



12 November 2012

Mr John Hall  
Chief Executive Officer  
Queensland Competition  
Authority  
GPO Box 2257  
Brisbane QLD 4000

Dear Mr Hall

### **Submission to the Queensland Competition Authority - End User Access Agreement**

Anglo American Metallurgical Coal Pty Ltd (**Anglo American**) welcomes the opportunity to make submissions to the Queensland Competition Authority (**QCA**) in respect of the draft decision of the QCA on the proposed Alternative Standard Access Agreements submitted by QR Network Pty Ltd (**QR Network**).

Anglo American supports the recommendations made by the QCA in its draft decision.


Anglo American agrees with the QCA's view that a separate Train Operator Agreement should be entered into for each End User Access Agreement as it eliminates the cross-default risk of one End User having their Train Operator Agreement terminated due to the fault of another End User.

Anglo American notes that having separate Train Operator Agreements for each End User Access Agreement may result in a loss of flexibility for Train Operators to effectively 'pool' train paths and make decisions regarding the utilisation of the available train paths.

It is unclear whether QR Network's current practice of allowing a Train Operator to pool paths which are covered by its Access Agreement irrespective of the identity of the coal producer will continue. Anglo American considers that the ability of Train Operators to pool train paths should be retained, as it facilitates economic and operational efficiency in the allocation of train paths.

Furthermore, it is Anglo American's view that the End User Access Agreement and Train Operator Agreement should explicitly state that a Train Operator may pool train paths under all of the agreements with an End User in which is has been specified as the Nominated Operator.

Yours sincerely



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