

Chubb, Sarah

Subject: Newcastle Port Application.

From: Rob Stewart
Sent: Tuesday, 18 December 2007 2:33 PM
To: Gregson, Scott
Cc: Chubb, Sarah; Keith Ross; Tony Galligan; Gary Webb
Subject: Newcastle Port Application.

Scott

Gary Webb rang coal producers yesterday and asked the question below:

I am calling on behalf of the NSW Government.

Do you support a CBS for the first 6 months of 2008? bearing in mind that it will involve:

- ✍ the existing 2008 demand nominations;*
- ✍ a call for the first quarterly or monthly demand nominations by 31 December 2007;*
- ✍ be subject to the ACCC granting the authorisation to the current NPC application;*
- ✍ Producers will agree to waive any PWCS non compliance with the Coal Handling Services Agreement with the particular producer arising out of the implementation of this CBS; and*
- ✍ PWCS agreeing to implement the CBS.*

I confirm Whitehaven Coal Limited's support of Newcastle Port's application for continuance of the medium term Coal Balancing System. We had previously asserted this support in correspondence with the ACCC. Further, Whitehaven Coal recommends that the CBS be approved for the whole of calendar year 2008, not just the first 6 months.

Regards

Rob Stewart

Chief Executive Officer
Whitehaven Coal Limited

