



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 Viterro Operations Limited (Viterro) 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 Viterro's Auction Variation Notice. Viterro's Port Terminal Services Access Undertaking requires Viterro 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 Viterro's proposed auction system, which will involve industry, before an auction system is introduced in South Australia'.

Viterro's proposed variation seeks to provide additional time for Viterro, industry participants and the ACCC to consider and address the issues in Viterro's proposed auction system as well as make arrangements for Viterro 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.

Viterro's proposed variation is available on the ACCC's website at [www.accc.gov.au/Viterro](http://www.accc.gov.au/Viterro) together with Viterro'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@accc.gov.au](mailto:transport@accc.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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