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## AUSTRALIAN RAIL TRACK CORPORATION LTD ARTC 2016 HUNTER VALLEY COAL NETWORK ACCESS UNDERTAKING

### APPLICATION TO THE ACCC

Please find enclosed a copy of the application documentation supporting ARTC's 2016 Hunter Valley Coal Network Access Undertaking (**2016 HVAU**) for the Australian Competition and Consumer Commission's (**ACCC**) consideration.

The Hunter Valley Coal Network Access Undertaking was initially accepted by the ACCC on 29 June 2011 (**2011 HVAU**). The 2011 HVAU is scheduled to expire on 30 June 2016. ARTC submits this voluntary access undertaking pursuant to the provisions of Part IIIA of the *Competition and Consumer Act 2010* (Cth) to replace the existing 2011 HVAU.

The documentation relating to ARTC's application of the 2016 HVAU is intended for publishing should the ACCC wish to do so and includes:

- 1 Application for the 2016 Hunter Valley Coal Network Access Undertaking which outlines ARTC's proposed changes to the 2011 HVAU including detailed reasons for the proposed changes.
- 2 Explanatory Guide for the 2016 Hunter Valley Coal Network Access Undertaking which attaches the following documents:
  - A clean version of the 2016 HVAU;
  - A marked up version of the 2016 HVAU against the 2011 HVAU;
  - A clean version of the 2016 Indicative Access Holder Agreement (**2016 IAHA**) to be annexed to the 2016 HVAU;
  - A marked up version of the 2016 IAHA against the 2011 Indicative Access Holder Agreement annexed to the 2011 IAHA;
  - A clean version of the 2016 Indicative Operator Sub-Agreement (**2016 IOSA**) to be annexed to the 2016 HVAU;
  - Determination of Rate of Return;
  - Updated WACC Inputs;
  - 2016 HVAU Costing Manual; and
  - A Review of Cost Allocation Methods.

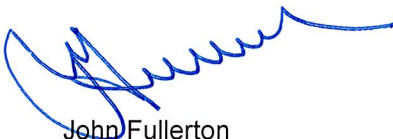
ARTC will provide confidential financial modelling and documentation in support of the proposed Standard Access Charge set out in the 2016 HVAU separately.

This application is made following consultation with industry stakeholders (including the Hunter Rail Access Task Force) and the ACCC. ARTC has made a number of amendments to the 2011 HVAU in order to address concerns raised by a number of stakeholders during this consultation. ARTC considers that the 2016 HVAU represents a reasonable balance of interests, which meets the objectives set out in sections 1.2 and 1.3 of the 2016 HVAU.

ARTC seeks the ACCC's acceptance and approval of the 2016 HVAU, including the 2016 IAHA and 2016 OSA.

For further information regarding the preparation of this application, please contact Simon Ormsby on (08) 8217 4314 or [sormsby@artc.com.au](mailto:sormsby@artc.com.au) or Gavin Carney on (08) 8217 4189 or [GCarney@ARTC.com.au](mailto:GCarney@ARTC.com.au).

Yours sincerely



John Fullerton  
**Chief Executive Officer**