

MALLESONS STEPHEN JAQUES

By email

Mr Scott Gregson
General Manager, Adjudication
Australian Competition & Consumer Commission
470 Northbourne Avenue
Dickson ACT 2602

20 January 2006

Dear Mr Gregson

BHP Billiton Iron Ore Pty Ltd: Further Information in Respect of Third Line Forcing Notification (N31499)

1 Introduction

We refer to your letter dated 10 January 2005 containing the Commission's request for more detailed descriptions of the services that EWH Newman Mining Pty Ltd ("**EWH Mining**") will provide to BHP Billiton Iron Ore Pty Ltd ("**BHPBIO**") and the goods and services that EWH Mining must acquire from EWH Newman Services Pty Ltd ("**EWH Services**").

As you are aware, BHPBIO is entering into three mining services contracts ("**Mining Services Contracts**"). As requested, the relevant mining services provided and acquired by EWH Mining under the Mining Services Contracts are set out in Confidential Annexure B to this letter.

2 Confidentiality

Confidentiality is claimed for Confidential Annexure B to this letter on the grounds that the information it contains is commercially confidential as goods and services provided under the Mining Services Contracts. Given that this information is commercially sensitive, we request that Confidential Annexure B be excluded from the public register.

Please contact me if you wish to discuss this matter.

Yours sincerely
[Sgd] A Willekes

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Confidential Annexure B

**EXCLUDED FROM
PUBLIC REGISTER**