

18 December 2007

Our reference: 5186

Mr Scott Gregson
General Manager
Adjudication Branch
Australian Competition and Consumer Commission
GPO Box 3131
CANBERRA ACT 2601

Dear Mr Gregson

Application by Newcastle Port Corporation for Authorisation – A91072-91074

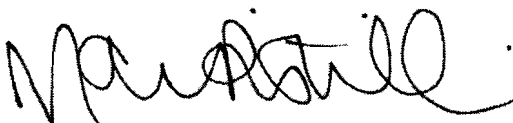
We act for Donaldson Coal Pty Limited ("**Donaldson**"). Blake Dawson acts for Idemitsu Australia Resources Pty Limited ("**Idemitsu**"). Whitehaven Coal Limited has authorised us to write to the ACCC on its behalf ("**Whitehaven**").

We refer to the joint letter sent by Idemitsu, Donaldson and Whitehaven (the "**Producers**") on 10 December 2007 supporting the application for interim authorisation by Newcastle Port Corporation ("**NPC**"). We also refer to NPC's amendments to its application for authorisation made on 17 December 2007.

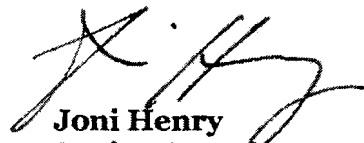
The Producers consider that the requested amendments are minor in nature and will help to ensure the effective implementation of NPC's proposed capacity allocation system should it receive authorisation and the support of the Hunter Valley coal industry. The amendments correct the two minor errors identified by the Producers in their letter dated 10 September 2007. For this reason and for the reasons given in that letter, the Producers continue to support the application made by NPC for interim authorisation.

Please feel free to contact us on the numbers below or Peter Armitage and/or Amanda Taggart at Blake Dawson on (02) 9258 6119 or (02) 9258 5696 if you have any questions.

Yours sincerely,
Chang, Pistilli & Simmons



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