



**Australian
Competition &
Consumer
Commission**

17 April 2009

Mr Vishal Ahuja
Partner
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By email: vishal.ahuja@mallesons.com

Dear Mr Ahuja

Re: GrainCorp Operations Limited Port Terminal Service Access Undertaking

This is to confirm that on 15 April 2009 the Australian Competition and Consumer Commission (ACCC) received an access undertaking from GrainCorp Operations Limited for its port terminal services at the Carrington, Fisherman Island, Geelong, Gladstone, Mackay, Port Kembla and Portland terminals (the Undertaking) for consideration under Part IIIA of the *Trade Practices Act 1974* (the Act).

I note that section 44ZZBD of the Act provides for the ACCC to conduct a public consultation process in respect of access undertaking applications. The ACCC proposes to conduct such a process. As part of this, the ACCC will make available on its web site copies of the Undertaking and supporting material. These will shortly be accessible at www.accc.gov.au. As soon as practicable, an Issues Paper will be sent to interested parties inviting comments on the Undertaking.

Under section 44ZZBC of the Act, the ACCC must use its best endeavours to complete its assessment of the Undertaking within six months. However, this is likely to be dependent on parties providing complete information in a timely manner in response to any further requests for information the ACCC may make.

Please contact me on (03) 9290 1804, or Sarah Sheppard on (03) 9290 1992, if you have any queries.

Yours sincerely

Anthony Wing
General Manager
Transport & General Prices Oversight