



JAYDE TRANSPORT

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6th August 2010

Darrell Channing
A/General Manager
Adjudication Branch
Australian Competition & Consumer Commission
GPO Box 3131
Canberra ACT 2601

Emailed to: Sharon.clancy@acc.gov.au

Dear Mr Channing

DP World Australia Limited and Patrick Stevedores Operations Pty Ltd – Dual Run Proposal for Fremantle


Further to my letter dated 16th July 2010 providing initial support for the interim authorisation to DP World and Patrick to proceed with the system development to facilitate the dual run (Port Slots) proposal.

Jayde Transport would like to present the following issues that we consider need further consideration and examination by the ACCC, before any final determination is made:

1. What assurances will there be that this proposal will not see some form of differential pricing for dual run and non dual run operators/users?
2. Will dual runs only be provided when it suits the Stevedores or will the booking windows be consistent on a daily basis? – if the plan is to only offer ad hoc dual run bookings to suit the daily operations of the Stevedores, any operational efficiencies of dual runs will be reduced and or not realised if operators/users are unable to pre plan their resources with absolute certainty.
3. Will there be Key Performance Indicators in place to monitor the dual run performances of the two Stevedores and operators/users? – we say this with the background knowledge that despite assurances at the time with the POTA acquisition of the Bagley's container terminals, we are still waiting for POTA to provide KPI's to the industry on the performances of their individual container terminals at Fremantle.
4. What assurances will the industry receive that the One Stop investment will not be recovered from operators/users whether they use dual runs or not? – we consider an investment of this kind by the Stevedores should be justified on their efficiency savings as market forces will ensure any efficiency savings by the Industry will just be passed on to the end customer.
5. Noting that the Stevedores have a penalty regime in place when operators/users miss their booking slots etc, will there be a reciprocal arrangement in place for any IT and or other service failures by the Stevedores in meeting their dual run service obligations?
6. As the dual run bookings include a delivery to one stevedore and pick up from the other, will direct access be made available between the two Stevedores to facilitate this?

We look forward to receiving feedback on the above and other issues raised by the industry during the public consultation process that is due on the 27th August 2010.

Yours faithfully


Steve Gabrovec
General Manager