

Queensland Competition Authority

File Ref: 656429

6 November 2013

Mr Glen Dawe
Chief Executive Officer
Queensland Rail Ltd
GPO Box 1429
BRISBANE QLD 4001

Dear Mr ~~Dawe~~ ^{Glen}

Queensland Rail's Draft Amending Access Undertaking

On 5 November 2013, the Queensland Competition Authority (QCA) received a draft amending access undertaking (DAAU) from Queensland Rail to extend its 2008 access undertaking's termination date to the earlier of:

- 30 June 2014; or
- the date at which the QCA approves Queensland Rail's June 2013 draft access undertaking.

Section 146 of the *Queensland Competition Authority Act 1997* (the QCA Act) requires the QCA to provide a formal notice to the owner or operator of a service that it proposes to start an investigation, and to invite the owner of the service to make a written submission.

Notice of Investigation

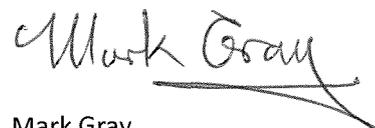
In accordance with section 146 of the QCA Act, the QCA advises that it proposes to conduct an investigation to decide whether to approve Queensland Rail's DAAU. Section 143 of the QCA Act provides that the QCA may approve a DAAU if, among other things, it has:

- published the DAAU and invited persons to make submissions on it
- considered those submissions.

Submissions

The QCA has published Queensland Rail's DAAU on its website (www.qca.org.au) and has sought submissions from interested parties. The QCA invites a written submission from Queensland Rail, and Queensland Rail is welcome to comment on any of the DAAU's aspects. Attached is a 'Submission' page to assist Queensland Rail in the preparation and lodgement of that submission. Any enquiries should be addressed to Stephen Wisenthal on (07) 3222 0507. The closing date for submissions is Tuesday 12 November 2013.

Yours sincerely



Mark Gray
Chief Executive Officer

SUBMISSIONS

Public involvement is an important element of the decision-making processes of the QCA. Therefore, submissions are invited from interested parties concerning its assessment of Queensland Rail's DAAU to extend the termination date of its 2008 access undertaking to 30 June 2014. The QCA will take account of all submissions received within the time frame below.

Written submissions should be sent to the address below. While the QCA does not necessarily require submissions in any particular format, it would be appreciated if two printed copies are provided together with an electronic version on disk (Microsoft Word format) or by e-mail. Submissions, comments or inquiries regarding this paper should be directed to:

Queensland Competition Authority
GPO Box 2257
Brisbane QLD 4001
Telephone: (07) 3222 0507
Fax: (07) 3222 0599
Email: rail@qca.org.au

The closing date for submissions is **12 November 2013**.

Confidentiality

In the interests of transparency and to promote informed discussion, the QCA would prefer submissions to be made publicly available wherever this is reasonable. However, if a person making a submission does not want that submission to be public, that person should claim confidentiality in respect of the document (or any part of the document). Claims for confidentiality should be clearly noted on the front page of the submission and the relevant sections of the submission should be marked as confidential, so that the remainder of the document can be made publicly available. It would also be appreciated if two copies of each version of these submissions (i.e. the complete version and another excising confidential information) could be provided. Again, it would be appreciated if each version could be provided on disk. Where it is unclear why a submission has been marked 'confidential', the status of the submission will be discussed with the person making the submission.

While the QCA will endeavour to identify and protect material claimed as confidential as well as exempt information and information disclosure of which would be contrary to the public interest (within the meaning of the *Right to Information Act 2009* (RTI)), it cannot guarantee that submissions will not be made publicly available. As stated in section 187 of the QCA Act, the QCA must take all reasonable steps to ensure the information is not disclosed without the person's consent, provided the QCA is satisfied that the person's belief is justified and that the disclosure of the information would not be in the public interest. Notwithstanding this, there is a possibility that the QCA may be required to reveal confidential information as a result of a RTI request.

Public access to submissions

Subject to any confidentiality constraints, submissions will be available for public inspection at the Brisbane office of the QCA, or on its website at www.qca.org.au. If you experience any difficulty gaining access to documents, please contact the office on (07) 3222 0555.