

10 September 2018

Mr David Hatfield
Director, Adjudication
Australian Competition &
Consumer Commission
23 Marcus Clarke Street
Canberra ACT 2601

By email: adjudication@acc.gov.au

cc: Hannah Ransom
Senior Analyst, Adjudication
hanna.ransom@acc.gov.au

Dear Mr Hatfield

NSW Track Access Collective Bargaining – application for authorisation AA1000425 – draft determination

We refer to your letter of 29 August 2018 and the draft determination of the application for authorisation AA1000425.

Transport for NSW welcomes the clarification of the scope of the proposed conduct to be authorised in the draft determination and notes that it does not permit the sharing of information regarding pricing or individual performance measures amongst the applicants or allow a collective boycott.

As set out in our letters of 2 July 2018 and 6 July 2018, Transport for NSW continues to consider that any public benefits from the proposed conduct are unlikely to outweigh the public detriments.

Please contact David Hanson, A/Associate Director, Freight Access and Performance on 02 8202 3305 or Anna Kaplan, Deputy General Counsel on 02 8202 3753 if you wish to discuss this matter further.

Yours sincerely



David Spiteri
A/Executive Director
Service Delivery and Asset Management
Transport for NSW