



Gladstone Ports Corporation

Growth, Prosperity, Community.

Our Ref: #91026342 CDD:ke

3 February 2014

Dr Richard Chadwick
General Manager
Adjudication Branch
Australian Competition and Consumer Commission
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CANBERRA ACT 2601

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Copy to:

Ms Tess Macrae
Senior Project Officer
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Dear Dr Chadwick

RG TANNA COAL EXPORT TERMINAL PRODUCERS - APPLICATION FOR AUTHORISATION A91405

We refer to your letter, dated 16 January 2014, seeking comments on the application for authorisation made by the RG Tanna Coal Export Terminal Producers ("**Application for Authorisation**").

Gladstone Ports Corporation Limited ("**GPC**") is supportive of:

- the grant of the interim authorisation sought in the Application for Authorisation; and
- the grant of the authorisation sought in the Application for Authorisation for a period of 15 years.

GPC agrees that the Proposed Conduct (as that term is defined in the Application for Authorisation) would result in minimal (if any) anticompetitive detriment, particularly because:

- engaging in the Proposed Conduct will be voluntary and GPC will not be bound to participate in collective negotiations with the applicants;
- the applicants do not propose to engage in collective boycott activity; and
- there will be information sharing restrictions put in place between the applicants.

GPC also agrees that the likely public benefits from the Proposed Conduct will likely outweigh any detriments, including because there can be efficiencies from collective negotiations between buyers who share legitimate interests and their suppliers.

GPC accordingly submits that the Commission should grant the Authorisation.

Please liaise with Michael Galt (07) 4976 1305 if any further information is required.

Kind regards



CRAIG DOYLE
CHIEF EXECUTIVE OFFICER