Dear Sir or Madam

Aurizon Operations Limited & SCT Logisics Application for authorisation A91512 - draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Aurizon Operations Limited & SCT Logistics on 12 August 2015.

Please see the ACCC’s publication Authorisation process - the basics for a summary of the authorisation process and how to make a submission to the ACCC.

Aurizon Operations and SCT Logistics seek authorisation to collectively discuss and negotiate the terms and conditions of Access Agreements with Brookfield Rail, including price, relating to the use of standard gauge rail infrastructure covered under Schedule 4 of the Railways (Access) Code 2000 for the purpose of transportation of freight by rail which enters or exits the interstate rail freight network controlled by the Australian Rail Track Corporation, to discuss amongst themselves matters relating to these discussions and negotiations, and to enter into and give effect to contracts, arrangements or understandings regarding the agreement with Brookfield Rail containing common terms and conditions, including price, which relate to the use of this railway infrastructure..

Draft determination

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

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years.

Next steps

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a ‘pre-decision conference’.

If you wish to make a submission in response to the ACCC’s draft determination, please lodge your submission by 11 January 2016.
A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **11 January 2016**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC’s public register subject to any request for exclusion. Please see the ACCC’s publication [Guidelines for excluding information from the public register](#).

**Timetable**

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

<table>
<thead>
<tr>
<th>Indicative date</th>
<th>Stage in assessment process</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 August 2015</td>
<td>Lodgement of application and supporting submission.</td>
</tr>
<tr>
<td>13 August 2015</td>
<td>Public consultation process begins.</td>
</tr>
<tr>
<td>2 September 2015</td>
<td>ACCC decision regarding interim authorisation.</td>
</tr>
<tr>
<td>7 December 2015</td>
<td>Draft determination.</td>
</tr>
<tr>
<td>December 2015/January</td>
<td>Public consultation on draft determination including any conference if called.</td>
</tr>
<tr>
<td>January/February 2016</td>
<td>Final determination.</td>
</tr>
</tbody>
</table>

This letter 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 Hannah Ransom on (02) 6243 1255 or [adjudication@accc.gov.au](mailto:adjudication@accc.gov.au).

Yours sincerely

David Hatfield  
Director  
Adjudication Branch