



AUSTRALIAN RAIL TRACK CORPORATION LTD

19 April 2010

Mr Anthony Wing
General Manager
Transport & General Prices Oversight
ACCC
GPO Box 520
Melbourne VIC 3001

**Australian Rail Track Corporation Limited
Withdrawal of Hunter Valley Coal Network Access Undertaking**

Dear Mr Wing,

ARTC wishes to advise the Commission that it is withdrawing the Hunter Valley Coal Network Access Undertaking submitted to the Commission for consideration on 23 April 2009.

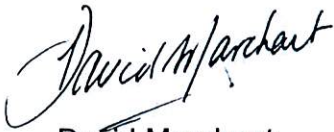
ARTC considers that it is important for both ARTC and stakeholders in the Hunter Valley to have regulatory certainty as soon as possible in order to secure long term access arrangements and commitment to investment in the expansion of capacity of the Hunter Valley rail network in order to meet the increasing demand for export coal.

ARTC has been working closely with the ACCC and stakeholders in order to resolve concerns with the drafting of the original undertaking. ARTC is currently in the process of finalising a revised undertaking after consideration of ACCC comments and stakeholder submissions which it believes will satisfactorily address many of these concerns.

It is ARTC's intention to conclude any further industry consultation and submit a revised undertaking to the Commission for consideration in the near future. Given the significant advancements made over the past twelve months in developing a

long term contractual framework ARTC supports the ACCC's desire for a quick resolution of the Undertaking.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Marchant', written in a cursive style.

David Marchant
Chief Executive Officer