



**WHITEHAVEN COAL LIMITED**

ABN 68 124 425 396

5 December 2008

Dr Richard Chadwick  
General Manager, Adjudication Branch  
Australian Competition and Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601

Dear Dr Chadwick,

Whitehaven Coal Limited fully supports the Application for Authorisation (Numbers A9110, A9111, A9112) lodged by Port Waratah Coal Services Limited and Newcastle Coal Infrastructure Group Pty Limited on the 19 November 2008.

The Application, if authorised by ACCC, would provide an orderly system of loading coal through PWCS in the short term and minimize demurrage while negotiations on a long term allocation system are concluded. The 2009 allocations as proposed have wide industry support.

Whitehaven Coal Limited is actively involved in the Producers Steering Committee established to conclude the long term agreement. Whitehaven is committed to reaching such agreement by the end of March 2009 with final documentation in place by the end of June 2009.

If any officers require more information please contact myself on (02) 8507 9700 or Tony Galligan on (02) 9975 6988.

Yours faithfully

Tony Haggarty  
Managing Director