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13 December 2006

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## Attention: Scott Gregson

Our reference: 12279/80036391

Number of Pages -

Dear Sir

### **Application for Authorisation A91009 and A91010 Lodged by Tarong Energy Corporation Limited ("TEC"), New Hope Corporation Limited and New Acland Coal Pty Ltd**

We refer to the further submissions of Gold Mining Limited (formerly InterCOAL Limited ("InterCOAL")) contained in Shand Taylor's letter of 4 December 2006.

TEC does not wish to delay the making of a final decision regarding the applications for authorisation. Therefore, unless you require any further amplification, the only response which TEC wishes to make to Shand Taylor's letter of 4 December 2006 is as follows:

- We reiterate that the matters the subject of the Federal Court of Australia litigation between InterCOAL and TEC are irrelevant to the matters currently under consideration by you.
- Any decision made on the authorisation will have no effect on the alleged rights being asserted by InterCOAL in the Federal Court of Australia proceedings.
- It is therefore, not appropriate or necessary for TEC to give the undertaking sought by InterCOAL.
- Nothing in the further submission from InterCOAL raises even an arguable case for the authorisation decision being further delayed.

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Should you require anything further from us, please contact the writer.

Yours faithfully



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