



**Australian
Competition &
Consumer
Commission**

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Our Ref: A91311
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20 September 2012

Dave Poddar
Partner
Allen & Overy
PO Box A2498
Sydney South NSW 2000

Via email: dave.poddar@allenovery.com; stefanie.benson@allenovery.com

Dear Mr Poddar

**Cockatoo Coal Limited and Stanmore Coal Limited application for authorisation
A91311 – final determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a determination in respect of the application for authorisation lodged by Cockatoo Coal Limited and Stanmore Coal on 23 May 2012.

A copy of the ACCC's determination and summary of its reasons is attached.

For the reasons set out in its determination, the ACCC has decided to grant authorisation until 12 October 2034.

Application for review

Pursuant to section 101 of the *Competition and Consumer Act 2010*, a person dissatisfied with this determination may apply to the Australian Competition Tribunal (the Tribunal) for a review of the determination. An application for review must be made within 21 days of the date of this determination; that is, on or before 11 October 2012. If no application for a review is lodged by this date, the ACCC's determination will come into force on 12 October 2012.

An application for a review of the ACCC's determination should be lodged directly with the Tribunal. The Tribunal is a separate body from the ACCC and is located within the Federal Court of Australia.

For further information about the Tribunal's process to hear applications for review of ACCC determinations please refer to the Tribunal's website at www.competitiontribunal.gov.au.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact Jaime Martin on (03) 9290 1477 (or at jaime.martin@accc.gov.au).

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'R' followed by a horizontal line.

Dr Richard Chadwick
General Manager
Adjudication Branch