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Our ref: SGC02:0458799

27 February 2009

Dr Richard Chadwick
General Manager
Adjudication Branch
Australian Competition & Consumer Commission
By email Richard.Chadwick@accc.gov.au

Dear Dr Chadwick

Anglo Coal Australia Pty Ltd & Ors
Application for authorisation A91107-A91109 - draft determination

Thank you for your letter dated 23 February 2009 enclosing a copy of the ACCC's draft determination.

The Applicants have considered the Commission's draft determination and the proposed decision of the Commission to deny authorisation to applications A91107, A91108 and A91109.

The Applicants note that the Commission has recorded its support for a Long Term Solution to be developed and implemented so that future potential queuing issues can be avoided.

The Applicants are currently working towards the development of such a Long Term Solution.

Pursuant to section 88(16) of the *Trade Practices Act*, the Applicants formally withdraw their applications lodged on 14 November 2008.

Yours sincerely

Stephen Corones
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