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AUSTRALIAN RAIL TRACK CORPORATION LTD
ARTC 2011 HUNTER VALLEY COAL NETWORK ACCESS UNDERTAKING
EXTENSION APPLICATION TO THE ACCC

Please find enclosed, for the Australian Competition and Consumer Commission's (**ACCC**) consideration, a copy of the application documentation supporting the requested further 4.5 year extension of ARTC's Hunter Valley Coal Network Access Undertaking accepted by the ACCC on June 29, 2011 (**2011 HVAU**).

The 2011 HVAU was accepted by the ACCC on 29 June 2011 with a Commencement Date of 1 July 2011 and an expiry date of 1 July 2016. It has been extended twice as ARTC has sought to negotiate a replacement undertaking with Hunter Valley producers and stakeholders for approval by the ACCC:

- Following the approval by the ACCC of an initial extension application on 22 June 2016, an expiry date of 31 December 2016 was given.
- Subsequently, the ACCC approved a further extension application on 23 November 2016, bringing the expiry date to 30 June 2017.

ARTC now seeks a further extension of the 2011 HVAU of 4.5 years, varying the Expiry Date to 31 December 2021 reflecting amendments that have the support of the majority of Hunter Valley Coal Producers.

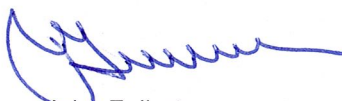
ARTC submits this variation to the 2011 HVAU pursuant to the provisions of Part IIIA of the *Competition and Consumer Act 2010* (Cth) to extend the term of the existing 2011 HVAU and make consequential changes.

The documentation relating to ARTC's extension application of the 2011 HVAU is intended for publishing should the ACCC wish to do so and includes:

- 1 Application for the further 4.5 year extension of the 2011 HVAU which outlines ARTC's proposed changes to the 2011 HVAU including reasons for the proposed changes.
- 2 A marked up version of the 2011 HVAU incorporating the changes required to extend the term for a further 4.5 years.
- 3 A clean version of the amended 2011 HVAU.
- 4 A marked up version of the Indicative Access Holder Agreement.
- 5 A clean version of the amended Indicative Access Holder Agreement.

ARTC seeks the ACCC's acceptance and approval of the extension of the 2011 HVAU. 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 on GCarney@ARTC.com.au (email).

Yours sincerely



John Fullerton

Chief Executive Officer