undertaking

Please find **enclosed** an application to the Australian Competition and Consumer Commission (ACCC) for consent to vary ARTC's Interstate Access Undertaking (**Access Undertaking**) in accordance with section 44ZZA(7) of the *Competition and Consumer Act 2010* (Cth) and as contemplated in section 2.4(c) of the Access Undertaking.

Pursuant to section 2.4(c) of the Access Undertaking, ARTC was required to submit to the ACCC by 31 December 2011, capital expenditure in the form of an extended Schedule H, applicable to the period 1 July 2012 to 30 June 2018. The ACCC, however, agreed to ARTC's request for an extension until 6 January 2012.

Accordingly, ARTC is submitting the attached application to the ACCC for purposes of seeking approval to vary Schedule H of the Access Undertaking to provide for the adoption of the capital expenditure forecasts developed by ARTC under clause 2.4(c). The application outlines ARTC's process for determining the capital expenditure for the period 1 July 2012 to 30 June 2018 and includes detailed reasons for the proposed capital expenditure.

If you have any queries, please contact Simon Ormsby on (08) 8217 4314 or Gavin Carney on (08) 8217 4189.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'John Fullerton', is written over a horizontal line.

John Fullerton
Chief Executive Officer