



**Australian
Competition &
Consumer
Commission**

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6 July 2010

Mr Paul Hughes
Partner
Freehills
GPO Box 4227
Sydney NSW 2001

By email: paul.hughes@freehills.com, lydia.mckenzie@freehills.com

Dear Mr Hughes

Authorisation applications submitted by DP World Australia Limited and Patrick Stevedores Operations Pty Ltd – request for material to be excluded from the public register

I refer to the above applications for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 2 July 2010.

I have considered your request that the following information be excluded from the ACCC's public register:

- attachment 8 to the supporting submission
- DP World Australia Limited's submission regarding the counterfactual.

As you are aware, the ACCC is generally required under section 89 of the *Trade Practices Act 1974* (the Act) to place documents provided to it in relation to an application for authorisation on the ACCC's public register. The Act provides that a person submitting a document in relation to an application for authorisation may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that the information identified above, namely, attachment 8 to the supporting submission and DP World Australia Limited's submission regarding the counterfactual, will not be placed on the public register.

This letter has been placed on the ACCC's public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Sharon Clancy on (02) 6243 1217.

Yours sincerely



Darrell Channing
A/g General Manager
Adjudication Branch