

Schedule F Amendment – Proposed Drafting

SCHEDULE F

Reference Tariff Schedules

SECTION 1. COAL CARRYING TRAIN SERVICES

Part A. - General Provisions

1. Scope

This Section specifies the Reference Tariffs applicable to nominated coal carrying Reference Train Services. This Section also specifies the methodology that will be used for determining a new Reference Tariff for a new coal carrying Reference Train Service where required in accordance with the Undertaking.

This Section has been developed by QR in accordance with the principles contained in Part 6 of this Undertaking and has been endorsed by the QCA for application in accordance with the terms and conditions set out in this Section. Part A contains the provisions that generically apply to all coal carrying Reference Train Services, Part B identifies the requirements specific to each nominated Reference Train Service on the Central Queensland Coal Region subject to this Section and Part C identifies the requirements specific to each nominated Reference Train Service on the Western System subject to this Section. The requirements set out in Parts B and C must always be read in conjunction with the provisions of Part A.

Each Reference Train Service includes a defined level of Below Rail Services as specified in Part 2 of the Undertaking. Consistent with Part 2 of the Undertaking, the Reference Train Service does not include any Above Rail Services such as the carrying out of any provisioning, inspection, testing and maintenance of Rollingstock, or storage, marshalling, shunting or other relocation of Rollingstock.

A varied Access Charge shall be applicable to Train Services that vary from the Reference Train Service characteristics specified in Clause 2.3 of this Part A and/or operate under terms and conditions with agreed variations from the requirements of Clause 2.4 of this Part A, but otherwise satisfy the nominated Reference Train Service description, whereby the varied Access Charge varies from the applicable Reference Tariff due to differences in cost or risk to QR of providing Access for that Train Service compared to the Reference Train Service. Clause 4 of this Part A describes how an Access Charge will vary from the Reference Tariff for specified variations of a Train Service from the Reference Train Service.

The provisions of this Section will be the basis for Access Charges negotiated for new Access Agreements for relevant Train Services or for rate review provisions that specifically refer to the Reference Tariff for the nominated Reference Train Service.

2. Reference Train Service Description

2.1 Commodity Type

The Reference Train Service carries bulk coal. In defining bulk coal, no differentiation is to be made between coal qualities or types, or between the end use markets of the coal.

2.2 Geographic Scope

2.2.1 The Reference Train Service operates on the rail corridor directly connecting specified Nominated Loading Facility/ies and specified Nominated Unloading Facility/ies.

2.2.2 A new coal loading facility may only be added to the existing Nominated Loading Facilities for a Reference Train Service if it satisfies the requirements in relation to:

- (a) additional loading facilities that are set out in Part B or Part C for the relevant Reference Train Service; and
- (b) for coal carrying Train Services in the Central Queensland Coal Region, the minimum contribution to Common Costs, as set out in Clause 4.1 of Part B.

2.2.3 Diagrams showing the location of the Nominated Loading Facilities and the Nominated Unloading Facilities for a nominated Reference Train Service are included in the Information Pack for the relevant system.

2.3 Reference Train Service Characteristics

2.3.1 Each Reference Train Service:

- (a) has a maximum length (including the locomotive/s) as specified in Part B or Part C for that Reference Train Service;
- (b) has a maximum axle load as specified in Part B or Part C for that Reference Train Service with loading in excess of this maximum axle load dealt with in accordance with the relevant Load Variation Table;
- (c) complies with the maximum speeds permitted on the Nominated Infrastructure as specified in the relevant Information Pack;
- (d) complies with QR's Rollingstock Interface Standards applicable to the Nominated Infrastructure;
- (e) is otherwise compatible with the Nominated Infrastructure described in the relevant Information Pack and requires no additional expenditure by QR to implement varied Below Rail controls identified in the IRMP or EIRMR;
- (f) operates in accordance with nominated sectional running times specified in the relevant Information Pack;
- (g) does not exceed the Loading Times specified in Part B or Part C for that Reference Train Service;
- (h) does not exceed the Unloading Times specified in Part B or Part C for that Reference Train Service;

- (i) operates as an empty Train on the return journey from the relevant Nominated Unloading Facility to the relevant Nominated Loading Facility;
- (j) has the ability to operate on the configuration of the Nominated Infrastructure existing at the Commencing Date without limiting the ability of existing Train Services to operate in accordance with their Train Service Entitlements;
- (k) utilises bottom dump wagons with the “KWIK DROP” door operating mechanism;
- (l) utilises measures to minimise coal spillage and/or leakage en route that are reasonable, having regard to the practices existing at the Commencing Date;
- (m) measured as an average over a Year, has a maximum Stowage period for each Train Service no greater than that specified in Part B for that Reference Train Service; and
- (n) has any other characteristics specified for that Reference Train Service set out in Parts B or C.

2.4 Conditions of Access

2.4.1 The Reference Train Service will operate in accordance with the terms and conditions of the Standard Access Agreement for coal carrying services that is incorporated in Volume 2 of this Undertaking.

2.4.2 Under the Access Agreement, QR will commit to operate the Rail Infrastructure such that, on average over a Year, the Below Rail Transit Time specified in Part B can be achieved for the relevant Reference Train Service.

3. Access Charge

3.1 Reference Tariff

3.1.1 The applicable Reference Tariff for a nominated Reference Train Service shall be assessed in accordance with the methodologies established in Clause 2 of Part B and Clause 4 of Part C.

3.2 Escalation of Reference Tariff

3.2.1 Each component of a Reference Tariff, except the QCA Levy, will automatically escalate on each Escalation Date in accordance with the following formula:

$$AT_n = AT_{n-1} \times \left(\frac{CPI_n}{CPI_{n-1}} \right)$$

where:

AT_n means the value of the relevant Reference Tariff component to apply after escalation;

AT_{n-1} means the escalated value of the relevant Reference Tariff component immediately prior to the relevant Escalation Date, or in the case of the First Escalation Date means the relevant Reference Tariff component

specified in Part B or Part C for each nominated Reference Train Service;

CPI_n means the Consumer Price Index: All Groups - Brisbane (Australian Bureau of Statistics Publication No.6401.0), as first published, for the Quarter which commenced 6 months prior to the Escalation Date for which the variable AT_n is being determined; and

CPI_{n-1} means the Consumer Price Index: All Groups - Brisbane (Australian Bureau of Statistics Publication No.6401.0), as first published, for the Quarter which commenced 9 months prior to the Escalation Date for which the variable AT_n is being determined.

3.2.2 Within seven (7) days of each Escalation Date following the Commencing Date, QR will publish the escalated components of the Reference Tariff on its website.

3.2.3 Where an error has been made in the calculation of the escalated components of a Reference Tariff, QR must correct the error so that the relevant components of the Reference Tariff are escalated in accordance with Subclause 3.2.1.

3.3 Variation of Reference Tariffs

3.3.1 QR will submit a variation of a Reference Tariff to the QCA:

- (a) in accordance with this Clause 3.3, if an Endorsed Variation Event or a Review Event occurs; or
- (b) subject to Subclause 3.3.3, within sixty (60) days:
 - (i) of a written notice being received from the QCA in accordance with Subclause 3.3.2; or
 - (ii) after the end of each Year of the Term if required to submit a variation under Subclause 3B.3.3 of Part B.

3.3.2 The QCA may give QR a written notice requiring QR to submit a variation of a Reference Tariff if:

- (a) the QCA does not approve a variation of a Reference Tariff submitted by QR; or
- (b) QR fails to submit a variation of a Reference Tariff:
 - (i) within sixty (60) days of the QCA determining that an Endorsed Variation Event or a Review Event has occurred; or
 - (ii) it is required to submit under Subparagraph 3.3.1(b)(ii).

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3.3.3 The QCA may grant QR an extension of the time for submitting, or resubmitting, a variation of a Reference Tariff if:

- (a) QR provides a written request to the QCA for an extension of time which includes the reasons why QR requires the extension of time; and
- (b) the extension of time is reasonable or necessary.

If the QCA grants QR an extension of time under this Subclause 3.3.3, QR must submit or resubmit the variation of a Reference Tariff within the time specified by the QCA.

3.3.4 The QCA may develop a variation of a Reference Tariff that is consistent with the requirements specified in this Clause 3.3 for the variation of a Reference Tariff:

- (a) if QR does not comply with a written notice given by the QCA under Subclause 3.3.2 or Paragraph 3.3.9(b) for it to submit, or resubmit, a variation of a Reference Tariff; or
- (b) if the QCA refuses to approve a variation of a Reference Tariff resubmitted by QR.

3.3.5 Where an Endorsed Variation Event occurs:

- (a) QR must, within sixty (60) days of QR knowing that an Endorsed Variation Event has occurred, submit a variation of the relevant Reference Tariff (including evidence that the Endorsed Variation Event has occurred and details of the methodology, data and assumptions used to vary the Reference Tariff);
- (b) if the QCA considers it appropriate, the QCA may publish details of QR's proposed variation of the relevant Reference Tariff and invite and consider comments from stakeholders regarding the proposed variation; and
- (c) the QCA may approve the proposed variation of the relevant Reference Tariff if the QCA is satisfied that:
 - (i) the Endorsed Variation Event has occurred; and
 - (ii) the variation of the Reference Tariff:
 - (A) is consistent with the change in the cost resulting from the Endorsed Variation Event;
 - (B) reflects the impact of the relevant Endorsed Variation Event on the financial position of QR's Below Rail Services (including the impact of incremental maintenance and incremental capital costs); and
 - (C) has been calculated as if all other Reference Tariffs were also being recalculated due to the occurrence causing the Endorsed Variation Event.

3.3.6 Where a Review Event occurs:

- (a) QR must, within sixty (60) days of QR knowing that a Review Event has occurred, submit a variation of the relevant Reference Tariff (including evidence that the Review Event has occurred and details of the methodology, data and assumptions used to vary the Reference Tariff);
- (b) the QCA will publish details of QR's proposed variation of the relevant Reference Tariff and invite and consider comments from stakeholders regarding the proposed variation; and
- (c) the QCA may approve the proposed variation of the relevant Reference Tariff if the QCA is satisfied that:
 - (i) the Review Event has occurred; and
 - (ii) the variation of the relevant Reference Tariff:
 - (A) is consistent with the change in the cost resulting from the Review Event;

- (B) reflects the impact of the relevant Review Event on the financial position of QR's Below Rail Services (including the impact of incremental maintenance and incremental capital costs); and
- (iii) has been calculated as if all other Reference Tariffs were also being recalculated due to the occurrence causing the Review Event.

3.3.7 Where QR submits a variation of a Reference Tariff in accordance with Subparagraph 3.3.1(b)(ii):

- (a) the variation must:
 - (i) nominate the Reference Tariff to be varied;
 - (ii) include details of the methodology, data and assumptions used to vary the Reference Tariff; Deleted: and
 - (iii) include details of and reasons for any amount used in preparing that variation in lieu of an Increment having been determined by the QCA; and
 - (iv) be accompanied by a responsibility statement, in respect of the information provided in relation to the variation, signed by the QR Chief Executive.
- (b) the QCA will publish details of QR's proposed variation of the relevant Reference Tariff and will invite and consider comments from stakeholders regarding the proposed variation;
- (c) the QCA may adjust the variation but only to the extent that:
 - (i) the QCA has made a determination under Subparagraph 3B.2.1(b) of Part B in relation to an Increment; or Deleted: and
 - (ii) the QCA has made a determination regarding a deduction from System Allowable Revenue under subparagraph (iii) of the definition in clause 5.2 of Part A;
- (d) the QCA will approve the proposed variation of the Reference Tariff if the QCA is satisfied that the variation of the Reference Tariff is in accordance with Clause 3B of Part B and subject to any adjustment under Paragraph 3.3.7(c). Deleted: Subc
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3.3.8 If the QCA approves a variation to a Reference Tariff:

- (a) the QCA will give QR a notice in writing stating the reasons for the QCA's decision;
- (b) the variation to the Reference Tariff will apply:
 - (i) from the Escalation Date immediately following the date of the occurrence of the Endorsed Variation Event or Review Event;
 - (ii) if the date of the occurrence of the Endorsed Variation Event or Review Event is the same as an Escalation Date, from the date of the occurrence of the Endorsed Variation Event or Review Event; or
 - (iii) if that variation arose as a result of the operation of Clause 3B and Paragraph 3.3.1(b)(ii), from 1 July of the Year following the Year in which the variation was submitted; and

- (c) QR must:
- (i) publish the varied Reference Tariff on its website; and
 - (ii) advise Access Holders and Access Seekers, in respect of the relevant Reference Train Service, of the variation to the Reference Tariff.

3.3.9 If the QCA refuses to approve a variation to a Reference Tariff, the QCA will give QR a notice in writing:

- (a) stating the reasons for its refusal and the way in which the QCA considers that the variation should be amended; and
- (b) requiring QR to vary the Reference Tariff in the way the QCA considers it appropriate and resubmit the variation to the QCA within thirty (30) days of QR receiving the notice.

3.3.10 QR must comply with a notice given under Paragraph 3.3.9.

3.3.11 The QCA may approve a resubmitted variation to a Reference Tariff or a variation to a Reference Tariff developed by the QCA under Paragraph 3.3.4, if the QCA is satisfied that the variation of the Reference Tariff:

- (a) is consistent with the matters specified under Subparagraph 3.3.5(c), 3.3.6(c) or 3.3.7(d) (as applicable); and
- (b) has been amended or developed in accordance with the QCA's decision.

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3.4 Varied Components of Applicable Access Charge

3.4.1 Nothing in this Section will preclude QR and the Access Holder agreeing to Access Charges that have varied cash flows but the same net present value as the Reference Tariff as applied in accordance with the other provisions of this Section.

3.4.2 Varied cash flows could be achieved by variations to the structure of the charges and/or variations to the escalation arrangements. In any case the variation from the specified application of the Reference Tariff will be assessed on the basis of the risks and costs, including opportunity cost, associated with the timing of the resultant cash flows.

3.4.3 Nothing in this Section will preclude QR from seeking Access Conditions, pursuant to Subclause 6.5.2 of the Undertaking.

3.5 Access Charges in the Central Queensland Coal Region

3.5.1 Unless prior written approval from the QCA is received, QR must calculate all Access Charges used for Train Services in the Central Queensland Coal Region by reference to the same components as Reference Train Services (AT₁, AT₂, AT₃, AT₄, AT₅, the QCA Levy, and EC if appropriate), even if the Train Service does not constitute a Reference Train Service.

4. Variations to Reference Train Service

Where a Train Service differs from the Reference Train Service due to it not complying with Paragraph 2.3.1(f), then QR will, unless otherwise agreed with the

QCA, quote an Access Charge that varies from the Reference Tariff by applying the following principles:

- (a) an estimate of the number of reference Train Paths used by the proposed Train Service will be determined as follows:

$$\text{rtp} = \frac{\text{maximum number of Reference Train Services at full utilisation}}{\text{maximum number of proposed Train Services at full utilisation}}$$

This value of rtp is used for the purpose of Clause 2.1 of Part B;

- (b) an estimate of the maximum number of train paths available for a Reference Train Service and for the proposed Train Service will be carried out using a readily available simulation package; and
- (c) in accordance with Subparagraph 4.3(a)(v) or Subparagraph 4.5.2(v) of the Undertaking (as applicable), QR will advise the Access Seeker how it has determined the value of rtp.

5. Definitions and Interpretation

5.1 In this Section, references to Parts, Clauses, Subclauses, Paragraphs and Subparagraphs are references to Parts, Clauses, Subclauses Paragraphs and Subparagraphs contained in this Section unless otherwise stated.

5.2 The following definitions are specific to this Schedule. In addition to these definitions, Part 10 of the Undertaking sets out the definitions of defined terms used in this Section and applicable to the Undertaking generally:

“AT₂₋₄” means the aggregate of the AT₂, AT₃ and AT₄ components of Access Charges;

“Billing Period” means a period of a calendar month;

“Change in Law” means:

- (i) any amendment, repeal, modification or enactment of any Law;
- (ii) any change in the interpretation or application, including by the exercise of delegated authority, of any Law resulting from a decision of a court or Authority;
- (iii) the making of any new directive, or any change in an existing directive, of any Authority;
- (iv) the imposition of a requirement for authorisations not required as at the Commencing Date;
- (v) after the date of grant of any authorisation, a change in the terms and conditions attaching to that authorisation or the attachment of any new terms or conditions; or
- (vi) any such authorisation as has been granted ceasing to remain in full force and effect or, if granted for a limited period, not being renewed on a timely basis on application therefore being duly made, or being renewed on conditions which are materially less favourable than those attached to the original authorisation.

“Change in Relevant Taxes” means:

- (i) the imposition of a new Relevant Tax;
- (ii) an increase in the rate of a Relevant Tax; or
- (iii) a change in the basis of calculation of a Relevant Tax;

“Distribution Entities” has the same meaning as given to that term in the *Electricity Act 1994 (Qld)*;

“Endorsed Variation Event” means the occurrence of any of the following events:

- (a) a Change in Law or a Change in Relevant Taxes occurs, that either alone or in combination with all other Changes in Law or Changes in Relevant Taxes that have occurred since the Commencing Date, would cause a change in the costs reflected in, for Reference Tariffs specified in Part B, the AT₃, AT₄, and/or AT₅ components of the relevant Reference Tariff and, for Reference Tariffs specified in Part C, the AT₁ component of the relevant Reference Tariff, of greater than two and a half percentage points (2.5%) excluding the impact of any Change in Law or Change in Relevant Taxes that have previously resulted in a variation of the Reference Tariff;
- (b) a change in the regulatory pricing of Queensland Electricity Transmission Corporation Limited that, either alone or in combination with all other changes in the regulatory pricing of the Queensland Electricity Transmission Corporation Limited that have occurred since the Commencing Date and that have not previously resulted in a variation of the Reference Tariff, would cause a change in the costs reflected in the AT₅ component of the relevant Reference Tariff of greater than two and a half percentage points (2.5%);
- (c) a change in the pricing of one or more Distribution Entities and/or Retail Entities that either alone or in combination with all other changes in the pricing of relevant Distribution Entities and/or Retail Entities that have occurred since the Commencing Date and that have not previously resulted in a variation of the Reference Tariff, would cause a change in the costs reflected in AT₅ and/or the EC component of the relevant Reference Tariff of greater than two and a half percentage points (2.5%);
- (d) for Reference Tariffs specified in Part B, a new Reference Tariff being approved for a new Reference Train Service which will operate on an existing Individual Coal System Infrastructure and an adjustment to the Reference Tariff/s for existing Reference Train Services operating on that same Individual Coal System Infrastructure is necessary to reflect the contribution to Common Costs made by the new Reference Train Service; or
- (e) the QCA Levy is reviewed (taking into account any over or under recovery of fees via the QCA Levy in the previous year) following the QCA’s announcement of its fees for the provision of regulatory services for the rail industry.

“Energy Charge” or “EC” means that component specified in each applicable Reference Tariff in Part B for the supply of electric energy;

“Escalation Date” means the date being 1 January, 1 April, 1 July and 1 October in each year;

“First Escalation Date” means that date identified as the first escalation date for each nominated Reference Train Service in Part B or Part C;

“GST” means a tax in the nature of a supply or goods or services tax levied or imposed by the Commonwealth of Australia;

“Increment” means the amount as calculated under Clause 3B.2 of Part B;

“Information Pack” means the document issued by QR meeting the requirements of Clause 1 of Part A of Schedule D and relevant to the system in which the Nominated Infrastructure is located;

“Law” or **“Laws”** means a statute, ordinance, rule or regulation;

“Loading Time” means the time between a Train Service arriving at a Nominated Loading Facility and that same Train departing the Nominated Loading Facility, and for the purpose of clarity, this time runs from when a Train Service arrives at the entry signal to the Nominated Loading Facility until it has completed loading, presented at the exit signal, is ready to depart the Nominated Loading Facility and has advised the relevant Train Controller accordingly;

“Load Variation Table” means a table published by QR in respect to a nominated Reference Train Service or Train Service type identifying allowable overloads for wagons and bogies and specifying relevant Operational Constraints and additional charges, where applicable, for such overloads;

“Nominated Infrastructure” means that Rail Infrastructure over which the relevant Reference Train Service travels between the Nominated Loading Facility/ies and Nominated Unloading Facility/ies;

“Nominated Loading Facility” means a loading facility specified for a nominated Reference Train Service in Part B or Part C, and **“Nominated Loading Facilities”** has a corresponding meaning;

“Nominated Unloading Facility” means an unloading facility specified for a nominated Reference Train Service in Part B or Part C, and **“Nominated Unloading Facilities”** has a corresponding meaning;

“QR Cause” means where QR is unable to make Rail Infrastructure available for the operation of Train Services in accordance with an Access Holder’s Train Service Entitlement as a result of:

- (i) Planned Possessions, Urgent Possessions or Emergency Possessions;
- (ii) a Force Majeure Event; or
- (iii) any other action by QR, acting as Railway Manager, which may directly result in the Rail Infrastructure not being so available;

provided that the above reasons are not in any way attributable to the Access Holder;

“Relevant Tax” means a tax, charge, levy, duty, impost, rate, royalty, or imposition which is imposed on QR by, or payable by QR to, any Authority but does not include any income tax, fringe benefits tax, capital gains tax or any tax that replaces any of those taxes;

“Retail Entities” has the same meaning as given to that term in the *Electricity Act 1994 (Qld)*;

“Review Event” means a material change in circumstances which QR and the QCA agree, may give rise to a need to vary a Reference Tariff, but only where QR has given written notice to the QCA of QR’s intention to propose a variation to that Reference Tariff under Clause 3.3 of Part A;

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“Storage” means the storage of individual items of Rollingstock, long-term storage of Trains, or short-term storage of Trains where the Access Holder does not operate Train Services in accordance with its Train Service Entitlement;

“Stowage” means the short-term storage of Trains on the Rail Infrastructure, at locations specified by QR exercising its reasonable discretion, for the purpose of:

- (i) enabling an Access Holder to carry out scheduled Above Rail Services normally carried out during a scheduled operational cycle (such as crew changes, meal breaks, and provisioning) in accordance with the relevant Train Service Entitlement; and/or
- (ii) providing an Access Holder with a place to temporarily store its Train/s:
 - between scheduled Train Services in accordance with the relevant Train Service Entitlement; or
 - when the Access Holder cannot operate its Train Service in accordance with its Train Service Entitlement as the result of a breakdown situation or temporary outage of the Access Holder, the loading facility or the unloading facility, and/or unavailability of the Nominated Infrastructure; but does not include Storage;

“System Allowable Revenue” means:

- (i) for AT₂₋₄ in relation to an Individual Coal System Infrastructure, the total revenue from AT₂₋₄ arising from all Access Agreements in relation to that Individual Coal System Infrastructure that QR is entitled to earn over the relevant Year, as specified in Clauses 5.4, 6.4, 7.5 and 8.5 of Part B (as amended from time to time); and
- (ii) for the AT₅ component of Access Charges for either the Blackwater System or the Goonyella System, the total revenue from the AT₅ component of Access Charges arising from all Access Agreements in relation to that Individual Coal System Infrastructure that QR is entitled to earn over the relevant Year, as specified in Clauses 5.4 and 6.4 of Part B (as amended from time to time); less

(iii) for:

- paragraph (i) of the definition any revenue from AT₂₋₄; or
- paragraph (ii) of this definition any revenue from the AT₅ component of Access Charges.

that the QCA reasonably determines that QR would have otherwise been entitled to under all Access Agreements in relation to that Individual Coal System Infrastructure during the relevant Year, but which is was not entitled to earn due to its own breach of an Access Agreement or the Undertaking, or its own negligence.

“System Forecast” means the gtk for the relevant Individual Coal System Infrastructure that is specified for the relevant Reference Train Service in Part B;

“System Gtk” means the sum of the gtk for all coal carrying Train Services to the extent those Train Services travel on the relevant Individual Coal System Infrastructure over the relevant period;

“Take or Pay” means that part of the Access Charge payable pursuant to Subclause 2.2 of Part B or Clause 5 of Part C;

“Total Actual Revenue” means:

- (i) for AT_{2.4} in relation to an Individual Coal System Infrastructure, the total revenue from AT_{2.4} (including the amount of any Take or Pay amounts, Relinquishment Fees and transfer fees under Subclause 7.4.4 of the Undertaking which QR is entitled to be paid but, for the avoidance of doubt, less the amount of any reductions of those amounts in accordance with the Undertaking) arising from all Access Agreements in relation to that Individual Coal System Infrastructure that QR has actually earned over the relevant Year; and
- (ii) for the AT₅ component of Access Charges for each of the Blackwater System or the Goonyella System, the total revenue from the AT₅ component of Access Charges arising from all Access Agreements in relation to that Individual Coal System Infrastructure that QR has actually earned over the relevant Year; and

In calculating the Take or Pay and Relinquishment Fee amounts which QR is entitled to be paid for the purposes of determining the AT_{2.4} portion of Total Actual Revenue, QR will be deemed to have contracted on the terms of the relevant Standard Access Agreement that applied on the date of execution or renewal of an Access Agreement. In addition total revenue for both AT_{2.4} and AT₅ will include all revenue of the relevant components arising from Access Agreements that QR earned but did not collect during the relevant Year.

“Unloading Time” means the time between a Train Service arriving at a Nominated Unloading Facility and that same Train departing the Nominated Unloading Facility, and for the purpose of clarity, this time runs from when a Train Service arrives at the entry signal to the Nominated Unloading Facility until it has completed unloading, presented at the exit signal, is ready to depart the Nominated Unloading Facility and has advised the relevant Train Controller accordingly.

Part B. - Provisions Specific to Reference Train Services in the Central Queensland Coal Region

1. Reference Train Service Characteristics

- 1.1 Further to Subclause 2.3.1 of Schedule F, Part A, the Reference Train Service has, measured as an average over a Year, a maximum Stowage period for each Train Service no greater than that specified in Clauses 5 to 8 of this Part B for that Reference Train Service.
- 1.2 An Access Seeker for a Reference Train Service will have its Train Service Entitlement:
- based on its Trains being available for operation 24 hours per day and 360 days per year; and
 - specified in terms of a Cyclic Traffic operated evenly throughout each yearly, monthly and weekly period, and will comply with the applicable coal corridor scheduling procedures.

2. Access Charge

2.1 Reference Tariff

- 2.1.1 The applicable Reference Tariff for a nominated Reference Train Service shall be assessed as:

$$\left(AT_1 \times \frac{gk}{1000} \right) + (AT_2 \times rtp) + \left(AT_3 \times \frac{ntk}{1000} \right) + (AT_4 \times nt) + \left(AT_5 \times \frac{egk}{1000} \right) + \left(EC \times \frac{egk}{1000} \right) + (QCALevy \times nt)$$

where:

- AT_1 is the incremental maintenance tariff specified as AT_1 for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT_2 is the incremental capacity tariff specified as AT_2 for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT_3 is the allocative part of the Reference Tariff that is levied on a net tonne kilometre basis specified as AT_3 for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT_4 is the allocative part of the Reference Tariff that is levied on a net tonne basis specified as AT_4 for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT_5 is the electric access tariff that is levied on an egk basis specified as AT_5 for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- gk is the gross tonne kilometres attributed to the relevant Train Service, being the total gross weight (in tonnes) of the Rollingstock utilised in the relevant Train Service (including all goods, product, persons or matter carried) multiplied by the distance (in kilometres) travelled by the Train Service;
- rtp is the number of reference Train Paths used by the relevant Train Service where a Reference Train Service uses one reference Train Path;
- nt is the net tonnes attributed to the relevant Train Service, being the total gross weight (in tonnes) of the Rollingstock when loaded utilised in the

- relevant Train Service (including all goods, product, persons or matter carried) less the weight of such Rollingstock (in tonnes) when empty;
- ntk is the net tonne kilometres attributed to the relevant Train Service, being the nt for the Train Service multiplied by the distance (in kilometres) travelled by the Train Service;
- egtk is the electric gross tonne kilometres attributed to the relevant Train Service, being the gtk for the Train Service if that Train Service uses electric traction, and zero if the Train Service does not use electric traction;
- EC is the electric energy charge specified as EC for the nominated Reference Train Service in Clauses 5 to 8 of this Part B; and
- QCA Levy is the fee allocated to the nominated Reference Train Service to cover the fees imposed by the QCA upon beneficiaries of its regulatory services specified in Clauses 5 to 8 of this Part B.

Where the above terms are used elsewhere in this Part B they shall have the same meaning.

- 2.1.2 The amounts of AT₁, AT₂, AT₃, AT₄, AT₅, EC and the QCA Levy specified in Clauses 5 to 8 of this Part B are GST exclusive. An amount for GST will be added to the total calculated Access Charge, in accordance with the provisions of the applicable Access Agreement, when an Access Holder is invoiced.
- 2.1.3 For the purposes of this Part B, a Train Service is a one way Train Service, that is, the journey from the Nominated Loading Facility to the Nominated Unloading Facility is one Train Service, and the return journey from the Nominated Unloading Facility to the Nominated Loading Facility is a second Train Service.
- 2.1.4 For the purposes of this Clause 2.1 the measures gtk, rtp, ntk, nt and egtk shall be assessed for the relevant Train Service over the Billing Period for which the Reference Tariff is being calculated.

2.2 Take or Pay

- 2.2.1 QR will be entitled to earn Take or Pay revenue in accordance with the provisions of this Subclause 2.2.
- 2.2.2 Subject to any amendment pursuant to Clause 3, for Train Services for which Access Agreements are executed or renewed on or after the Commencing Date (other than New Access Agreements entered as part of transferring Access Rights from Access Agreements in place on the day immediately prior to the Commencing Date pursuant to clause 7.4.4(f) of the Undertaking), the Take or Pay arrangements will be as specified in Subclause 2.2.3. Subject to any amendment pursuant to Clause 3, for Train Services included in Access Agreements in place on the day immediately prior to the Commencing Date (and not subsequently renewed after the Commencing Date) or New Access Agreements entered as part of transferring Access Rights from such Access Agreements pursuant to clause 7.4.4(f) of the Undertaking, the Take or Pay arrangements will be as specified in Subclause 2.2.5.
- 2.2.3 Subject to any amendment pursuant to Clause 3, Take or Pay revenue from a particular Reference Train Service will be determined for each Year, and invoiced following completion of that Year, as, subject to Subclause 2.2.4, the

Deleted: (either new or varied Access Agreements)

amount which is one hundred percentage points (100%) of the amount calculated by multiplying:

- (a) AT_2 , AT_3 and AT_4 (at the rate applicable in the final Quarter of the Year); by
- (b) the rtp , nt and ntk (as applicable) calculated by:
 - (i) the rtp , nt and ntk (as applicable) that would have been achieved for the subject Year had the full contracted entitlement been railed for the relevant Train Service; less
 - (ii) the rtp , nt and ntk (as applicable) not railed for the subject Year due to the non operation of Train Services for a QR Cause; less
 - (iii) the rtp , nt and ntk (as applicable) railed for the subject Year,

provided always that the amount of Take or Pay for the Year shall not be less than zero.

2.2.4 Notwithstanding Subclause 2.2.3, Take or Pay shall not be payable for a Year where the System Gtk exceeds 100% of the System Forecast identified for the nominated Reference Train Service, less the gtk not achieved due to the non operation of Train Services for a QR Cause.

2.2.5 Take or Pay revenue from a particular Reference Train Service will be determined in accordance with Clause 3.2 of the 2001 Undertaking, until such time that the amendments to Schedule F developed in accordance with Clause 3 take effect in accordance with Clause 3.8.

2.2.6 Notwithstanding Subclause 2.2.3, where the Total Actual Revenue for AT_{2-4} for an Individual Coal System Infrastructure less the aggregate amount of Take or Pay that QR would be entitled to earn from all Access Agreements in relation to that Individual Coal System Infrastructure executed or renewed on or after the Commencing Date (other than New Access Agreements entered as part of transferring Access Rights from Access Agreements in place on the day immediately prior to the Commencing Date pursuant to clause 7.4.4(f) of the Undertaking) ("Total Revenue") is:

Deleted: arising

- (a) greater than or equal to the System Allowable Revenue for AT_{2-4} in relation to that Individual Coal System Infrastructure, Take or Pay shall not be payable for that Year under Access Agreements in relation to that Individual Coal System Infrastructure executed or renewed on or after the Commencing Date (other than New Access Agreements entered as part of transferring Access Rights from Access Agreements in place on the day immediately prior to the Commencing Date pursuant to clause 7.4.4(f) of the Undertaking) ("UT2 Agreements");

- (b) less than the System Allowable Revenue for AT_{2-4} in relation to that Individual Coal System Infrastructure:

- (i) QR will calculate the aggregate amount of Take or Pay that QR would be entitled to earn from all UT2 Agreements ("Total Actual Take or Pay"); and
- (ii) if the Total Actual Take or Pay exceeds the amount by which the System Allowable Revenue for AT_{2-4} exceeds the Total

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Revenue for that Individual Coal System Infrastructure (“Maximum Take or Pay Amount”), then:

- (A) QR will calculate for each relevant Access Holder, the proportion that the Access Holder’s Take or Pay amount bears to the Total Actual Take or Pay (“Proportion”); and
- (B) each relevant Access Holder’s Take or Pay amount will be reduced to equal that Access Holder’s Proportion of the Maximum Take or Pay Amount.

For the avoidance of doubt, what QR was entitled to earn for the purposes of this clause 2.2.6 is to be calculated on the basis that QR has contracted on the terms of the relevant Standard Access Agreement that applied on the date of execution or renewal of an Access Agreement (or in the case of New Access Agreements entered as part of transferring Access Rights from Access Agreements in place on the day immediately prior to the Commencing Date pursuant to clause 7.4.4(f) of the Undertaking which have not been renewed subsequent to the Commencing Date, the date of execution of the original Access Agreement from which the Access Rights are being transferred).

2.2.7 In order to calculate nt, ntk and gtk for the purposes of Subparagraphs 2.2.3(b)(i) and (ii), QR will:

- (a) identify from the Access Agreement the number of train paths that would have been utilised had the full contracted entitlement been attained; and
- (b) determine the number of train paths that were not utilised due to a QR Cause,

and convert this to nt, ntk and gtk by using a nominal payload per loaded Train Service as reasonably determined by QR.

2.2.8 QR shall provide to the Access Holder information on how it has determined the amount of the Take or Pay at the same time as it is invoiced.

3. Review of Access Charges

3.1 The Reference Tariffs specified in this Part B are applicable:

- (a) from 1 July 2005 to 30 June 2006; and
- (b) from 1 July 2006, until the date an approved Proposed Schedule F Amendment takes effect pursuant to Paragraph 3.8(a).

3.2 Following the Commencing Date, QR will consult with the Queensland Resources Council and the QCA regarding when and how the Reference Tariffs will vary between 1 July 2006 to the Terminating Date to address volume risk. This consultation will include consideration of:

- (a) broad options for the regulatory framework, including a price cap model, a revenue cap model or a hybrid of these models; and
- (b) within the broad options, the detailed processes in accordance with which they would operate.

- 3.3 QR will submit a proposed amendment to Schedule F (referred to as a *“Proposed Schedule F Amendment”*) between 1 December 2006 and 28 February 2007 which incorporates amendments to the Undertaking to specify:
- (a) the form of regulation to apply from 1 July 2006, including when and how Reference Tariffs will vary to address volume risk;
 - (b) the Take or Pay arrangements to apply from 1 July 2006;
 - (c) the amount of the Relinquishment Fee to apply from 1 July 2006 for Access Agreements in existence at the day immediately prior to the Commencing Date;
 - (d) the definition of Review Event to apply from 1 July 2006; and
 - (e) any consequential amendments to the Undertaking that are necessary on the basis of the form of regulation to apply (such as coal volume trigger monitoring in the event of using a price cap model).
- 3.4 The QCA may develop a Proposed Schedule F Amendment that is consistent with this Undertaking and the principles contained in Schedule F if:
- (a) QR does not comply with Clause 3.3 or a notice given by the QCA under Paragraph 3.9(b) for it to resubmit a Proposed Schedule F Amendment; or
 - (b) the QCA refuses to approve a Proposed Schedule F Amendment resubmitted by QR.
- 3.5 Where QR submits, or the QCA develops, a Proposed Schedule F Amendment, the QCA will:
- (a) publish the Proposed Schedule F Amendment;
 - (b) invite persons to make submissions on the Proposed Schedule F Amendment to the QCA within a reasonable period of time specified by the QCA; and
 - (c) consider any submission it receives within the time.
- 3.6 The QCA may approve a Proposed Schedule F Amendment (including a Proposed Schedule F Amendment developed by the QCA) only if the QCA:
- (a) is satisfied that the Proposed Schedule F Amendment is consistent with this Undertaking and principles contained in Schedule F;
 - (b) considers it appropriate to do so having regard to the matters listed in s138(2) of the Act; and
 - (c) the QCA has complied with Clause 3.5.

- 3.7 The QCA will consider a Proposed Schedule F Amendment given to it by QR and either approve or refuse to approve it within sixty (60) days after the QCA receives a Proposed Schedule F Amendment under this Clause 3 or such further period as the QCA and QR may agree or as the QCA may reasonably determine and notify to QR.
- 3.8 If the QCA approves a Proposed Schedule F Amendment submitted under Clause 3.3, or resubmitted under Paragraph 3.9(b):
- (a) the amendment to Schedule F will apply from the date of the QCA decision, or any other date following the date of the QCA decision that the QCA determines;
 - (b) the varied Reference Tariffs incorporated in the Proposed Schedule F Amendment will be backdated as if they had applied from 1 July 2006. This will require payment of the difference in Access Charges paid by each relevant Access Holder since 1 July 2006 because of the continued applicability of the current Part B Reference Tariffs (in accordance with Paragraph 3.1(b)) and the Access Charges that would have been paid by those Access Holders since 1 July 2006 if the varied Reference Tariffs incorporated in the Proposed Schedule F Amendment had applied, from:
 - (i) in the event of the difference being positive (over-recovery), QR to each relevant Access Holder;
 - (ii) in the event of the difference being negative (under-recovery), each relevant Access Holder to QR.

This payment is due within thirty (30) days of the amendment to Schedule F applying in accordance with Paragraph 3.8(a). In the event of an Access Holder not paying any money owed to QR pursuant to Paragraph 3.8(b), QR may recover this additional money by incorporating it as a component of that Access Holder's future Access Charges;
 - (c) the QCA will give QR a notice in writing stating the reasons for its decision; and
 - (d) QR must:
 - (i) publish a new version of Schedule F; and
 - (ii) advise Access Holders and Access Seekers, in respect of the specified Train Services to which the amended Schedule F applies, that an amended Schedule F has been approved.
- 3.9 If the QCA refuses to approve a Proposed Schedule F Amendment the QCA will give QR a notice in writing:
- (a) stating the reasons for its refusal and the way in which the QCA considers that the Proposed Schedule F Amendment should be amended; and

- (b) requiring QR to amend the Proposed Schedule F Amendment in the way the QCA considers it appropriate and resubmit the amended Proposed Schedule F Amendment to the QCA within thirty (30) days of the notice.
- 3.10 If QR complies with the notice given under Paragraph 3.9(b) above, the QCA may approve the resubmitted Proposed Schedule F Amendment in accordance with Clause 3.11.
- 3.11 The QCA may approve the resubmitted Proposed Schedule F Amendment only if the QCA:
 - (a) is satisfied that the resubmitted Proposed Schedule F Amendment is in accordance with the notice under Clause 3.9;
 - (b) is satisfied that the resubmitted Proposed Schedule F Amendment is consistent with this Undertaking and principles contained in Schedule F; and
 - (c) considers it appropriate to do so having regard to the matters listed in s138(2) of the Act.
- 3.12 The QCA may grant QR an extension of the time for submitting, or resubmitting, a Proposed Schedule F Amendment, if:
 - (a) QR provides a written request to the QCA for an extension of time which outlines the reasons why QR requires the extension of time; and
 - (b) the QCA, acting reasonably, considers that an extension of time is appropriate.
- 3.13 If the QCA grants QR an extension of time under Clause 3.12 above, QR must submit, or resubmit, a Proposed Schedule F Amendment, (whichever is applicable) within the time specified by the QCA.
- 3.14 The QCA may not make a decision under this Clause 3 approving or refusing to approve a Proposed Schedule F Amendment, unless:
 - (a) the QCA observed the rules of natural justice;
 - (b) the QCA observed any procedures that were required by law or this Undertaking;
 - (c) the QCA had jurisdiction to make the decision under this Undertaking;
 - (d) the QCA was authorised to make the decision under this Undertaking;
 - (e) the QCA's decision would not be an improper exercise of the power conferred by this Undertaking. An improper exercise of power includes a reference to:

- (i) taking an irrelevant consideration into account in the exercise of a power;
 - (ii) failing to take a relevant consideration into account in the exercise of a power;
 - (iii) an exercise of a power for a purpose other than a purpose for which the power is conferred;
 - (iv) an exercise of a discretionary power in bad faith;
 - (v) an exercise of a personal discretionary power at the discretion or behest of another person;
 - (vi) an exercise of a discretionary power in accordance with a rule or policy without regard to the merits of a particular case;
 - (vii) an exercise of a power that is so unreasonable that no reasonable person could so exercise the power;
 - (viii) an exercise of a power in such a way that the result of the exercise of the power is uncertain; and
 - (ix) any other exercise of a power in a way that is an abuse of the power;
- (f) the QCA's decision did not involve an error of law (whether or not the error appears on the record of the decision);
- (g) the QCA's decision was not induced or affected by fraud;
- (h) to the extent that any matters were required to be established before the decision could be made, there was some material or evidence from which the QCA could reasonably be satisfied the matter was established to justify the making of the decision or, to the extent that the existence of a particular fact forms the basis on which the decision is made, the fact did or does exist; and
- (i) the decision was not otherwise contrary to law or this Undertaking.

For the avoidance of doubt, the terms of this Clause 3.14 are intended to have the same meaning as used in the *Judicial Review Act 1991* (Qld).

- 3.15 The requirements set out in Clause 3.14 also apply to the QCA's conduct in making a decision under this Clause 3.
- 3.16 If the QCA's decision or conduct is challenged on the basis of a breach of a requirement in this Clause 3, QR and the QCA agree that QR may seek an order suspending the operation of the decision and a stay of any proceedings under the decision.
- 3.17 This Clause 3 does not affect the right of any party to seek any other form of remedy or relief including relief by way of the equitable remedies of injunction or declaration or to seek review under the *Judicial Review Act 1991* (Qld).

- 3.18 Nothing in this Clause 3 affects the rights of QR under section 142 and related provisions of the Act.

3B. Revenue Cap Adjustment

3B.1 Calculation of Revenue Adjustment Amounts

After the end of each Year, QR will calculate the following amounts (each a “Revenue Adjustment Amount”) for each relevant Individual Coal System Infrastructure:

- (a) an “AT₂₋₄ Revenue Adjustment Amount”, by subtracting the System Allowable Revenue for AT₂₋₄ from the Total Actual Revenue for AT₂₋₄ for the relevant Individual Coal System Infrastructure for that Year; and
- (b) an “AT₅ Revenue Adjustment Amount”, by subtracting the System Allowable Revenue for AT₅ from the Total Actual Revenue for AT₅ for the relevant Individual Coal System Infrastructure for that Year.

For the avoidance of doubt, a Revenue Adjustment Amount calculated under this Clause 3B.1 may be a negative or a positive number.

3B.2 Calculation of Increment

3B.2.1 The Increment is calculated as follows for each relevant Individual Coal System Infrastructure:

- (a) where the Total Actual Revenue for AT₂₋₄ is less than or equal to the System Allowable Revenue for AT₂₋₄ for the relevant Individual Coal System Infrastructure, the Increment equals zero (0);
- (b) subject to Paragraph 3B.2.1(c), where:
 - (i) the Total Actual Revenue for AT₂₋₄ is greater than the System Allowable Revenue for AT₂₋₄ for the relevant Individual Coal System Infrastructure;
 - (ii) QR is required by Subclause 3B.3.3 of Part B to submit a variation of relevant Reference Tariffs to the QCA; and
 - (iii) the QCA, when considering that variation, is reasonably satisfied that the difference between the Total Actual Revenue for AT₂₋₄ and the System Allowable Revenue for AT₂₋₄ for the relevant Individual Coal System Infrastructure (“Difference”) has, in whole or part, arisen as a direct result of activities or initiatives of QR (or its contractors) which have increased the efficiency of the Below Rail network,

the Increment equals that proportion of the Difference, as determined by the QCA taking into account the extent to which the Difference has in whole or part arisen as a direct result of the activities or initiatives of QR (or its contractors).

- (c) In no circumstance will the Increment exceed an amount equal to two percentage points (2%) of the System Allowable Revenue for AT₂₋₄.

3B.3 Revenue Adjustment

3B.3.1 Where a Revenue Adjustment Amount has been calculated under Clause 3B.1 of Part B the equivalent System Allowable Revenue to that used in the calculation of that Revenue Adjustment Amount for the relevant Individual Coal System Infrastructure for the Year after the Year in which that Revenue Adjustment Amount was calculated (“2nd Year System Allowable Revenue”) will be adjusted in accordance with this Clause 3B.3.

3B.3.2 A 2nd Year System Allowable Revenue shall be adjusted as follows:

- (a) for an AT₂₋₄ Revenue Adjustment Amount, by subtracting from the relevant 2nd Year System Allowable Revenue:
- (i) that AT₂₋₄ Revenue Adjustment Amount less the amount of the relevant Increment; and
 - (ii) a return on capital amount, calculated by reference to the Discount Rate as applied to the amount in Subparagraph 3B.3.2(a)(i) over the period starting on the first day of the Year in which the Revenue Adjustment Amount is calculated and ending on the last day of the Year following that Year;
- (b) for an AT₅ Revenue Adjustment Amount, by subtracting from the relevant 2nd Year System Allowable Revenue:
- (i) that AT₅ Revenue Adjustment Amount; and
 - (ii) a return on capital amount, calculated by reference to the Discount Rate as applied to the amount in Subparagraph 3B.3.2(b)(i) over the period starting on the first day of the Year in which the Revenue Adjustment Amount is calculated and ending on the last day of the Year following that Year.

3B.3.3 Where a 2nd Year System Allowable Revenue is adjusted under this Clause 3B.3, QR shall submit a variation of the relevant Reference Tariffs to the QCA with the object of recovering from or returning to Access Holders, as the case may be, the amount of the adjustment during the relevant Year using the modeling parameters and assumptions used to determine Reference Tariffs for the relevant Year.

4. Reference Tariffs for New Coal Carrying Train Services

4.1 Minimum contribution to Common Costs

4.1.1 Each coal carrying Train Service in the Central Queensland Coal Region will be expected to make a minimum contribution towards QR’s Common Costs determined as follows:

- (a) if the Train Service utilises Rail Infrastructure in the Goonyella, Blackwater or Moura coal systems, the minimum contribution towards

QR's Common Costs for non-electrification related costs will be calculated as follows:

- (i) subject to Subparagraphs (ii) and (iii), the minimum Common Cost contribution will be the greater of the following:

- (A) for a Train Service in the Goonyella coal system:

Common Cost contribution (cents/'000 gtk) =	$240 - 0.3M - S$
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- (B) for a Train Service in the Blackwater coal system:

Common Cost contribution (cents/'000 gtk) =	$350 - 0.3M - S$
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- (C) for a Train Service in the Moura coal system:

Common Cost contribution (cents/'000 gtk) =	$800 - 0.6M - 6S$
---	-------------------

- (D) for a Train Service in the Goonyella, Blackwater or Moura coal system, \$1.00/'000 gtk,

where, for Subparagraphs 4.1.1(a)(i)(A), (B) and (C):

M is the relevant mine's mainline length in kilometres;

S is the relevant mine's spur length in kilometres;

- (ii) the minimum Common Cost contribution calculated in accordance with Subparagraph (i) is based on the assumption that the new Train Service will use a similar number of Train Paths per gross tonne as the Predominant Train Service on the Individual Coal System Infrastructure. If the new Train Service uses significantly more Train Paths than the Predominant Train Service, then QR may apply to the QCA for a variation in the new Train Service's Common Cost contribution. The QCA will approve such a variation if it considers that the Common Cost contribution for the new Train Service, if calculated in accordance with Subparagraph (i), would be manifestly inadequate; and
- (iii) the minimum Common Cost contribution will be escalated from 1 July 2005 in accordance Clause 3.2 of Part A;
- (b) if the Train Service utilises Rail Infrastructure in the Newlands coal system, the new Train Service will make a contribution towards QR's Common Costs, provided that where two mines load from mine specific spur lines attached to the same corridor, all other things being equal in respect of the two Train Services, a lower Access Charge (when expressed in \$/net tonne terms) would apply for Train Services carrying coal from a mine with a shorter haul distance than for Train Services carrying coal from a mine with a longer haul distance;
- (c) the minimum Common Cost contributions for the use of electrical infrastructure will be determined in each case, taking into account all of the relevant circumstances, consistent with the principles underlying the Common Cost contributions in respect of Rail Infrastructure that is not electrical infrastructure;
- (d) to the extent that this Subclause 4.1.1 does not specify the Common Cost contribution to be made by a new Train Service, the amount of the Common Cost contribution will be established in accordance with the

principles set out in this Subclause 4.1.1 as part of the development of a new Reference Tariff for new Reference Train Services in accordance with Subclause 6.4.2 of the Undertaking.

- 4.1.2 The Reference Tariff for a new coal carrying Train Service will be the higher of (on a \$/net tonne basis):
- (a) the Reference Tariff for the most relevant existing Reference Train Service; or
 - (b) the sum of the new coal carrying Train Service's Incremental Costs and required minimum Common Cost contribution determined in accordance with Subclause 4.1.1.
- 4.1.3 Where the Reference Tariff for a new coal carrying Train Service is established under:
- (a) Paragraph 4.1.2(a), the loading facility for the new Train Service will be added into the relevant existing Reference Train Service; or
 - (b) Paragraph 4.1.2(b), a new Reference Train Service will be established which will incorporate the new Train Service.
- 4.1.4 Where QR enters into an Access Agreement with an Access Seeker in relation to Train Services carrying coal from a new mine prior to the authorisation of the applicable Reference Tariff, the Access Charge for that Train Service will be reviewed following authorisation of the Reference Tariff to ensure that it is consistent with the Reference Tariff.

5. Blackwater System

5.1 Application of this Clause

This Clause 5 should be read in conjunction with Part A and Clauses 1 to 4 of Part B of this Schedule F.

5.2 Term

The term of this Reference Tariff is from 1 July 2005 to the Terminating Date.

5.3 Reference Train Service Description

5.3.1 The Reference Train Service has the following characteristics:

- (a) a maximum length (including the locomotive/s) of 1709¹ metres;
- (b) a maximum axle load of 26 tonne for a wheel configuration consistent with M220² loading, or otherwise generates a loading equivalent to M220;
- (c) unless specified otherwise in Clause 5.5, 5.6, 5.7 or 5.8, utilisation of either electric or diesel traction; and
- (d) measured as an average over a Year, a Stowage period (excluding Stowage due to the unavailability of the Nominated Infrastructure) for each Train Service of no greater than 3.2 hours.

¹ This train length comprises the following: static train length (which is the straight addition of individual rollingstock lengths) plus an allowance of 2% of this static train length for train handling accuracy and for slack movement in drawgear (includes free slack in the drag box, compression of the draftgear, clearance/free slack due to coupler wear and pin clearance at the yoke).

² As specified in the ANZRC Railway Bridge Design Manual 1974

- 5.3.2 The conditions of Access for the Reference Train Service include a Below Rail Transit Time which shall be determined as the sum of the nominated section running times for the Nominated Infrastructure (as included in the relevant Information Pack) plus (+) a factor of twenty-seven percentage points (27%). If a Train Service varies from these section running times, but is otherwise subject to this Section, the Below Rail Transit Time will be determined as the sum of the nominated section running times for the Nominated Infrastructure (as included in the relevant Access Agreement) plus (+) a factor of twenty-seven percentage points (27%).
- 5.3.3 For the Central Blackwater Cluster, additional elements are specified in Clause 5.5. For the North Blackwater Cluster, additional elements are specified in Clause 5.6. For the Stanwell Cluster, additional elements are specified in Clause 5.7. For the South West Blackwater cluster, additional elements are specified in Clause 5.8.

5.4 System Forecast and System Allowable Revenues

Year	System Gtk ,000 gtk	System Allowable Revenue – AT ₂₋₄	System Allowable Revenue – AT ₅
2005/06	22,498,740		
2006/07	27,622,255	▼	▼
2007/08	28,621,513	▼	▼
2008/09	29,788,739	▼	▼

Deleted: 25,252,086

Deleted: 116,572,000

Deleted: 22,025,000

Deleted: 28,470,113

Deleted: 136,275,000

Deleted: 21,931,000

Deleted: 32,610,971

Deleted: 157,424,000

Deleted: 33,313,000

5.5 Central Blackwater Cluster

5.5.1 Reference Train Service Description

5.5.1.1 Loading Facilities

Nominated Loading Facilities

*Average Loading Time (hours) per
return trip assessed on a monthly basis*

- Boonal 4.6
- Koorilgah 5.0
- Curragh 3.3
- Boorgoon 3.8
- Kinrola 5.5
- Laleham/South Blackwater Mine³ 4.5

5.5.1.2 Unloading Facilities

Nominated Unloading Facilities

*Average Unloading Time (hours) per
return trip assessed on a monthly basis*

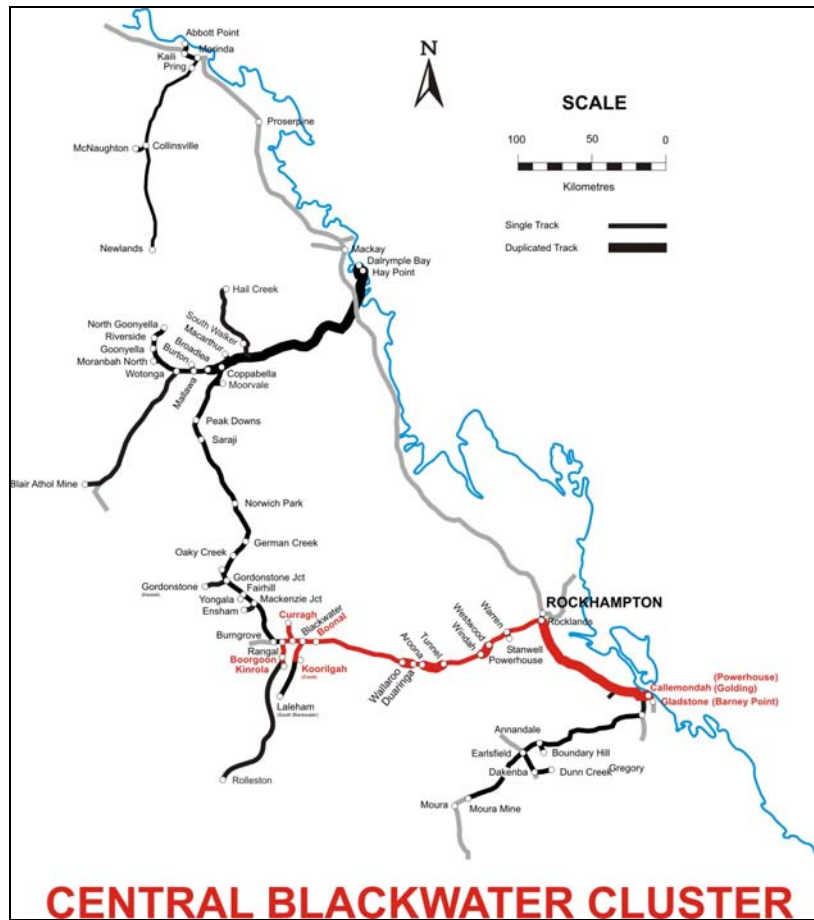
- Golding/RG Tanna Terminal 2.6
- Barney Point 5.0
- Gladstone Power Station 4.3
- Cement Australia 6.0
- Queensland Alumina Ltd (QAL)⁴ 13.7
- Comalco Refinery 3.1⁵

³ Although not a loading facility, the average Loading Time for the Laleham/South Blackwater Mine represents the average time the Train Service is off the Rail Infrastructure on the relevant Private Infrastructure.

⁴ The average Unloading Time for the QAL refinery represents the average time the the Train Service is off the Rail Infrastructure on the relevant Private Infrastructure.

⁵ This is an estimate of unloading time for this Unloading Facility based on the actual data to date. QR will review this unloading time following the Commencing Date. Until such review and approval of this or a varied unloading time by the QCA, QR will not vary the Access Charge for a Train Service operating to this Unloading Facility from the Reference Tariff due to the actual unloading time for this Train Service varying from the estimate.

5.5.1.3 Cluster Map



(Note, the cluster map is shown in colour)

5.5.1.4 Additional Loading Facilities

A new coal loading facility may only be considered for addition to the above listed loading facilities if the loading facility itself, or the new Rail Infrastructure that will connect the loading facility to the existing Rail Infrastructure, will connect to the existing Rail Infrastructure at a point on the corridor between Bluff and Burngrove or to any of the branch lines to any Nominated Loading Facility but not including the corridor towards Gregory beyond Burngrove.

5.5.2 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	0.618
AT ₂	1,389
AT ₃	2.727
AT ₄	0.833
AT ₅	1.576
EC	0.451
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005.

5.6 North Blackwater Cluster

5.6.1 Reference Train Service Description

5.6.1.1 Loading Facilities

Nominated Loading Facilities

Average Loading Time (hours) per return trip assessed on a monthly basis

• Ensham	3.2
• Kestrel	3.6
• Gregory	2.8
• Oaky Creek	3.6
• German Creek	3.0
• Yongala	4.2 ⁶

5.6.1.2 Unloading Facilities

Nominated Unloading Facilities

Average Unloading Time (hours) per return trip assessed on a monthly basis

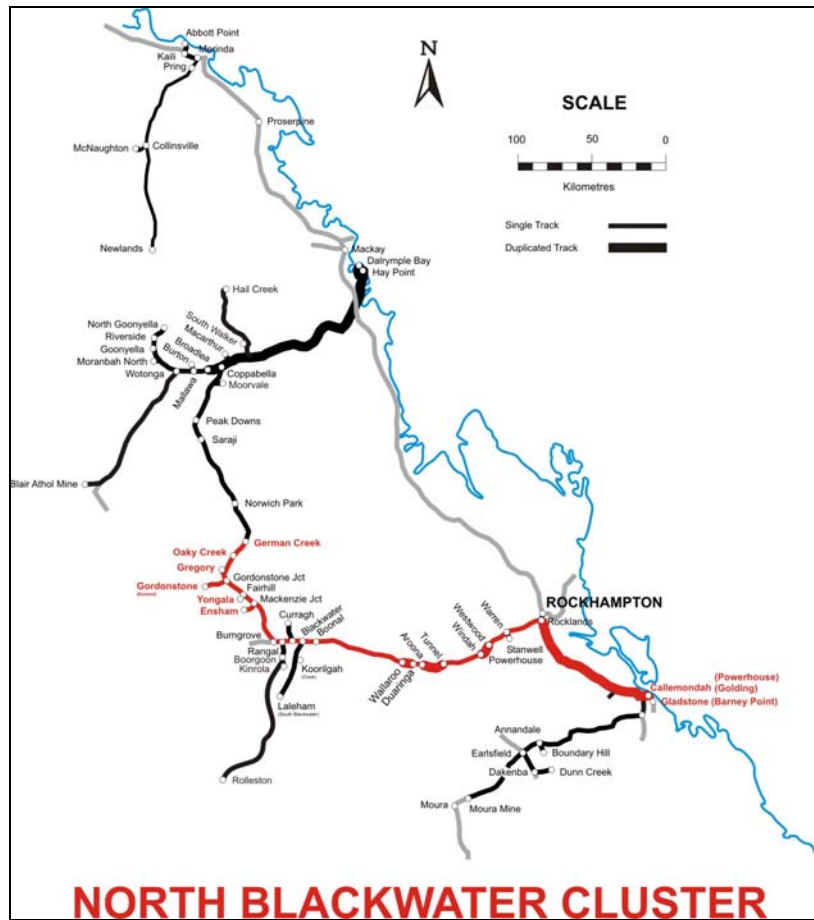
• Golding/RG Tanna Terminal	2.6
• Barney Point	5.0
• Gladstone Power Station	4.3
• Cement Australia	6.0
• Queensland Alumina Ltd (QAL) ⁷	13.7
• Comalco Refinery	3.1 ⁸

⁶ This is an estimate of loading time for this Loading Facility based on the actual data to date. QR will review this loading time following the Commencing Date. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a Train Service operating from this Loading Facility from the Reference Tariff due to the actual loading time for this Train Service varying from this estimate.

⁷ The average Unloading Time for the QAL refinery represents the average time the Train Service is off the Rail Infrastructure on the relevant Private Infrastructure.

⁸ This is an estimate of unloading time for this Unloading Facility based on the actual data to date. QR will review this unloading time following the Commencing Date. Until such review and approval of this or a varied unloading time by the QCA, QR will not vary the Access Charge for a Train Service operating to this Unloading Facility from the Reference Tariff due to the actual unloading time for this Train Service varying from the estimate.

5.6.1.3 Cluster Map



(Note, the cluster map is shown in colour)

5.6.1.4 Additional Loading Facilities

A new coal loading facility may only be considered for addition to the above listed loading facilities if the loading facility itself, or the new Rail Infrastructure that will connect the loading facility to the existing Rail Infrastructure, will connect to the existing Rail Infrastructure at a point on the corridor between Burngrove and German Creek or to any of the branch lines to any Nominated Loading Facility but not including the corridor towards Coppabella.

5.6.2 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	0.618
AT ₂	1,389
AT ₃	-
AT ₄	1.669
AT ₅	1.576
EC	0.451
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005.

5.7 Stanwell Cluster

5.7.1 Reference Train Service Description

5.7.1.1 Loading Facilities

Nominated Loading Facilities

Average Loading Time (hours) per return trip assessed on a monthly basis

• Boonal	4.6
• Boorgoon	3.8
• Curragh	3.3
• Ensham	3.2
• Gregory	2.8
• Kestrel	3.6
• Kinrola	5.5
• Koorilgah	5.0
• Laleham/South Blackwater Mine ⁹	4.5
• Yongala	4.2 ¹⁰

5.7.1.2 Unloading Facilities

Nominated Unloading Facilities

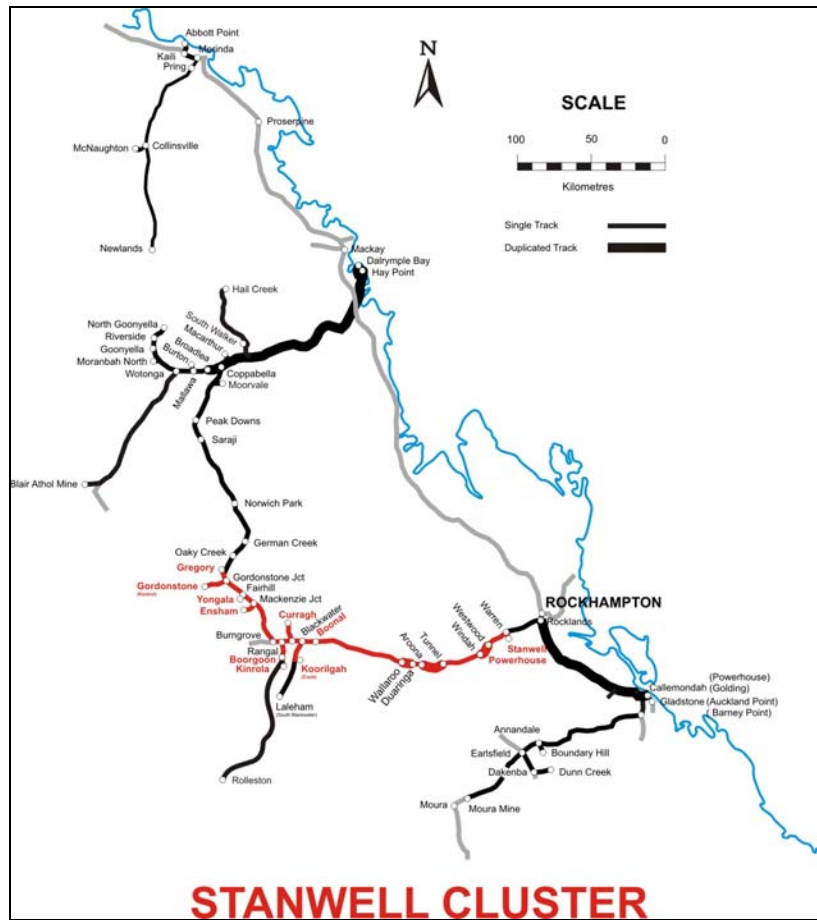
Average Unloading Time (hours) per return trip assessed on a monthly basis

• Stanwell Powerhouse	2.3
-----------------------	-----

⁹ Although not a loading facility, the average Loading Time for the Laleham/South Blackwater Mine represents the average time the Train Service is off the Rail Infrastructure on the relevant Private Infrastructure.

¹⁰ This is an estimate of loading time for this Loading Facility based on the actual data to date. QR will review this loading time following the Commencing Date. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a Train Service operating from this Loading Facility from the Reference Tariff due to the actual loading time for this Train Service varying from this estimate.

5.7.1.3 Cluster Map



(Note, the cluster map is shown in colour)

5.7.1.4 Additional Loading Facilities

A new coal loading facility may only be considered for addition to the above listed loading facilities if the loading facility itself, or the new Rail Infrastructure that will connect the loading facility to the existing Rail Infrastructure, will connect to the existing Rail Infrastructure at a point on the corridor between Bluff and Gregory mine, or to any branch lines to any Nominated Loading Facility but not including the corridor towards Oaky Creek.

5.7.2 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	0.618
AT ₂	1,389
AT ₃	2.240
AT ₄	0.413
AT ₅	1.576
EC	0.451
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005.

5.8 South West Blackwater

5.8.1 Reference Train Service Description

5.8.1.1 The Reference Train Service utilises diesel traction only.

5.8.1.2 Loading Facilities

Nominated Loading Facilities

	<i>Average Loading Time (hours) per return trip assessed on a monthly basis</i>
• Rolleston	2.2

5.8.1.3 Unloading Facilities

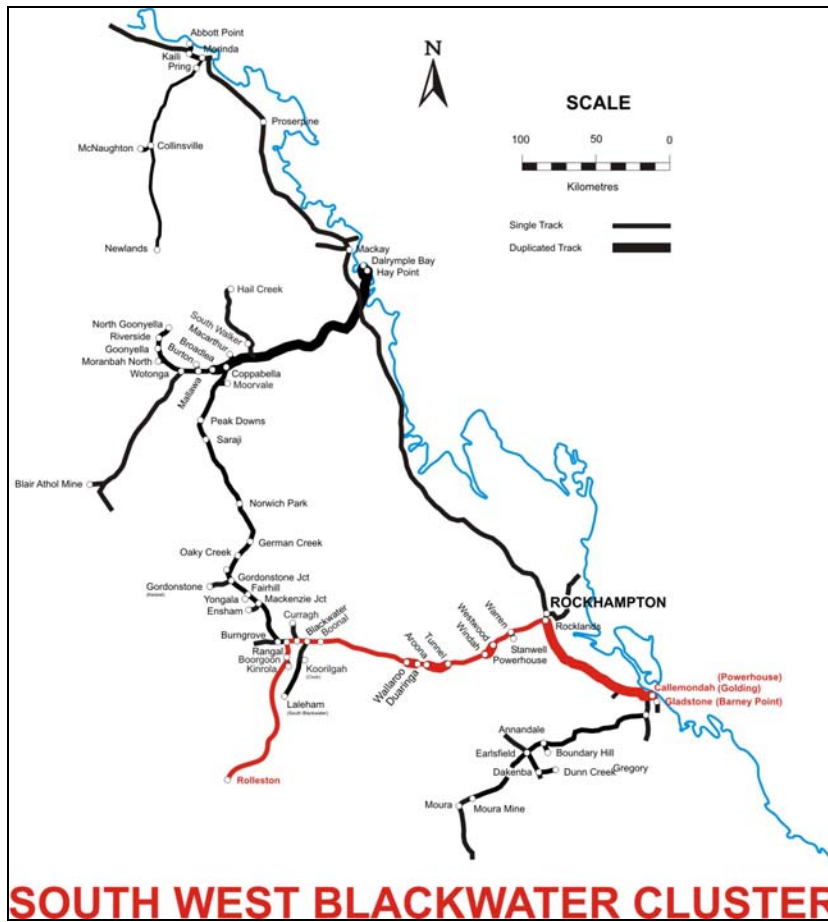
Nominated Unloading Facilities

	<i>Average Unloading Time (hours) per return trip assessed on a monthly basis</i>
• Golding/RG Tanna Terminal	2.6
• Barney Point	5.0
• Gladstone Power Station	4.3
• Cement Australia	6.0
• Queensland Alumina Ltd (QAL) ¹¹	13.7
• Comalco Refinery	3.1 ¹²

¹¹ The average Unloading Time for the QAL refinery represents the average time the the Train Service is off the Rail Infrastructure on the relevant Private Infrastructure.

¹² This is an estimate of unloading time for this Unloading Facility based on the actual data to date. QR will review this unloading time following the Commencing Date. Until such review and approval of this or a varied unloading time by the QCA, QR will not vary the Access Charge for a Train Service operating to this Unloading Facility from the Reference Tariff due to the actual unloading time for this Train Service varying from the estimate.

5.8.1.4 Cluster Map



(Note, the cluster map is shown in colour)

5.8.1.5 Additional Loading Facilities

A new coal loading facility may only be considered for addition to the above listed loading facilities if the loading facility itself, or the new Rail Infrastructure that will connect the loading facility to the existing Rail Infrastructure, will connect to the existing Rail Infrastructure at a point on the corridor between the Kinrola branch junction and Rolleston.

5.8.2 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	0.618
AT ₂	1,389
AT ₃	5.504
AT ₄	2.317
AT ₅	-
EC	-
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005.

6. Goonyella System

6.1 Application of this Clause

This Clause 6 should be read in conjunction with Part A and Clauses 1 to 4 of Part B of this Schedule F.

6.2 Term

The term of this Reference Tariff is from 1 July 2005 to the Terminating Date.

6.3 Reference Train Service Description

6.3.1 The Reference Train Service has the following characteristics:

- (a) a maximum length (including the locomotive/s) of 2082¹³ metres;
- (b) a maximum axle load of 26 tonne for a wheel configuration consistent with M220¹⁴ loading, or otherwise generates a loading equivalent to M220;
- (c) utilisation of either electric or diesel traction; and
- (d) measured as an average over a Year, a Stowage period (excluding Stowage due to the unavailability of the Nominated Infrastructure) for each Train Service of no greater than 1.8 hours.

6.3.2 The conditions of Access for the Reference Train Service include a Below Rail Transit Time which shall be determined as the sum of the nominated section running times for the Nominated Infrastructure (as included in the relevant Information Pack) plus (+) a factor of twenty-three percentage points (23%). If a Train Service varies from these section running times, but is otherwise subject to this Section, the Below Rail Transit Time will be determined as the sum of the nominated section running times for the Nominated Infrastructure

¹³ This train length comprises the following: static train length (which is the straight addition of individual rollingstock lengths) plus an allowance of 2% of this static train length for train handling accuracy and for slack movement in drawgear (includes free slack in the drag box, compression of the draftgear, clearance/free slack due to coupler wear and pin clearance at the yoke).

¹⁴ As specified in the ANZRC Railway Bridge Design Manual 1974.

(as included in the relevant Access Agreement) plus (+) a factor of twenty-three percentage points (23%).

6.3.3 For the North Goonyella Cluster, additional elements are specified in Clause 6.5. For the South Goonyella Cluster, additional elements are specified in Clause 6.6. For the West Goonyella Cluster, additional elements are specified in Clause 6.7. For the Gregory via Goonyella Cluster, additional elements are specified in Clause 6.8. For the Central Goonyella Cluster, additional elements are specified in Clause 6.9.

6.4 System Forecast and System Allowable Revenues

Year	System Gtk ,000 gtk	System Allowable Revenue – AT ₂₋₄	System Allowable Revenue – AT ₅
2005/06	29,729,473		
2006/07	34,232,302		
2007/08	37,066,523		
2008/09	37,465,285		

Deleted: 31,849,198

Deleted: 107,783,000

Deleted: 33,059,000

Deleted: 35,639,115

Deleted: 124,492,000

Deleted: 37,917,000

Deleted: 41,624,802

Deleted: 151,266,000

Deleted: 45,393,000

6.5 North Goonyella Cluster

6.5.1 Reference Train Service Description

6.5.1.1 Loading Facilities

Nominated Loading Facilities

- South Walker Creek
- Macarthur/Coppabella
- Burton
- Moranbah North
- Goonyella
- Riverside
- North Goonyella
- Moorvale
- Carborough Downs
- Isaac Plains

Average Loading Time (hours) per return trip assessed on a monthly basis

3.8
3.9
3.8
3.9
3.9
4.6
4.3
3.9
3.5¹⁵
3.5¹⁶

6.5.1.2 Unloading Facilities

Nominated Unloading Facilities

- Dalrymple Bay
- Hay Point

Average Unloading Time (hours) per return trip assessed on a monthly basis

2.8
2.8

¹⁵ This is an estimate of loading time for this Loading Facility. QR will review this loading time following commencement of the operation of Train Services from this Loading Facility. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a Train Service operating from this Loading Facility from the Reference Tariff due to the actual loading time for this Train Service varying from this estimate.

¹⁶ This is an estimate of loading time for this Loading Facility. QR will review this loading time following commencement of the operation of Train Services from this Loading Facility. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a Train Service operating from this Loading Facility from the Reference Tariff due to the actual loading time for this Train Service varying from this estimate.

6.5.2 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	0.427
AT ₂	800
AT ₃	2.127
AT ₄	0.379
AT ₅	1.004
EC	0.451
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005.

6.6 South Goonyella Cluster

6.6.1 Reference Train Service Description

6.6.1.1 Loading Facilities

Nominated Loading Facilities

Average Loading Time (hours) per return trip assessed on a monthly basis

• Peak Downs	4.2
• Saraji	4.4
• Norwich Park	3.9
• German Creek	2.9
• Oaky Creek	3.8
• Millennium	3.0 ¹⁷

6.6.1.2 Unloading Facilities

Nominated Unloading Facilities

Average Unloading Time (hours) per return trip assessed on a monthly basis

• Dalrymple Bay	2.8
• Hay Point	2.8

¹⁷ This is an estimate of loading time for this Loading Facility. QR will review this loading time following commencement of the operation of Train Services from this Loading Facility. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a Train Service operating from this Loading Facility from the Reference Tariff due to the actual loading time for this Train Service varying from this estimate.

6.6.2 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	0.427
AT ₂	960
AT ₃	2.216
AT ₄	0.529
AT ₅	1.004
EC	0.451
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005.

6.7 West Goonyella Cluster

6.7.1 Reference Train Service Description

6.7.1.1 Loading Facilities

Nominated Loading Facilities

- Blair Athol

Average Loading Time (hours) per return trip assessed on a monthly basis

3.1

6.7.1.2 Unloading Facilities

Nominated Unloading Facilities

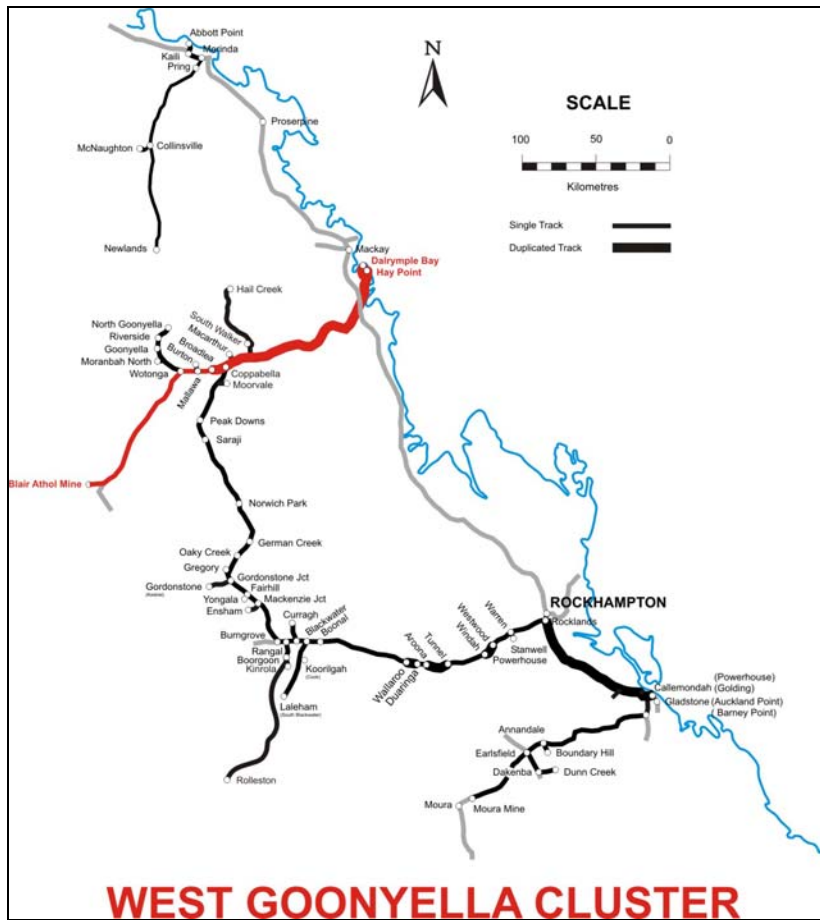
- Dalrymple Bay
- Hay Point

Average Unloading Time (hours) per return trip assessed on a monthly basis

2.8

2.8

6.7.1.3 Cluster Map



(Note, the cluster map is shown in colour)

6.7.1.4 Additional Loading Facilities

A new coal loading facility may only be considered for addition to the above listed loading facilities if the loading facility itself, or the new Rail Infrastructure that will connect the loading facility to the existing Rail Infrastructure, will connect to the existing Rail Infrastructure at a point on the corridor between Wotonga and Blair Athol.

6.7.2 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	0.427
AT ₂	800
AT ₃	2.254
AT ₄	0.630
AT ₅	1.004
EC	0.451
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005.

6.8. Gregory Branch via Goonyella Cluster

6.8.1 Reference Train Service Description

6.8.1.1 Loading Facilities

Nominated Loading Facilities

• Gregory	3.6
• Kestrel ¹⁸	4.8
• Ensham ¹⁸	4.2

Average Loading Time (hours) per return trip assessed on a monthly basis

6.8.1.2 Unloading Facilities

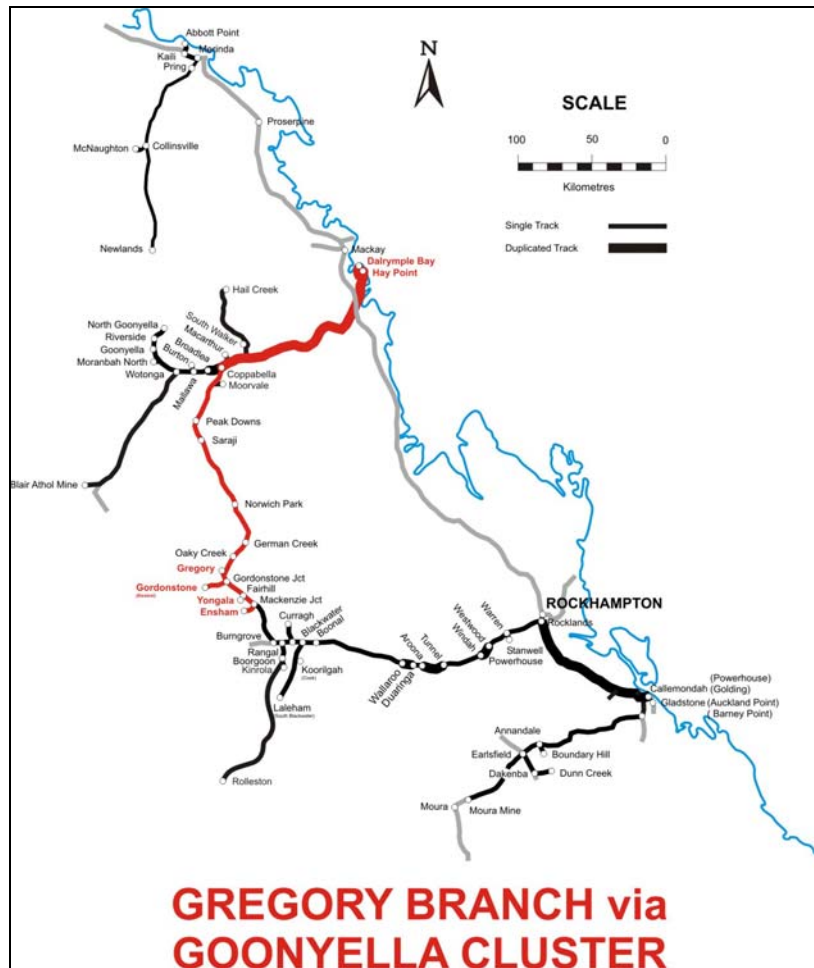
Nominated Unloading Facilities

• Dalrymple Bay	2.8
• Hay Point	2.8

Average Unloading Time (hours) per return trip assessed on a monthly basis

¹⁸ These mines do not have angles to the north.

6.8.1.3 Cluster Map



(Note, the cluster map is shown in colour)

6.8.1.4 Additional Loading Facilities

A new coal loading facility may only be considered for addition to the above listed loading facilities if the loading facility itself, or the new Rail Infrastructure that will connect the loading facility to the existing Rail Infrastructure, will connect to the existing Rail Infrastructure at a point on the corridor between Gregory mine and Burngrove or to any of the branch lines to any Nominated Loading Facility but excluding the corridors towards Oaky Creek and Bluff.

6.8.2 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	0.427
AT ₂	960
AT ₃	2.630
AT ₄	0.823
AT ₅	1.004
EC	0.451
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005.

6.9. Central Goonyella Cluster

6.9.1 Reference Train Service Description

6.9.1.1 Loading Facilities

Nominated Loading Facilities

- Hail Creek

Average Loading Time (hours) per return trip assessed on a monthly basis

4.1

6.9.1.2 Unloading Facilities

Nominated Unloading Facilities

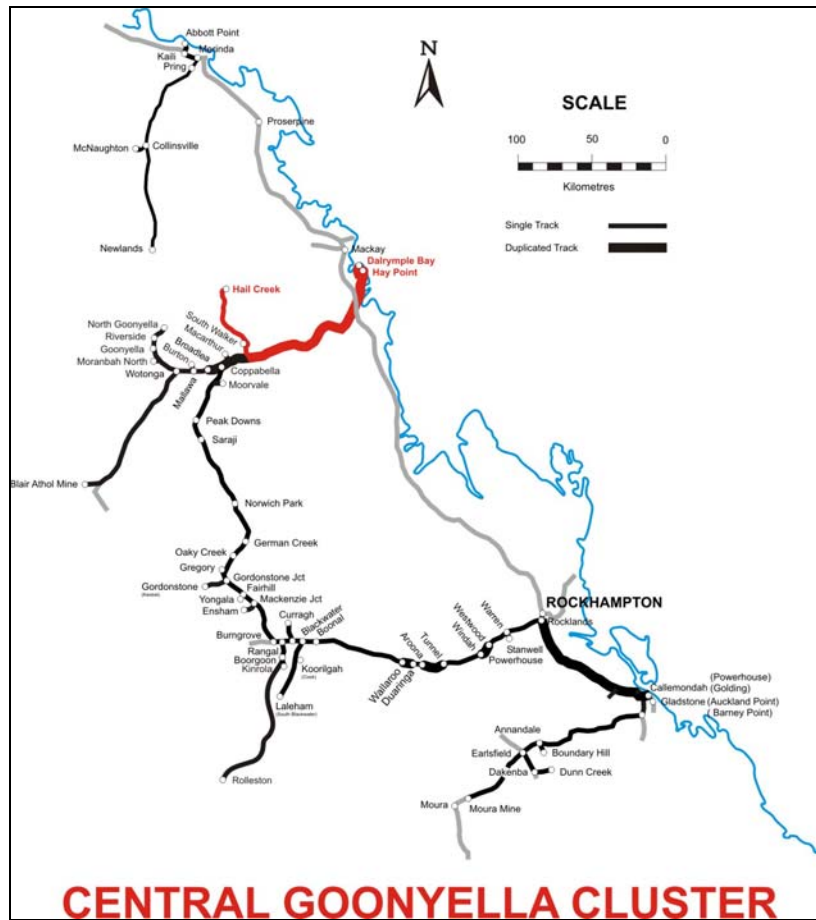
- Dalrymple Bay
- Hay Point

Average Unloading Time (hours) per return trip assessed on a monthly basis

2.8

2.8

6.9.1.3 Cluster Map



(Note, the cluster map is shown in colour)

6.9.1.4 Additional Loading Facilities

A new coal loading facility may only be considered for addition to the above listed loading facilities if the loading facility itself, or the new Rail Infrastructure that will connect the loading facility to the existing Rail Infrastructure, will connect to the existing Rail Infrastructure at a point on the corridor between South Walker Creek Junction and Hail Creek.

6.9.2 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	0.427
AT ₂	800
AT ₃	3.624
AT ₄	0.656
AT ₅	1.004
EC	0.451
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005

7. Moura Cluster

7.1 Application of this Clause

This Clause 7 should be read in conjunction with Part A and Clauses 1 to 4 of Part B of this Schedule F.

7.2 Term

The term of this Reference Tariff is from 1 July 2005 to the Terminating Date.

7.3 Reference Train Service Description

7.3.1 The Reference Train Service has the following characteristics:

- (a) a maximum length (including the locomotive/s) of 1000¹⁹ metres;
- (b) a maximum axle load of 26 tonne for a wheel configuration consistent with M220²⁰ loading, or otherwise generates a loading equivalent to M220;
- (c) utilisation of diesel traction; and
- (d) measured as an average over a Year, a Stowage period (excluding Stowage due to the unavailability of the Nominated Infrastructure) for each Train Service of no greater than 3.2 hours.

7.3.2 The conditions of Access for the Reference Train Service include a Below Rail Transit Time which shall be determined as the sum of the nominated section running times for the Nominated Infrastructure (as included in the relevant Information Pack) plus (+) a factor of thirty percentage points (30%). If a Train Service varies from these section running times, but is otherwise subject to this Section, the Below Rail Transit Time will be determined as the sum of the nominated section running times for the Nominated Infrastructure (as included

¹⁹ This train length comprises the following: static train length (which is the straight addition of individual rollingstock lengths) plus an allowance of 2% of this static train length for train handling accuracy and for slack movement in drawgear (includes free slack in the drag box, compression of the draftgear, clearance/free slack due to coupler wear and pin clearance at the yoke).

²⁰ As specified in the ANZRC Railway Bridge Design Manual 1974.

in the relevant Access Agreement) plus (+) a factor of thirty percentage points (30%).

7.3.3 Loading Facilities

<i>Nominated Loading Facilities</i>	<i>Average Loading Time (hours) per return trip assessed on a monthly basis</i>
• Boundary Hill	3.4
• Dunn Creek/Callide Coal Fields	4.2
• Moura Mine	3.6
• Baralaba	4.9 ²¹

7.3.4 Unloading Facilities

<i>Nominated Unloading Facilities</i>	<i>Average Unloading Time (hours) per return trip assessed on a monthly basis Year</i>
• Golding/RG Tanna Terminal	1.5
• Barney Point	3.1
• Gladstone Power Station	3.3
• Queensland Alumina Ltd (QAL) ²²	8.9
• Cement Australia	4.3
• Comalco Refinery	3.1 ²³

²¹ This is an estimate of loading time for this Loading Facility based on the actual data to date. QR will review this loading time following the Commencing Date. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a Train Service operating from this Loading Facility from the Reference Tariff due to the actual loading time for this Train Service varying from this estimate.

²² The average Unloading Time for the QAL refinery represents the average time the Train Service is off the Rail Infrastructure on the relevant Private Infrastructure.

²³ This is an estimate of unloading time for this Unloading Facility based on the actual data to date. QR will review this unloading time following the Commencing Date. Until such review and approval of this or a varied unloading time by the QCA, QR will not vary the Access Charge for a Train Service operating to this Unloading Facility from the Reference Tariff due to the actual unloading time for this Train Service varying from the estimate.

7.4 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	1.158
AT ₂	416
AT ₃	5.880
AT ₄	0.961
AT ₅	0
EC	0
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005.

7.5 System Forecast and System Allowable Revenue

Year	System Gtk ,000 gtk	System Allowable Revenue – AT ₂₋₄
2005/06	2,404,936	
2006/07	3,431,372	▼
2007/08	3,414,578	▼
2008/09	4,069,312	▼

Deleted: 2,881,304

Deleted: 23,881,000

Deleted: 3,705,743

Deleted: 31,304,000

Deleted: 4,390,758

Deleted: 37,787,000

8. Newlands Cluster

8.1 Application of this Clause

This Clause 8 should be read in conjunction with Part A and Clauses 1 to 4 of Part B of this Schedule F.

8.2 Term

The term of this Reference Tariff is from 1 July 2005 to the Terminating Date.

8.3 Reference Train Service Description

8.3.1 The Reference Train Service has the following characteristics:

- (a) a maximum length (including the locomotive/s) of 1380²⁴ metres;
- (b) a maximum axle load of 20 tonne for a wheel configuration consistent with M160²⁵ loading, or otherwise generates a loading equivalent to M160;

²⁴ This train length comprises the following: static train length (which is the straight addition of individual rollingstock lengths) plus an allowance of 2% of this static train length for train handling accuracy and for slack movement in drawgear (includes free slack in the drag box, compression of the draftgear, clearance/free slack due to coupler wear and pin clearance at the yoke).

²⁵ As specified in the ANZRC Railway Bridge Design Manual 1974.

- (c) utilisation of diesel traction; and
- (d) measured as an average over a Year, a Stowage period (excluding Stowage due to the unavailability of the Nominated Infrastructure) for each Train Service of no greater than 2.4 hours.

8.3.2 The conditions of Access for the Reference Train Service include a Below Rail Transit Time which shall be determined as the sum of the nominated section running times for the Nominated Infrastructure (as included in the relevant Information Pack) plus (+) a factor of eighteen percentage points (18%). If a Train Service varies from these section running times, but is otherwise subject to this Section, the Below Rail Transit Time will be determined as the sum of the nominated section running times for the Nominated Infrastructure (as included in the relevant Access Agreement) plus (+) a factor of eighteen percentage points (18%).

8.3.3 Loading Facilities

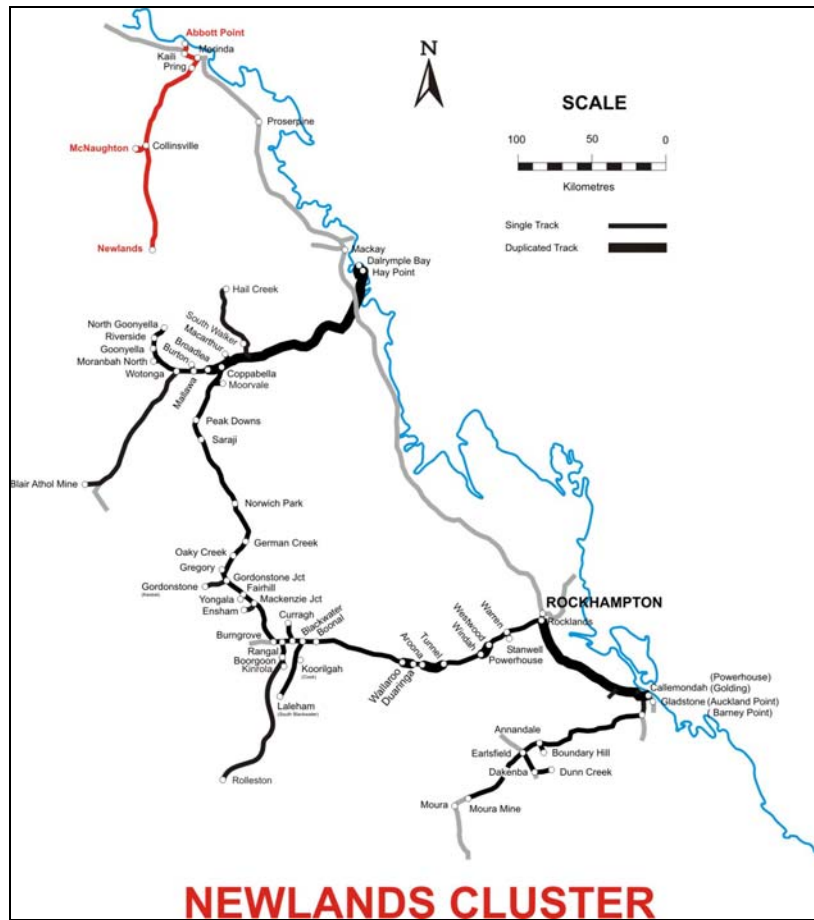
<i>Nominated Loading Facilities</i>	<i>Average Loading Time (hours) per return trip assessed on a monthly basis</i>
• Newlands	1.8
• McNaughton	2.5
• Sonoma	2.0 ²⁶

8.3.4 Unloading Facilities

<i>Nominated Unloading Facilities</i>	<i>Average Unloading Time (hours) per return trip assessed on a monthly basis</i>
• Abbot Point	1.6

²⁶ This is an estimate of loading time for this Loading Facility. QR will review this loading time following commencement of the operation of Train Services from this Loading Facility. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a Train Service operating from this Loading Facility from the Reference Tariff due to the actual loading time for this Train Service varying from this estimate.

8.3.5 Cluster Map



(Note, the cluster map is shown in colour)

8.3.6 Additional Loading Facilities

A new coal loading facility may only be considered for addition to the above listed loading facilities if the loading facility itself, or the new Rail Infrastructure that will connect the loading facility to the existing Rail Infrastructure, will connect to the existing Rail Infrastructure at a point on the corridor between Collinsville and Newlands, or to the Line Section between Collinsville and McNaughton.

8.4 Reference Tariff

(a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT ₁	1.203
AT ₂	186
AT ₃	4.652
AT ₄	0.658
AT ₅	0
EC	0
QCA Levy	0.00588

(b) The First Escalation Date is 1 October 2005.

8.5 System Forecast and System Allowable Revenue

Year	System GtK ,000 gtk	System Allowable Revenue – AT ₂₋₄
2005/06	2,844,447	
2006/07	3,674,026	▼
2007/08	3,718,598	▼
2008/09	3,718,598	▼

Deleted: 3,459,063

Deleted: 21,823,000

Deleted: 3,733,799

Deleted: 23,996,000

Deleted: 4,168,528

Deleted: 27,234,000

Part C. – Provisions Specific to Individual Reference Train Services in the Western System

1. Application of this Clause

This Part C should be read in conjunction with Part A of this Schedule F.

2. Term

The term of this Reference Tariff is from 1 July 2005 to the Terminating Date.

3. Reference Train Service Characteristics

3.1 Further to Subclause 2.3.1 of Schedule F, Part A, the Reference Train Service has the following characteristics:

- (a) a train length (including the locomotive/s) of 675 metres²⁷;
- (b) a maximum axle load of 15.75 tonne; and
- (c) utilisation of diesel traction.

3.2 An Access Seeker for a Reference Train Service will have its Train Service Entitlement:

- (a) based on its Trains being available for operation 24 hours per day and 360 days per year; and
- (b) specified in terms of Timetabled Traffic and will comply with the applicable corridor scheduling procedures.

3.3 Loading Facilities

<i>Nominated Loading Facilities</i>	<i>Average Loading Time (hours) per return trip assessed on a monthly basis</i>
-------------------------------------	---

- | | |
|-----------------------------|-----|
| • Ebenezer | 2.3 |
| • Jondaryan (New Acland) | 2.5 |
| • Macalister (Wilkie Creek) | 3.3 |

3.4 Unloading Facilities

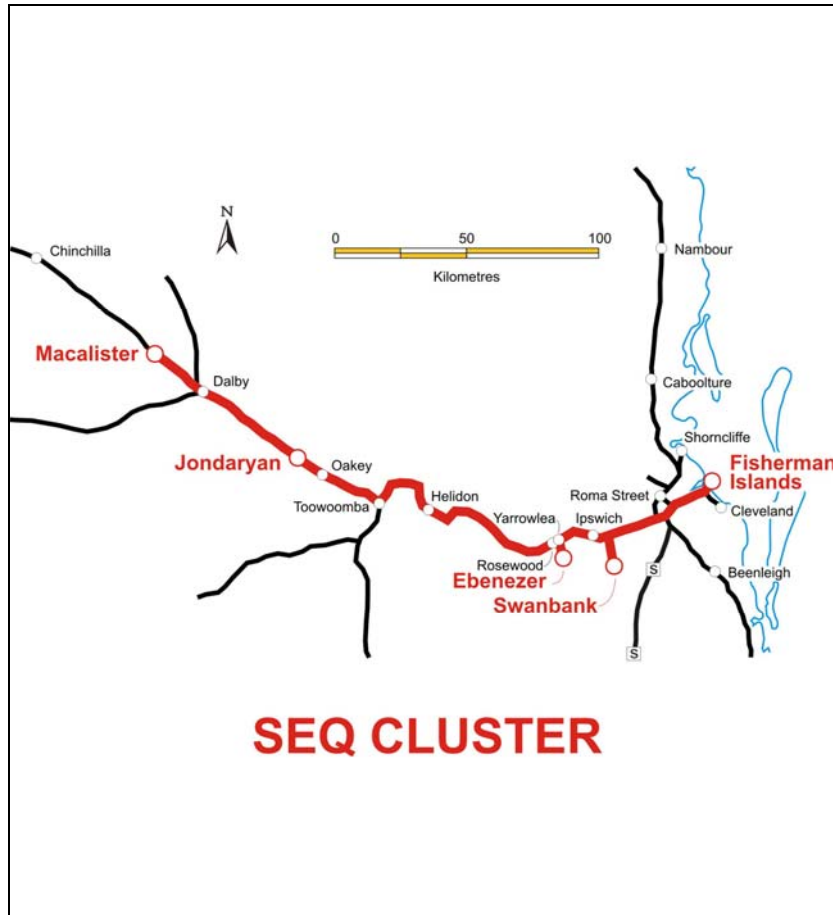
<i>Nominated Unloading Facilities</i>	<i>Average Unloading Time (hours) per return trip assessed on a monthly basis</i>
---------------------------------------	---

- | | |
|---------------------------------|-------------------|
| • Fisherman Islands coal loader | 2.3 |
| • Swanbank | 2.0 ²⁸ |

²⁷ This train length comprises the following: static train length (which is the straight addition of individual rollingstock lengths) plus an allowance of 2% of this static train length for train handling accuracy and for slack movement in drawgear (includes free slack in the drag box, compression of the draftgear, clearance/free slack due to coupler wear and pin clearance at the yoke).

²⁸ This is an estimate of unloading time for this Unloading Facility based on the actual data to date. QR will review this unloading time following the Commencing Date. Until such review and approval of this or a varied unloading time by the QCA, QR will not vary the Access Charge for a Train Service operating to this Unloading Facility from the Reference Tariff due to the actual unloading time for this Train Service varying from the estimate.

3.5 Cluster Map



(Note, the cluster map is shown in colour)

3.6 Additional Loading Facilities

A new coal loading facility may only be considered for addition to the above listed loading facilities if the loading facility itself, or the new Rail Infrastructure that will connect the loading facility to the existing Rail Infrastructure, will connect to the existing Rail Infrastructure at a point on the corridor between Bundamba and Macalister or to any of the branch lines to any Nominated Loading Facility

4. Reference Tariff

4.1 The applicable Reference Tariff for the nominated Reference Train Service shall be assessed as:

$$\left(AT_1 \times \frac{gk}{1000} \right) + (QCALevy \times nt)$$

where:

- AT_1 is the variable part of the Reference Tariff that is levied on a gross tonne kilometre basis specified as AT_1 for the nominated Reference Train Service in this Part C;
- gtk is the gross tonne kilometres attributed to the relevant Train Service, being the total gross weight (in tonnes) of the Rollingstock utilised in the relevant Train Service (including all goods, product, persons or matter carried) multiplied by the distance (in kilometres) travelled by the Train Service;
- nt is the net tonnes attributed to the relevant Train Service, being the total gross weight (in tonnes) of the Rollingstock when loaded utilised in the relevant Train Service (including all goods, product, persons or matter carried) less the weight of such Rollingstock (in tonnes) when empty; and

QCA Levy is the fee allocated to the nominated Reference Train Service to cover the fees imposed by the QCA upon beneficiaries of its regulatory services.

- 4.2 The amounts of AT_1 and the QCA Levy specified in this Part C are GST exclusive. An amount for GST will be added to the total calculated Access Charge, in accordance with the provisions of the applicable Access Agreement, when an Access Holder is invoiced.
- 4.3 For the purposes of this Part C, a Train Service is a one way Train Service, that is, the journey from the Nominated Loading Facility to the Nominated Unloading Facility is one Train Service, and the return journey from the Nominated Unloading Facility to the Nominated Loading Facility is a second Train Service.
- 4.4 For the purposes of this Clause 4, the gtk measure shall be assessed for the relevant Train Service over the Billing Period for which the Reference Tariff is being calculated.
- 4.5 The amount of the Reference Tariff is:
- (a) The Reference Tariff components (as at 1 July 2005) are:

Reference Tariff Component	Reference Tariff \$
AT_1	10.50
QCA Levy	0.00588

- (b) The First Escalation Date is 1 October 2005.

5. Take or Pay

- 5.1 QR will be entitled to earn Take or Pay revenue in accordance with the provisions of this Clause 5.
- 5.2 Take or Pay revenue from a particular Reference Train Service will be determined for each Year, and invoiced following completion of that Year, as the amount which is eighty percentage points (80%) of the amount calculated by multiplying:

- (a) AT_1 (at the rate applicable in the final Quarter of the Year); by
- (b) the gtk calculated by:
 - (i) the gtk that would have been achieved for the subject Year had the full contracted entitlement been railed for the relevant Train Service; less
 - (ii) the gtk not railed for the subject Year due to the non operation of Train Services for a QR Cause; less
 - (iii) the gtk railed for the subject Year;

provided always that the amount of Take or Pay for the Year shall not be less than zero.

5.3 In order to calculate gtk for the purposes of Subparagraphs 5.2(b)(i) and (ii), QR will:

- (a) identify from the Access Agreement the number of train paths that would have been utilised had the full contracted entitlement been attained; and
- (b) determine the number of train paths that were not utilised due to a QR Cause,

and convert this to gtk by using a nominal payload per loaded Train Service as reasonably determined by QR.

5.4 QR shall provide to the Access Holder information on how it has determined the amount of the Take or Pay at the same time as it is invoiced.

CONSEQUENTIAL AMMENDMENTS TO THE ACCESS UNDERTAKING

PART 7. CAPACITY MANAGEMENT

7.4 CAPACITY ALLOCATION

7.4.4 Capacity Transfer

7.4.4(f) Subject to Paragraph 7.4.4(g), where an Access Holder has a Customer or Customers, who has or have provided concurrent written notification to QR and the relevant Access Holder that they intend to vary or terminate their rail haulage agreement(s) with the Access Holder and use another Access Seeker for some or all of their rail haulage services, then QR will reduce the Access Rights of the Access Holder necessary for the Customer or Customers to effect the termination or variation of the relevant rail haulage agreement(s), provided that:

- (i) the equivalent Access Rights ('Transferred Access Rights') are included in a new or varied Access Agreement with the Access Seeker ('New Access Agreement'); and
- (ii) the ~~relevant new or varied~~ New Access Agreement commences at the same time as the Access Holder's Access Agreement ('Old Access Agreement') is varied or terminated (whichever is applicable).

The terms of the Old Access Agreement relating to Take or Pay (as defined in Schedule F), Relinquishment Fees and transfer fees will apply to the New Access Agreement:

- (iii) to the extent that the New Access Agreement relates to the Transferred Access Rights; and
- (iv) until the date that the Transferred Access Rights would have terminated under the Old Access Agreement.

For the purpose of this Paragraph 7.4.4(f), equivalent Access Rights will relate to Train Services with the same type of Train Service Entitlement (i.e. either Cyclic Traffic or Timetabled Traffic), the same origin and destination, and transporting the same net tonnage of product.

PART 10. DEFINITIONS & INTERPRETATIONS

10.1 DEFINITIONS

"Relinquishment Fee" means:

- (i) in respect of an Access Agreement that includes an obligation to pay take or pay in the event that an Access Holder does not operate Train Services:
 - (A) for Train Services other than those specified in Subparagraph (i)(B) of this definition, the amount equivalent to the present value of the payment of the

- take or pay amount that would have been payable for the remainder of the term of the Access Agreement if the Access Agreement remained on foot but the Access Holder did not operate the relevant Train Services; or
- (B) subject to Clause 3 of Part B, for coal carrying Train Services included in Access Agreements in place on the day immediately prior to the Commencing Date (or New Access Agreements entered as part of transferring Access Rights from such Access Agreements pursuant to clause 7.4.4(f) of the Undertaking), the amount equivalent to the payment of the take or pay amount that would have been payable for the following two (2) year period if the Access Agreement remained on foot but the Access Holder did not operate the relevant Train Services;
- (ii) in respect of an Access Agreement other than those nominated in Subparagraph (i), the amount that would have been contributed over the following two (2) year period to the Common Costs of providing the Rail Infrastructure as the result of operation of the relevant Train Services and payment of the applicable Access Charge;