

**C L I F F O R D
C H A N C E**

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Mr Richard York
Executive Director
National Competition Council
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15 April 2019

Dear Mr York

Application by Port of Newcastle Operations (PNO) to the National Competition Council for a possible recommendation to revoke the declaration of shipping channel service at the Port of Newcastle

We refer to the email sent to interested parties relating to this matter by the National Competition Council (NCC) at approximately 5pm on 8 April 2019.

We note from that email that interested parties are required to provide written submissions to the NCC in response to the report issued by NERA Economic Consulting (NERA) on behalf of the NCC by 5pm on Tuesday 23 April 2019. Having regard to public holidays associated with Easter, this means that a response is required within 9 business days of the date the notification email was sent by the NCC.

On behalf of our client, Glencore, we request that the NCC extend the date by which stakeholders, including our client, may respond to the report to 5pm on Tuesday, 30 April 2019. That is an extension of only 5 business days. We submit that, in all of the circumstances, particularly given the need for interested stakeholders such as our client to fully respond to all of the issues that are raised in the NERA report, this short period of time for the extension is not unreasonable.

We hope that you will consider this request favourably and look forward to your earliest response to this letter.

Yours sincerely

Dave Poddar
Partner
Clifford Chance

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