

David Hatfield  
Director  
Competition Exemptions  
Australian Competition and Consumer Commission  
23 Marcus Clarke Street  
Canberra ACT 2601

15/02/2024

Dear Mr Hatfield

**Hunter Valley Coal Chain Coordinator (HVCCC) application for authorisation AA1000658 – interested party consultation**

Thank you for the opportunity to make a submission in respect of the HVCCC's application for authorisation AA1000658.

Newcastle Coal Infrastructure Group Pty Ltd (**NCIG**) is a member of the HVCCC and operates one of two coal export terminals at the Port of Newcastle. NCIG supports the application, as NCIG considers that the coordination of the Hunter Valley coal chain produces beneficial efficiencies for service providers (including NCIG) and benefits the industry as a whole.

On 20 December 2023, the ACCC requested further information from the HVCCC in relation to the application for authorisation, to which the HVCCC responded on 22 January 2024, including (in question 4) in relation to what will happen to other aspects of the arrangements under the Current Authorisation (**Capacity Framework Arrangements**) upon its expiry in December 2024. The Capacity Framework Arrangements that are the subject of the Current Authorisation consist of several multilateral and bilateral agreements and associated protocols. NCIG expects these agreements (or their relevant features, as appropriate) to be terminated by mutual agreement before or upon expiry of the Current Authorisation. Aside from the Proposed Conduct, NCIG does not anticipate the continued operation after 31 December 2024 of any other features of the Capacity Framework Arrangements that may require authorisation.

If you have any questions regarding this submission, please contact Victor de Souza at

Yours sincerely

Victor de Souza

**Manager Customer Assurance**