



18 May 2010

Mr John Feil
Executive Director
National Competition Council
Level 9
128 Exhibition Street
Melbourne Vic 3000

By email: info@ncc.gov.au

Dear Mr Feil,

Declaration of the Services provided by the Blackwater, Goonyella, Moura and Newlands Railway Facilities

Pacific National Pty Limited (**Pacific National**) is applying for a recommendation that the services provided by the Blackwater, Goonyella, Moura and Newlands railway facilities in Central Queensland be declared under Part IIIA of the *Trade Practices Act 1974* (Cth).

These applications relate to the declaration of four services provided by four separate railway facilities. However, they have been included in the one document for convenience as the factual material and economic analysis is common to each of the services of which declaration is sought.

Pacific National has relied upon some confidential information in its applications. This information is commercially sensitive and accordingly, Pacific National requests that it not be publicly disclosed. However, due to the limited amount of confidential information relied upon in the applications, Pacific National expects that the Council will not have any issues with this request.

Both a confidential version of the applications and a version for public release with the confidential information removed are enclosed.

Please do not hesitate to contact me if you require any further information or have any questions relating to this matter.

Yours sincerely

A handwritten signature in blue ink that reads "Tim Kuypers". The signature is stylized with a long, sweeping underline.

Dr Tim Kuypers
Group General Manager Safety, Access and Regulation
Asciano Limited