

**Hobbs, Tanya**

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**From:** Hobbs, Tanya  
**Sent:** Thursday, 27 October 2011 2:13 PM  
**To:** 'pmclachlan@mccullough.com.au'  
**Cc:** Hatfield, David  
**Subject:** A91277 - Dudgeon Point Coal Export Terminal Producers - Application for interim authorisation [SEC=IN-CONFIDENCE]  
**Attachments:** A91277 - Dudgeon Point Coal Export Terminal Producers (Dudgeon Point Project Management Pty Ltd) - Statement of Reasons- 26 October 2011.pdf  
**Security Classification:** IN-CONFIDENCE

Dear Mr McLachlan

### **Dudgeon Point Coal Export Terminal Producers - application for authorisation A91277 - request for interim authorisation**

The Australian Competition and Consumer Commission (the ACCC) has decided to grant interim authorisation in respect of the application for authorisation lodged by the Dudgeon Point Coal Export Terminal Producers on 28 September 2011. A copy of the ACCC's decision is attached.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Competition and Consumer Act 2010* while the ACCC considers and evaluates the merits of the application.

#### **Next steps**

For your information, the next step in the process is for the ACCC to release a draft determination which will take account of any submissions from the Dudgeon Point Coal Export Terminal Producers and interested parties and will indicate the ACCC's preliminary views on the merits of the application. The ACCC will give both the Dudgeon Point Coal Export Terminal Producers and interested parties the opportunity to provide a further submission on the draft determination before the ACCC issues its final decision.

As noted in the attached decision, the ACCC may review its decision on interim authorisation at any time. In this regard the ACCC will reconsider this decision at the time of issuing its draft determination. The ACCC's decision in relation to interim authorisation should not be taken to be indicative of whether or not final authorisation will be granted by the ACCC.

27/10/2011

This email 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 me on (02) 6243 1029.

Yours sincerely

Tanya Hobbs

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**Tanya Hobbs**

Assistant Director | Adjudication

**Australian Competition & Consumer Commission**

23 Marcus Clarke Street Canberra 2601 <http://www.accc.gov.au>

T: +61 0 26243 1029 | F: +61 0 26243 1212



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