

29 July 2019

Emma Ansell
Regulated Access – Rail
Australian Competition and Consumer ACCC
GPO Box 520
Melbourne Vic 3001

By email: emma.ansell@accc.gov.au

Dear Emma

Australian Rail Track Corporation Ltd

RE: 2008 Interstate Access Undertaking Extension Application to the ACCC

Further to the recent discussions with the ACCC, ARTC seeks ACCC approval to extend the 2008 Interstate Access Undertaking (IAU) for a further period of 4 months.

It is proposed the term will be extended until 30 June 2020 by amending Clause 2.3(a). This amendment constitutes the replacement of the words "28 February 2020" with "30 June 2020" in Clause 2.3(a) of the IAU.

This extension is requested to ensure enough time for ARTC to resolve the outstanding asset valuation methodology issues with the ACCC and then submitting a renewed IAU consistent with the issues raised by the ACCC in their Draft Decision on the withdrawn 2018 IAU published on 20 December 2018 and ensuring the renewed IAU is approved and commences from 1 July 2020.

The timing is critical to ensure ARTC can implement its proposed commercial and pricing strategy necessary to ensure the commercial sustainability of the Interstate Network; noting that ARTC's published pricing is not related to the outcome of the RAB methodology decision being assessed with the ACCC.

Given the structure of the IAU and its limited interaction with the customer agreements, no other amendments to the IAU are required beyond extending the term. Given this simple change, an amended version of the 2008 IAU has not been provided.

ARTC seeks the ACCC's acceptance and approval of the extension of the 2008 IAU.

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

Yours sincerely



John Fullerton
Chief Executive Officer