



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2010/656-02
Contact Officer: David Hatfield
Contact Phone: 02 6243 1266

22 November 2010

Ms Kim de Kock
Senior Associate
Mallesons Stephen Jaques
Governor Phillip Tower
1 Farrer Place
Sydney NSW 2000

Dear Ms de Kock

**Authorisation A91241 submitted by Various Queensland Coal Producers
using Wiggins Island Coal Terminal (WICET)
– request for material to be excluded from the public register**

I refer to WICET's submission regarding the above application for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 3 November 2010.

I have considered your request that the confidential version of WICET's submission (WICET's Confidential Submission) be excluded from the ACCC's public register.

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 authorisation application 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.

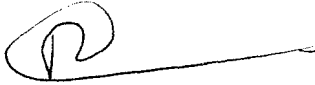
As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that WICET's Confidential Submission will not be placed on the public register.

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

I note that you also provided a public version of your clients' submission. This version will be placed on the public register in the form it was provided to the ACCC.

Should you have any queries in relation to this matter, please do not hesitate to contact David Hatfield on 02 6243 1266 or by email to david.hatfield@acc.gov.au.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'R' followed by a long horizontal line extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch