



**Australian
Competition &
Consumer
Commission**

Our Ref: C2006/1708
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15 December 2006

Mr John Powell
Partner
Clayton Utz
GPO Box 55
BRISBANE QLD 4000

By facsimile: (07) 3221 9669

Dear Mr Powell

Authorisations A91009 and A91010 – Submission from Metallica Minerals Limited

I refer to the submission from Metallica Minerals Limited (MML) lodged with the Australian Competition and Consumer Commission (ACCC) on 24 November 2006 in relation to authorisations A91009 and A91010.

MML's submission consists of a two-page letter from MML to the ACCC, and also includes correspondence from Tarong to MML (**the Correspondence**) in relation to a possible coal supply agreement between Tarong and MML. The Correspondence consists of three parts, namely:

- A letter dated 5 December 2005 from Tarong to MML in relation to Taabinga coal (**the Tarong Letter**).
- Attachment 1 to the Tarong Letter, which outlines an Indicative Coal Supply Discussion Process (**Attachment 1**).
- Attachment 2 to the Tarong Letter, which sets out the Key Terms and Conditions for the proposed purchase of coal by Tarong from MML (**Attachment 2**).

I wish to advise you that the ACCC has only placed the two-page letter from MML to the ACCC on the public register. The Tarong Letter, Attachment 1 and Attachment 2 will not be placed on the public register.



This letter has been placed on the ACCC's public register. Should you have any queries in relation to this matter, please do not hesitate to contact Sarah Chubb on (02) 6243 1088.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a large, sweeping flourish extending to the right.

Scott Gregson
General Manager
Adjudication Branch