

File Ref: 1284449

4 April 2018

Mr Nick Easy
Chief Executive Officer
Queensland Rail Limited
GPO Box 1429
Brisbane Qld 4001

Dear Mr Easy

Notice of Review and Notice of Investigation—Declaration Review

The Queensland Competition Authority (QCA) has commenced a review (Declaration Review) into whether the declared services described in section 250 of the *Queensland Competition Authority Act 1997* (Qld) (QCA Act) should be declared in whole or in part following the expiry of the existing declarations on 8 September 2020. The currently declared services include the service described in section 250(1)(b) of the QCA Act, that is, the use of rail transport infrastructure for providing transportation by rail if the infrastructure is used for operating a railway for which Queensland Rail Limited, or a successor, assign or subsidiary of Queensland Rail Limited, is the railway manager; being a service owned by Queensland Rail Limited (Queensland Rail).

In accordance with section 87A of the QCA Act, the QCA must provide its recommendation for this Declaration Review to the Minister between the dates of 8 September 2019 and 8 March 2020; that is, at least 6 months but not more than 12 months before the expiry date of a declaration of the service.

NOTICE OF REVIEW

Section 87B of the QCA Act requires the QCA to notify the owner of the service when it starts considering the making of a recommendation under section 87A.

In accordance with section 87B of the QCA Act, we hereby notify Queensland Rail that the QCA has commenced consideration of the making of a recommendation under section 87A of the QCA Act.

NOTICE OF INVESTIGATION

Section 87D of the QCA Act enables the QCA to conduct an investigation about the service for the making of a recommendation under section 87A.

In accordance with section 87E of the QCA Act, we hereby notify Queensland Rail that:

- (a) the QCA intends to conduct an investigation about the service described in section 250(1)(b) of the QCA Act for making a recommendation under section 87A of the QCA Act
- (b) the owner of the service described in section 250(1)(b) of the QCA Act is Queensland Rail Limited

- (c) the subject matter of the investigation is whether the service described in section 250(1)(b) of the QCA Act should be declared in whole or in part following the expiry of the existing declaration on 8 September 2020, pursuant to section 87A of the QCA Act
- (d) the QCA invites Queensland Rail to make written submissions to the QCA on the subject matter within the time periods stated in this notice below
- (e) the QCA's address is
Queensland Competition Authority
Level 27, 145 Ann Street, Brisbane QLD 4000
GPO Box 2257, Brisbane QLD 4001
Tel (07) 3222 0555

TIMETABLE FOR DECLARATION REVIEW

The timetable for submissions to this Declaration Review are:

- (1) Initial submissions—due by 5pm Brisbane time on 30 May 2018
- (2) A four-week submissions on initial submissions period
- (3) A draft recommendation is anticipated to be released by the QCA in December 2018, subject to the nature of stakeholder submissions.

The QCA will consider all submissions received by the specified dates and take these submissions into account in making its draft recommendation. The QCA believes it is important to adhere to this timetable and accordingly may be unable to consider late submissions. Parties will, however, have a further opportunity to make submissions to the QCA in the declaration review process after publication of the draft recommendation.

The QCA will provide further information on its process after the release of its draft recommendation at a later date.

The QCA will also publish this letter for stakeholders' information.

Yours sincerely



Professor Flavio Menezes
Deputy Chair