



Australian
Competition &
Consumer
Commission

Our Ref: A91311
Contact Officer: Jaime Martin
Contact Phone: (03) 9290 1477

GPO Box 3131
Canberra ACT 2601
23 Marcus Clarke Street
Canberra ACT 2601
tel: (02) 6243 1111
fax: (02) 6243 1199
www.accc.gov.au

20 June 2012

Dave Poddar
Partner
Allen & Overy
Level 25
85 Castlereagh Street
Sydney NSW 2000

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

Dear Mr Poddar

**Cockatoo Coal Limited and Stanmore Coal Limited application for authorisation
A91311 - interim authorisation decision**

The Australian Competition and Consumer Commission (the ACCC) has decided to grant interim authorisation in respect of the application for authorisation lodged by Cockatoo Coal Limited and Stanmore Coal Limited (the Applicants) on 23 May 2012. 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

As you are aware, the closing date for submissions in relation to the substantive application for authorisation is 22 June 2012. The ACCC will arrange for you to receive a copy of any public submissions received, as well as being available on the ACCC's website www.accc.gov.au/AuthorisationsRegister.

Following this, the ACCC will release a draft determination which will take account of any submissions from the Applicants and interested parties and will indicate the ACCC's preliminary views on the merits of the application. The ACCC will give both the Applicants 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 the interim authorisation at any time. In this regard the ACCC will reconsider interim authorisation 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.

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 via email at Jaime.martin@accc.gov.au) or David Hatfield on (02) 6243 1266 on (02) 6243 1266 (or at david.hatfield@accc.gov.au).

Yours sincerely

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

Dr Richard Chadwick
General Manager
Adjudication Branch