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AUST. COMPETITION &  
CONSUMER COMMISSION  
CANBERRA  
28 FEB 2011

**FACSIMILE**

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Company:	<b>ACCC</b>	Date:	<b>28 February 2011</b>
Attention:	<b>David Hatfield</b>	Fax Number:	<b>02 6243 1199</b>
Sender:	<b>Glen Lewis</b>	No of Pages:	<b>2</b>

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Good afternoon  
Please refer to letter following – original has been mailed.

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28 February 2011

David Hatfield  
A/g General Manager – Adjudication Branch  
Australian Competition and Consumer Commission  
GPO Box 3131  
Canberra ACT 2601

Dear Sir

I am a writing to include a submission as an interested party associated with the future capacity at the PWCS Coal Loading facility.

We are in the early stages of a mining development located in the Hunter Valley and will be applying for capacity at the PWCS operation in July 2011, for first coal in 2014.

I address the 3 key points noted in your letter-

1. As we have not yet nominated, we have no first hand information in this regard so therefore are unable to comment;
2. Public information to date suggests the T4 facility will be available in 2015 subject to the approval process. If T4 were delayed in being constructed and the other remaining capacity at the PWCS facility was fully utilised, there would be an impact to the proposed production schedule at the Doyles Creek Mining Project. For this reason, I would request the ACCC do anything within its power to assist bringing T4 on line when it was originally intended to be operational;
3. I have no personal evidence of hoarding in relation to capacity.

Please contact me directly if you require anything further.

Yours faithfully

A handwritten signature in black ink, appearing to read "Glen Lewis", is written over a light grey background.

Glen Lewis  
Managing Director