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The General Manager  
Adjudication Branch  
Australian Competition and Consumer Commission  
P.O. Box 1199  
Dickson ACT 2602



Delivering Fertility  
Creating Balance  
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## Re Application for Exclusive Dealing

Dear Sir/Madam

BioAg is a small innovative company based in Narrandera New South Wales that has developed a natural process for the production of fertiliser from phosphate rock.

For the last 6 years BioAg has imported Egyptian phosphate rock, the primary raw material in the manufacturing process, through the Port of Port Kembla in NSW.

Toll GeelongPort and BioAg reached agreement in mid 2006 for the Egyptian rock to be imported through Geelong rather than Port Kembla. GeelongPort due to its existing figee crane discharge facilities offered a cheaper and more environmentally capable system than the ship's gear that we had previously been utilising in Port Kembla.

GeelongPort has invested significantly in Port related facilities, in particular the high productivity figee cranes, which in our opinion make the Port of Geelong a more effective Port in terms of cost, discharge rate and dust control than other Ports we have used or contemplated using.

BioAg is happy to support Toll GeelongPort's position that the figee cranes be utilised in preference to ships gear when they are available.

Regards

Anton Barton  
Managing Director

