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8 July 2009

Dear Sir/Madam

**Port Waratah Coal Services Limited (PWCS), Newcastle Coal Infrastructure Group (NCIG), and Newcastle Port Corporation (NPC) applications for authorization A91147 - A91149 -Interested party consultation**

**Submission in relation to Interim Authorisation**

Gloucester Coal strongly supports the granting of an interim authorization by the ACCC as requested in the PWCS/NCIG/NPC submission.

Gloucester Coal is strongly supportive of, and committed to the long term solution as described in the substantive application. Gloucester Coal believes that this will be to the benefit of producers individually and to the development of the total industry.

Gloucester Coal is considering a submission on some aspects of the substantive application.

The transition from the status quo to the environment described in the substantive application involves considerable change management within both producer and service provider organizations and contractually between producers and service providers. The Transition period from now to the end of 2009 gives an opportunity for this change to be effected.

A step change to the new environment, implemented at short notice would be disruptive, as would a period in the absence of any authorization.

1. Gloucester Coal has participated in and kept abreast of the process to develop a long term solution and has confidence in that solution.
2. Gloucester Coal has, to the extent possible, been making decisions, plans and preparations based on the processes defined in both applications
3. Gloucester Coal has been involved in discussions, consultations and preliminary negotiation with service providers, with a view to effecting the necessary changes over the next 6 months

Yours Sincerely

Barry Tudor  
Chief Executive Officer