



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2010/635-02
Contact Officer: Gareth Jamieson
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30 September 2010

Peter Strickland
Senior Associate
Competition & Market Regulation
Freehills
By email: Peter.Strickland@freehills.com

Dear Mr Strickland

**DP World Australia Limited and Patrick Stevedores Operations Pty Ltd applications
for authorisation A91238, A91239 and A91240
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications for authorisation lodged by DP World Australia Limited and Patrick Stevedores Operations Pty Ltd (**the Applicants**) on 2 July 2010. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **15 October 2010**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **20 October 2010**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

02 July 2010	Lodgement of application and supporting submission.
06 July 2010	Public consultation process begins.
28 July 2010	ACCC decision regarding interim authorisation.
30 September 2010	Draft determination issued.
October/November 2010	Public consultation on draft determination including any conference if called.
November/December 2010	Final determination.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter please do not hesitate to contact Gareth Jamieson on (02) 6243 4980.

Yours sincerely



David Hatfield
Acting General Manager
Adjudication Branch