



**Australian
Competition &
Consumer
Commission**

Our Ref: C2006/1626
Contact Officer: Woodrow Inman
Contact Phone: (02) 6243 1088

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
ph (02) 6243 1111
fax (02) 6243 1199
www.accc.gov.au

12 October 2006

Louise Dwyer
Group Manager Regulatory Affairs
ENERGEX Limited
GPO Box 1461
Brisbane 4001 Australia

Dear Ms Dwyer,

Application for authorisation A50027 lodged by CS Energy Limited (CS Energy) and Callide Power Management Pty Ltd (CPM) – Draft Determination

The Australian Competition and Consumer Commission (ACCC) has considered application for authorisation A50027 lodged by CS Energy and CPM. The application concerns a request by CS Energy and CPM to jointly negotiate a price review with Anglo Coal.

The ACCC has issued a draft determination (attached) proposing to grant authorisation for a period of five years.

A copy of the draft determination will be available on the ACCC's website at www.accc.gov.au (follow the public registers link to the authorisations public register).

Next steps

Once the ACCC issues a draft determination, the applicant or any interested party who may be dissatisfied with the ACCC's draft determination may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination.

Under the *Trade Practices Act 1974*, the ACCC must set a date within 14 days of which any pre-decision conference must be requested. Accordingly, if you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **close of business 26 October 2006**. Conferences are conducted informally, without the participation of legal or other professional advisers.

Alternatively, you are also invited to make a written submission in response to the ACCC's draft determination. Written submissions should be lodged by **close of business 26 October 2006** at the following address:



The General Manager
Adjudication Branch
Australian Competition & Consumer Commission
PO Box 1199
DICKSON ACT 2602

Submissions can also be lodged by e-mail to adjudication@acc.gov.au or by facsimile on (02) 6243 1211.

Any submission you make will be placed on the ACCC's public register. You may request that information you provide in a submission to the ACCC be excluded from the public register. Information excluded from the public register will still be considered by the ACCC when reaching its decision. Guidelines for claiming information be excluded from the public register are attached for your information.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-determination conference be called, and will then release a final determination in relation to this application.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Woodrow Inman on (02) 6243 1088.

Yours sincerely



for
Scott Gregson
General Manager
Adjudication Branch