



**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

16 November 2006

Mr Andrew Rankin
Partner
Deacons Lawyers
GPO Box 407
Brisbane QLD 4001

Dear Mr Rankin

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

The Australian Competition and Consumer Commission (ACCC) has considered application for authorisation A50027 lodged by CS Energy and CPM concerning joint negotiation of a price review with Anglo Coal. The ACCC has issued a determination (attached) granting authorisation for a period of five years.

The ACCC notes that authorisation does not extend to and should not be interpreted as the ACCC granting authorisation to the pre-existing 1998 coal supply agreements CS Energy and CPM have with Anglo Coal.

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

Application for review

Pursuant to section 101 of the *Trade Practices Act 1974*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal for its review. An application for review must be made within 21 days of the date of this determination; that is, on or before 6 December 2006. If no application for review is lodged by this date, the ACCC's determination will come into force on 7 December 2006.

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

Scott Gregson
General Manager
Adjudication Branch

