



Australian  
Competition &  
Consumer  
Commission

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Our Ref: A91205-A91207  
Contact Officer: Clare McGinness  
Contact Phone: (02) 6243 1049

8 January 2010

Dear Sir/Madam

*This letter was sent  
to the attached list  
of Interested Parties  
by email on 8 January  
2010. CM*

**Rio Tinto Aluminium Limited applications for authorisation A91205-A91207  
- interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received applications for authorisation from Rio Tinto Aluminium Limited. The ACCC invites you to comment on the application. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

Rio Tinto Aluminium Limited is seeking authorisation on behalf of itself and the participants in the Gladstone Power Station Joint Venture (the applicants) for arrangements under amended agreements in relation to electricity generated by the Gladstone Power Station and supplied to the Boyne Island Smelter and the National Electricity Market (the amended GPS Agreements)

Earlier agreements relating to the Gladstone Power Station were previously authorised by the ACCC in 1994. The applicants have amended the GPS Agreements to accommodate certain changes to commercial arrangements which have occurred against the background of the introduction and operation of the National Electricity Market.

A full copy of the applications for authorisation is available on the ACCC's website <[www.accc.gov.au](http://www.accc.gov.au)>. Alternatively, you can contact Clare McGinness on (02) 6243 1049 to obtain a hard copy of the application and submission.

**Request for submissions**

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to the applications for authorisation, please do so by **29 January 2010**.

Alternatively, if you would like to provide comments orally, please contact Clare McGinness on (02) 6243 1049 to organise a suitable time.

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

### **Timetable**

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

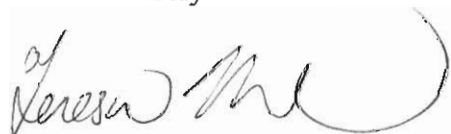
<b>24 December 2009</b>	Lodgement of applications and supporting submission.
<b>8 January 2010</b>	Public consultation process begins.
<b>29 January 2010</b>	Closing date for submissions from interested parties.
<b>February</b>	Applicant responds to issues raised in the public consultation process.
<b>March/April</b>	Draft determination.
<b>April/May</b>	Public consultation on draft determination including any conference if called.
<b>May/June</b>	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the applications at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

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 Clare McGinness on (02) 6243 1049.

Yours sincerely



Teresa Nowak  
A/g Director  
Adjudication Branch

## **Interested Parties consulted - applications for authorisations A91205–A91207**

- AGL
- APA Group
- Arrow Energy
- Alcoa World Alumina Australia
- Alumina Ltd
- Asciano Ltd
- Babcock & Brown Power (BBP)
- BlueScope Steel
- BHP Billiton Limited
- Capral Aluminium Ltd
- CS Energy
- Country Energy
- CITIC Australia Pty Ltd
- Delta Electricity
- Energex
- Energy Australia
- Energy One
- Envestra
- Epic Energy
- Eraring Energy
- Ergon Energy
- ERM Power
- Glencore International AG
- Gove Aluminium Finance
- Infratil Energy
- Hydro Aluminium Australia
- Integral Energy
- InterGen
- International Power
- Japan Alumina Associates (Australia) Pty Ltd
- Jackgreen (International)
- Loy Yang Power
- Mitsui & Co (Australia) Limited
- Macquarie Generation
- Origin
- Pacific Hydro
- Queensland Resources Council
- Queensland Competition Authority
- Rusal Australia
- Santos
- Sojitz Corporation
- Snowy Hydro
- SP AusNet
- Stanwell Corporation
- Synergy Energy
- Tarong Energy
- TRUenergy

- Verve Energy
- Victoria Electricity
- Australian Aluminium Council
- Australian Energy Market Commission (AEMC)
- Australian Energy Market Operator (AEMO)
- Australian Financial Markets Association
- Energy Markets Reform Forum
- Energy Users Association of Australia (EUAA)
- Minerals Council of Australia
- National Generators Forum
- Department of Resources, Energy and Tourism (Cth)
- Independent Regulatory and Pricing Tribunal of NSW (IPART)
- Major Energy Users, Inc
- Consumer Action Law Centre
- Institute of Public Affairs
- CHOICE
- Consumer Utilities Advocacy Centre
- Environmental Protection Agency (Queensland)
- Energy Networks Association (ENA)