

Group General Manager
Network Access

QLD COMPETITION AUTHORITY

26 NOV 2007

DATE RECEIVED

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Brian Parmenter
Chairman
Queensland Competition Authority
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Dear Mr. Parmenter,

QR's revised Draft Amending Access Undertaking

I refer to your letter to QR's Chairman on the QCA's decision (22 November 2007) to reject QR's changes in maintenance costs and the implications for reference tariffs and system allowable revenues in the central Queensland coal network for 2007-08 and 2008-09.

I note specifically that the QCA did not accept QR's proposed change in costs for ballast undercutting. As noted in my response to the QCA's draft decision on this issue, QR is disappointed that the QCA did not accept this component of the claim, however, in accordance with section 142 of the *Queensland Competition Authority Act 1997*, QR chooses to provide a response in the form of a revised Draft Amending Access Undertaking (attached) which complies with the QCA's decision on this matter.

I ask you to also note that QR is currently undertaking a detailed internal review of its maintenance activities in an effort to better understand how coal system participants' requirements for greater capacity on the rail network impacts on QRNA's ability to provide an ongoing maintenance program at the most efficient cost. This analysis will aid the construction of a robust maintenance cost build-up to be included in the next Access Undertaking.

If you have any questions on the matters outlined above please feel free to contact me.

Yours sincerely,

A black rectangular box redacting the signature of Michael Carter.

Michael Carter
Group General Manager
QR Network Access

26 November 2007

Encl.



QR's maintenance costs

Revised Draft Amending Access Undertaking

Submission to the QCA

26 November 2007



1. INTRODUCTION

1.1 BACKGROUND

On 2 May 2007, Queensland Rail (QR) submitted to the Queensland Competition Authority (QCA) a voluntary Draft Amending Access Undertaking (DAAU), in accordance with Section 142 of the *Queensland Competition Act 1997*, to revise its 2007-08 and 2008-09 maintenance cost forecasts in the 2005 Access Undertaking.

The submission set out QR's proposed maintenance forecasts for the 2007-08 and 2008-09 periods. Further, QR showed the implications of its proposed changes in maintenance on the average tariffs over the central Queensland coal network.

On 28 September 2007, the QCA issued its Draft Decision on QR's proposed revision to its 2007-08 and 2008-09 maintenance cost forecasts. The Draft Decision proposed to reject QR's revised maintenance costs, with a specific rejection of QR's claims for increases in ballast undercutting costs.

The QCA's draft decision made specific reference to industry comments on consultation prior to QR lodging its DAAU. Further submissions on the draft decision were received from four (4) interested parties.

The QCA's Final Decision was issued on 22 November 2007.

1.2 QR's RESPONSE TO THE FINAL DECISION

QR accepts the QCA's written notice dated 22 November 2007 under Section 142(3) of the *Queensland Competition Act 1997*. Thus QR submits a revised Draft Amending Access Undertaking in accordance with section 142 of the *Queensland Competition Act 1997* which sets out a revised set of reference tariffs and system allowable revenues to apply from 1 July 2007 for the central Queensland coal network consistent with those issued by the QCA in its Final Decision.

1.3 FORM OF RESPONSE

Section 2 provides the list of tariffs and System allowable revenues whilst section 3 provides a mark-up of Part B of Schedule F with the new tariffs included.

A clean version of QR's revised Proposed Schedule F Amendment is provided at Attachment A.

In this document:

- References to QR are in the context of QR's Below Rail activities which are regulated by QR's Undertaking;
- References to UT1, UT2 and UT3 are to QR's Access Undertakings effective 1 July 2001 and 1 July 2005, and QR's Access Undertaking which is due to commence on 1 July 2009, respectively;
- References to QR's Undertaking are to the UT2 document;

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- References to “mines” are to coal mine owners as end customers pursuant to a haulage agreement with an Access Holder;
- Unless expressly stated otherwise, all references to Clauses, Subclauses and Paragraphs are references to Clauses, Subclauses and Paragraphs in Schedule F, Part B of QR’s Undertaking; and
- Terms used that are defined in QR’s Undertaking have the meaning given in QR’s Undertaking.

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2. QR's REVISED TARIFFS AND SYSTEM ALLOWABLE REVENUES FOR 2007-08 AND 2008-09 GIVEN QCA'S FINAL DECISION

The following are the revised tariffs by coal system that will apply from 1 July 2007 given the QCA's final decision on the change to maintenance costs. The revised tariffs will escalate from 1 July 2007 in accordance with the escalation provisions set out in the access undertaking.

System	Cluster	AT1	AT2	AT3	AT4	AT5
Blackwater	Central Blackwater	0.71	1,470.72	3.14	0.96	1.72
	North Blackwater	0.71	1,470.72	-	1.92	1.72
	Stanwell	0.71	1,470.72	2.58	0.48	1.72
	South West Blackwater	0.71	1,470.72	5.78	2.43	-

System	Cluster	AT1	AT2	AT3	AT4	AT5
Goonyella	Gregory Via Goonyella	0.49	1,016.59	2.81	0.88	1.06
	Central Goonyella	0.49	846.98	3.83	0.69	1.25
	North Goonyella	0.49	846.98	2.28	0.40	1.06
	South Goonyella	0.49	1,016.59	2.37	0.57	1.06
	West Goonyella	0.49	846.98	2.41	0.67	1.06

System	Cluster	AT1	AT2	AT3	AT4	AT5
Moura	Moura	1.34	440.54	6.70	1.09	-

System	Cluster	AT1	AT2	AT3	AT4	AT5
Newlands	Newlands	1.39	196.97	5.00	0.71	-

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System Allowable Revenues

The following are the revised System Allowable Revenues by coal system that will apply for the 2007/08 and 2008/09 years given the QCA's final decision on the change to maintenance cost allowances in those years.

System	2007/08	2008/09
Blackwater	146,966,171	157,635,006
Goonyella	131,994,028	137,313,940
Moura	31,090,943	37,749,042
Newlands	24,953,480	25,577,317
SAR (AT2-4)	335,004,622	358,275,306

System	2007/08	2008/09
Blackwater	22,965,416	30,597,009
Goonyella	40,214,743	41,658,723
SAR (AT5)	63,180,159	72,255,732

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3. QR's proposed changes to Part B, Schedule F

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:
- (a) based on its Trains being available for operation 24 hours per day and 360 days per year; and
 - (b) 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:

- AT₁ is the incremental maintenance tariff specified as AT₁ for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT₂ is the incremental capacity tariff specified as AT₂ for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT₃ is the allocative part of the Reference Tariff that is levied on a net tonne kilometre basis specified as AT₃ for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT₄ is the allocative part of the Reference Tariff that is levied on a net tonne basis specified as AT₄ for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT₅ is the electric access tariff that is levied on an egtk basis specified as AT₅ 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;

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- 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 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 Paragraph 7.4.4(f) of the Undertaking), the Take or Pay arrangements will be as specified in Subclause 2.2.3. 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 Paragraph 7.4.4(f) of the Undertaking, the Take or Pay arrangements will be as specified in Subclause 2.2.5.
- 2.2.3 Take or Pay revenue from a particular Reference Train Service will be determined for each Year, and invoiced following completion of that Year, as,

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subject to Subclause 2.2.4, the 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 Paragraph 7.4.4(f) of the Undertaking) ("Total Revenue") is:

- (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 Paragraph 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 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

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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.

In determining what QR would be entitled to earn for the purposes of this Subclause 2.2.6, QR is deemed to have contracted on the terms of the relevant Standard Access Agreement (as defined under the Undertaking or the 2001 Undertaking, as applicable) that applied on the date of execution or renewal of an Access Agreement, except for

- those Access Agreements which have been altered from that form in accordance with the terms of the Undertaking or the 2001 Undertaking (as applicable) which applied on that date, for which QR's entitlement will be calculated to reflect the terms of such Access Agreements; and
- a New Access Agreement to the extent entered into as part of transferring Access Rights from an Old Access Agreement executed under or prior to the 2001 Undertaking, pursuant to Paragraph 7.4.4(f) of the Undertaking, which has not been renewed after the Commencing Date, for which QR's entitlement to Take or Pay amounts will be calculated on the basis that QR has contracted on the terms of:
 - (A) for an Old Access Agreement executed under the 2001 Undertaking, the relevant Standard Access Agreement (as defined under the 2001 Undertaking) that applied on the date of execution of that Old Access Agreement; or
 - (B) for an Old Access Agreement executed prior to the 2001 Undertaking, the terms of the Old Access Agreement; and
- for the avoidance of doubt, an Access Agreement executed prior to the 2001 Undertaking, for which QR's entitlement will be calculated to reflect the terms of that Access Agreement.

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 (a) The components for Reference Tariffs specified in this Part B are applicable:

(i) where denoted as "Reference Tariff (\$) July 05", from 1 July 2005 to 30 June 2007; and

(ii) where denoted as "Revised Reference Tariff (\$) July 07" (i.e. for Revised Reference Tariffs), from 1 July 2007;

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- (b) The backdating of Revised Reference Tariffs will require payment of the difference in the Access Charges:
- (i) paid by each relevant Access Holder from 1 July 2007 to the date on which the QCA approved the amendment to Schedule F incorporating the Revised Reference Tariffs; and
 - (ii) that would have been paid by that Access Holder during that period if the Revised Reference Tariffs had applied,
- in the event of the difference being:
- (iii) positive (over-recovery), from QR to each relevant Access Holder; or
 - (iv) negative (under-recovery), from each relevant Access Holder to QR.
- (c) The payment of the difference under Paragraph 3.1(b) is due within thirty (30) days of the date on which the QCA approved the amendment to Schedule F incorporating the Revised Reference Tariffs. In the event of an Access Holder not paying the money owed to QR pursuant to this clause 3.1, QR may recover that outstanding money by incorporating it as a component of that Access Holder's future Access Charges.

- 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.

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- 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

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

- (a) where the Total Actual Revenue for AT_{2-4} is less than or equal to the System Allowable Revenue for AT_{2-4} 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 AT_{2-4} is greater than the System Allowable Revenue for AT_{2-4} 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 AT_{2-4} and the System Allowable Revenue for AT_{2-4} for the relevant Individual Coal System Infrastructure (“Difference”) has, in whole or part, arisen as a direct result of whole of coal chain 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 whole of coal chain 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 AT_{2-4} .

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 AT_{2-4} Revenue Adjustment Amount, by subtracting from the relevant 2nd Year System Allowable Revenue:
 - (i) that AT_{2-4} 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;

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- (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) =	$240 - 0.3M - S$
---	------------------

(B) for a Train Service in the Blackwater coal system:

Common Cost contribution (cents/'000 gtk) =	$350 - 0.3M - S$
---	------------------

(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

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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

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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.

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.

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

5.4 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	28,948,620	126,859,868	24,842,392
2007/08	29,947,878	146,966,171	22,965,416
2008/09	31,115,104	157,635,006	30,597,009

Deleted: 139,015,262

Deleted: 22,077,579

Deleted: 149,342,562

Deleted: 29,414,137

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

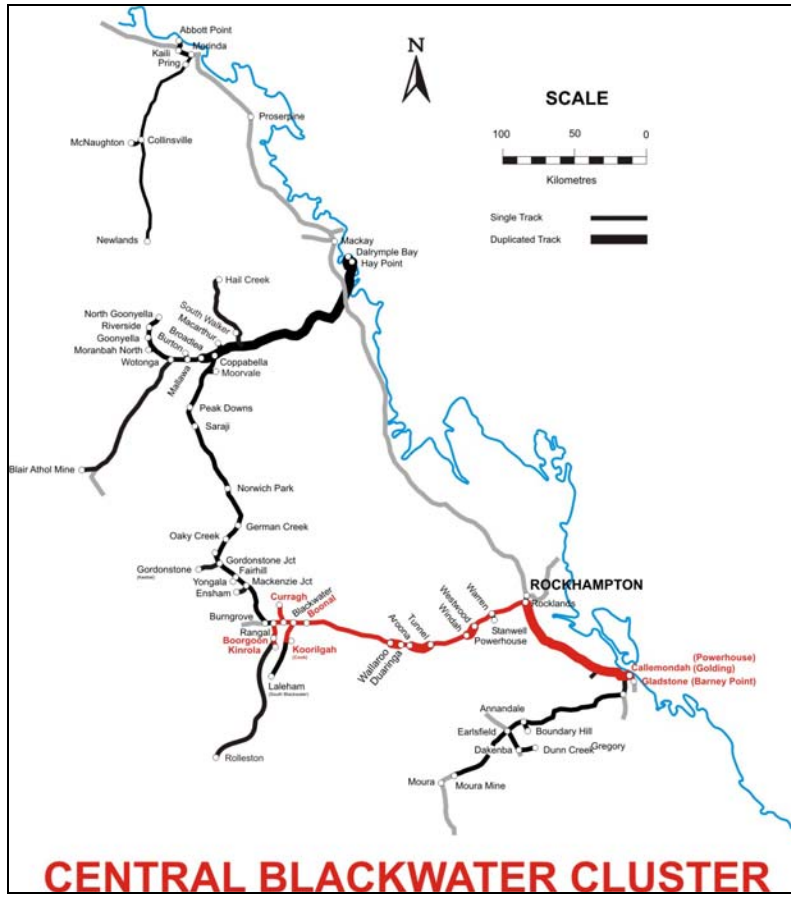
³ Although not a loading facility, the average Loading Time for the Laleham/South Blackwater Mine represents the average time the Train Service is off the Rail Infrastructure on the relevant Private Infrastructure.

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.

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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 are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.618	0.71
AT ₂	1,389	1470.72
AT ₃	2.727	3.14
AT ₄	0.833	0.96
AT ₅	1.576	1.72
EC	0.451	0.477
QCA Levy	0.00588	0.0056

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(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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 4.2⁶

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 3.1⁸

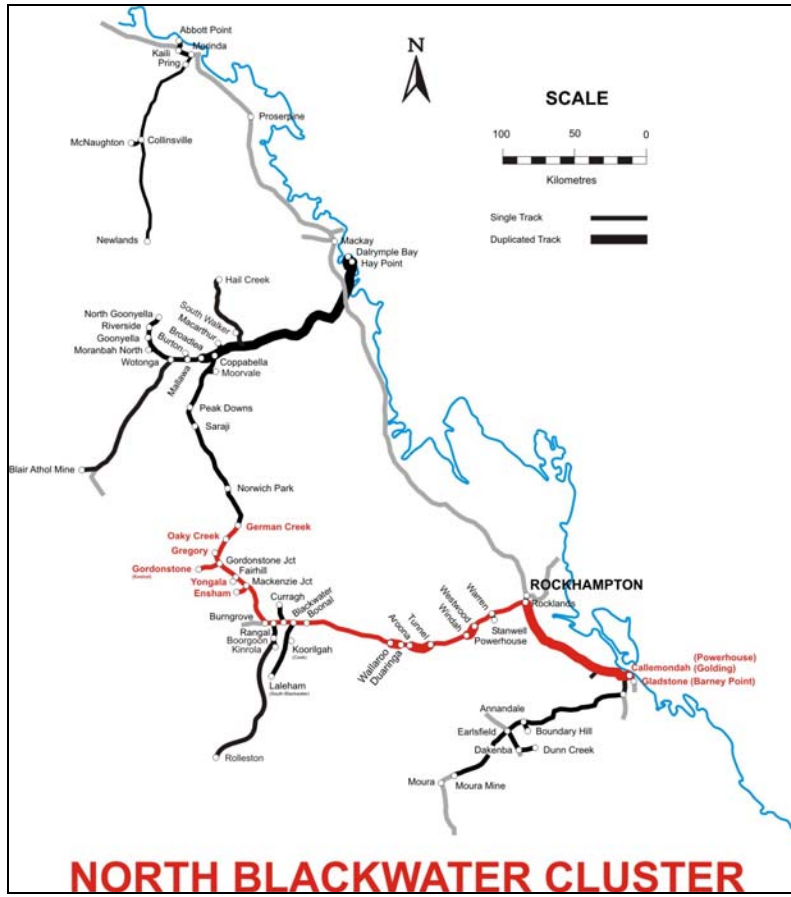
⁶ This is an estimate of loading time for this Loading Facility based on the actual data to date. QR will review this loading time following the Commencing Date. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a Train Service operating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

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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.

this Unloading Facility from the Reference Tariff due to the actual unloading time for this Train Service varying from the estimate.

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5.6.2 Reference Tariff

(a) The Reference Tariff components are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.618	0.71
AT ₂	1,389	1470.72
AT ₃	-	-
AT ₄	1.669	1.92
AT ₅	1.576	1.72
EC	0.451	0.477
QCA Levy	0.00588	0.0056

Deleted: \$

(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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 Mine⁹ 4.5
- Yongala 4.2¹⁰

5.7.1.2 Unloading Facilities

Nominated Unloading Facilities

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

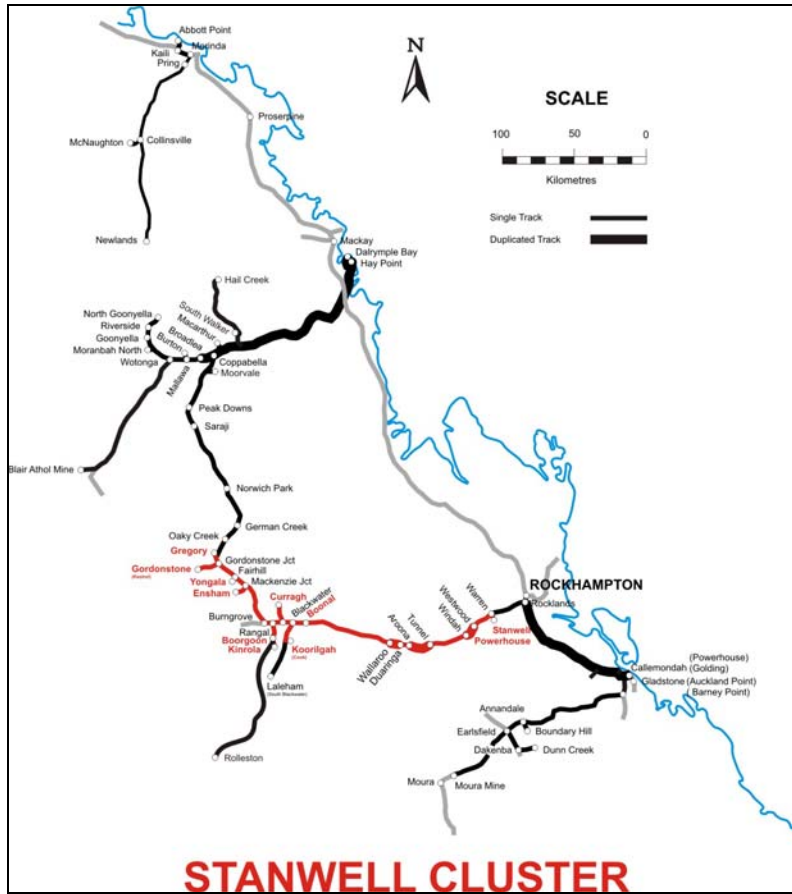
- Stanwell Powerhouse 2.3

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.

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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.

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5.7.2 Reference Tariff

(a) The Reference Tariff components are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.618	0.71
AT ₂	1,389	1470.72
AT ₃	2.240	2.58
AT ₄	0.413	0.48
AT ₅	1.576	1.72
EC	0.451	0.477
QCA Levy	0.00588	0.0056

Deleted: \$

(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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

- Rolleston

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

2.2

5.8.1.3 Unloading Facilities

Nominated Unloading Facilities

- Golding/RG Tanna Terminal
- Barney Point
- Gladstone Power Station
- Cement Australia
- Queensland Alumina Ltd (QAL)¹¹
- Comalco Refinery

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

2.6

5.0

4.3

6.0

13.7

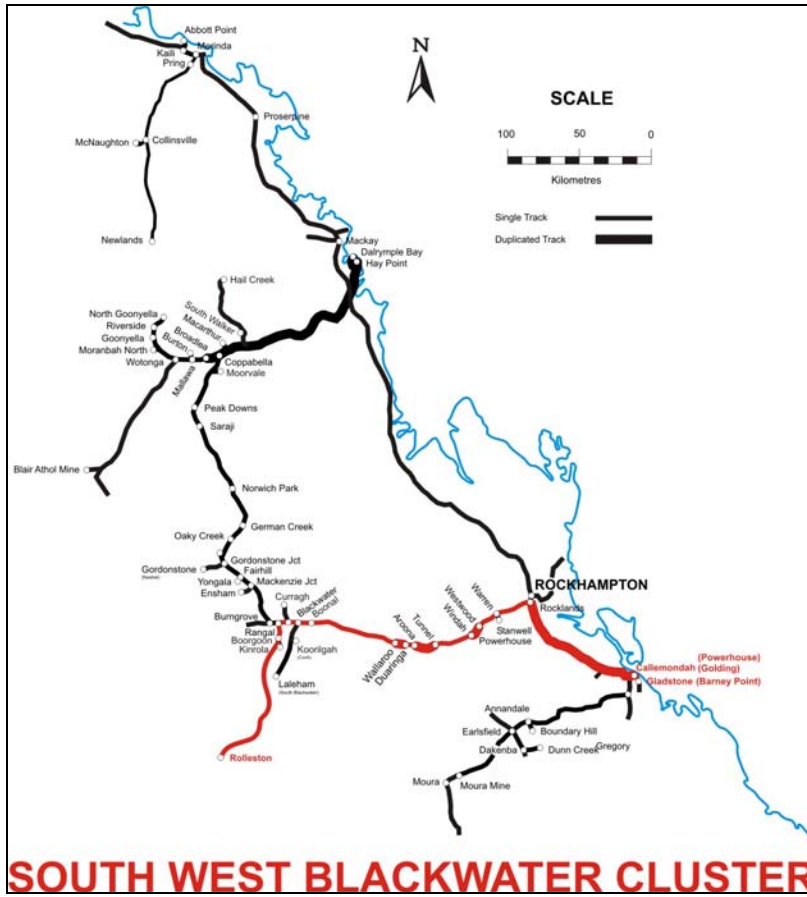
3.1¹²

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.

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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 are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) <u>July 05</u>	<u>Revised Reference Tariff (\$) July 07</u>
AT ₁	0.618	<u>0.71</u>
AT ₂	1,389	<u>1470.72</u>
AT ₃	5.504	<u>5.78</u>
AT ₄	2.317	<u>2.43</u>
AT ₅	-	<u>-</u>
EC	-	<u>-</u>
QCA Levy	0.00588	<u>0.0056</u>

Deleted: \$

(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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

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.

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sum of the nominated section running times for the Nominated Infrastructure (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	116,283,563	35,532,668
2007/08	37,066,523	131,994,028	40,214,743
2008/09	37,465,285	137,313,940	41,658,723

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Deleted: 129,999,304

Deleted: 39,889,312

Deleted: 135,237,488

Deleted: 41,321,504

6.5 North Goonyella Cluster

6.5.1 Reference Train Service Description

6.5.1.1 Loading Facilities

Nominated Loading Facilities

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

- South Walker Creek 3.8
- Macarthur/Coppabella 3.9
- Burton 3.8
- Moranbah North 3.9
- Goonyella 3.9
- Riverside 4.6
- North Goonyella 4.3
- Moorvale 3.9
- Carborough Downs 3.5¹⁵
- Isaac Plains 3.5¹⁶

6.5.1.2 Unloading Facilities

Nominated Unloading Facilities

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

- Dalrymple Bay 2.8

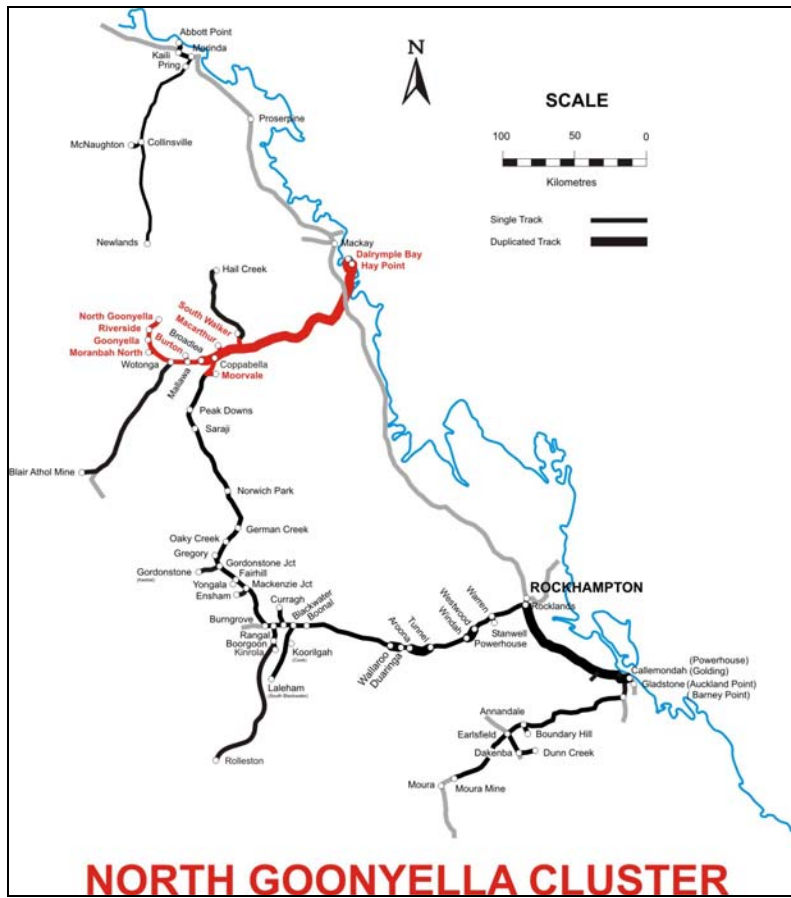
¹⁵ This is an estimate of loading time for this Loading Facility. QR will review this loading time following commencement of the operation of Train Services from this Loading Facility. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a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

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- Hay Point

6.5.1.3 Cluster Map



(Note, the cluster map is shown in colour)

6.5.1.4 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 Mindi and North Goonyella or between Coppabella and Moorvale Junction or to any of the branch lines to any Nominated Loading Facility but excluding the corridors between Wotonga and Blair Athol and between Moorvale Junction and Oaky Creek.

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6.5.2 Reference Tariff

(a) The Reference Tariff components are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) <u>July 05</u>	<u>Revised Reference Tariff (\$)</u> <u>July 07</u>
AT ₁	0.427	<u>0.49</u>
AT ₂	800	<u>846.98</u>
AT ₃	2.127	<u>2.28</u>
AT ₄	0.379	<u>0.40</u>
AT ₅	1.004	<u>1.06</u>
EC	0.451	<u>0.477</u>
QCA Levy	0.00588	<u>0.0056</u>

Deleted: \$

(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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

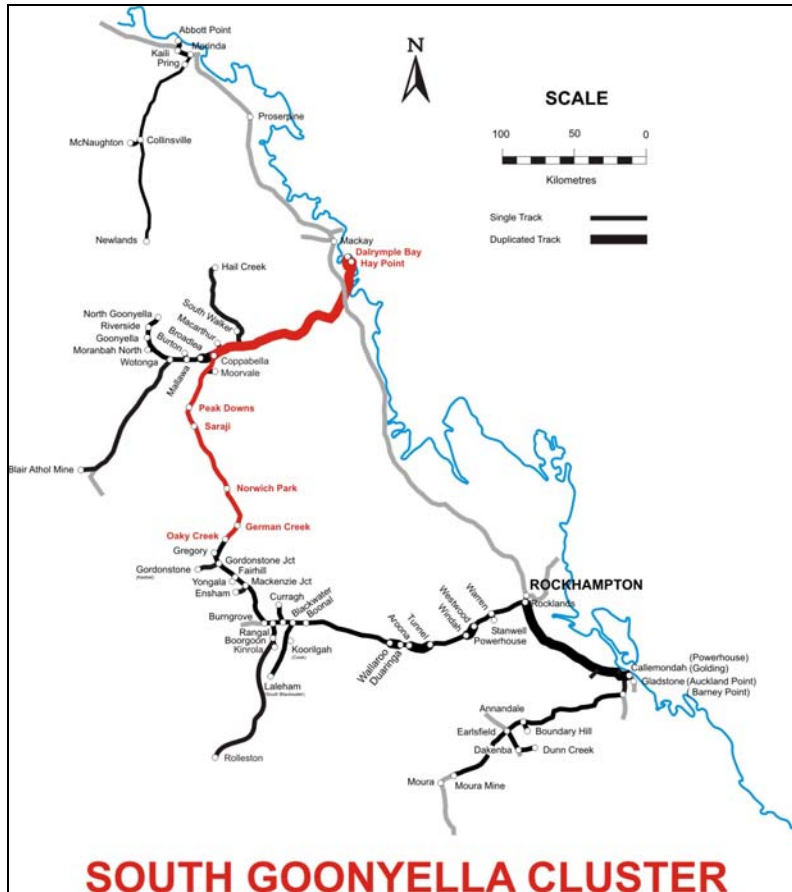
Average Unloading Time (hours) per return trip assessed on a monthly basis

- | | |
|-----------------|-----|
| • 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.

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6.6.1.3 Cluster Map



(Note, the cluster map is shown in colour)

6.6.1.4 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 Moorvale and Oaky Creek or to any of the branch lines to any Nominated Loading Facility but excluding the corridor to the junction south of the Gregory mine branch line.

6.6.2 Reference Tariff

(a) The Reference Tariff components are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.427	0.49
AT ₂	960	1016.59
AT ₃	2.216	2.37
AT ₄	0.529	0.57
AT ₅	1.004	1.06
EC	0.451	0.477
QCA Levy	0.00588	0.0056

Deleted: \$

(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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

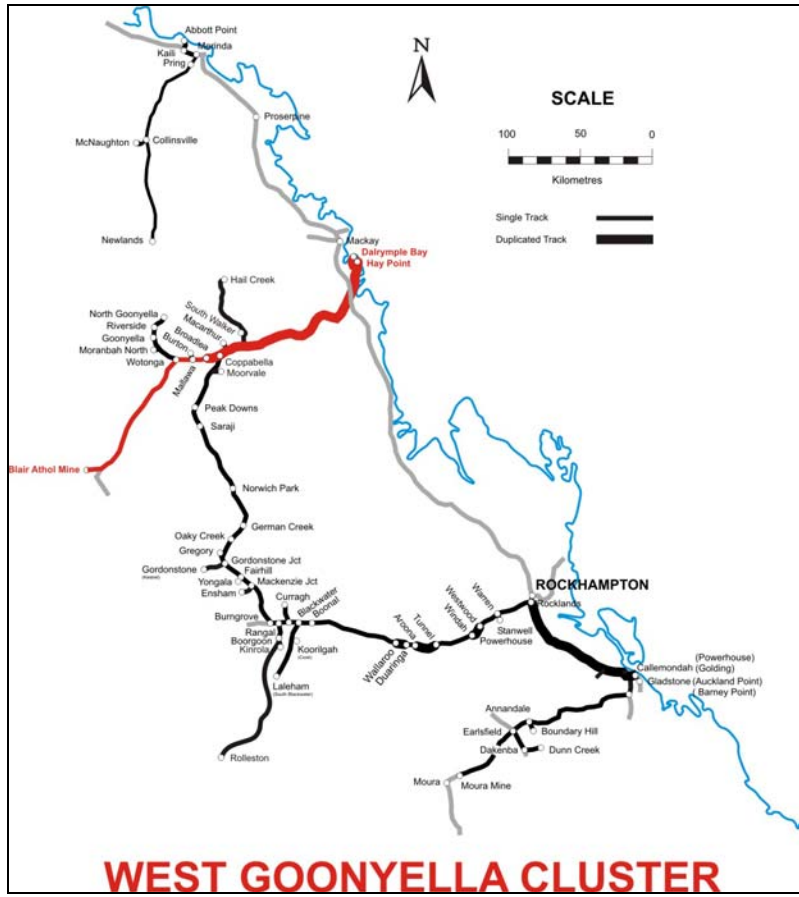
Average Unloading Time (hours) per return trip assessed on a monthly basis

2.8

2.8

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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 are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) <u>July 05</u>	<u>Revised Reference Tariff (\$)</u> <u>July 07</u>
AT ₁	0.427	<u>0.49</u>
AT ₂	800	<u>846.98</u>
AT ₃	2.254	<u>2.41</u>
AT ₄	0.630	<u>0.67</u>
AT ₅	1.004	<u>1.06</u>
EC	0.451	<u>0.477</u>
QCA Levy	0.00588	<u>0.0056</u>

Deleted: \$

(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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

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

- | | |
|-------------------------|-----|
| • Gregory | 3.6 |
| • Kestrel ¹⁸ | 4.8 |
| • Ensham ¹⁸ | 4.2 |

6.8.1.2 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 |

¹⁸ These mines do not have angles to the north.

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6.8.2 Reference Tariff

(a) The Reference Tariff components are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) <u>July 05</u>	<u>Revised Reference Tariff (\$)</u> <u>July 07</u>
AT ₁	0.427	<u>0.49</u>
AT ₂	960	<u>1016.59</u>
AT ₃	2.630	<u>2.81</u>
AT ₄	0.823	<u>0.88</u>
AT ₅	1.004	<u>1.06</u>
EC	0.451	<u>0.477</u>
QCA Levy	0.00588	<u>0.0056</u>

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(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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

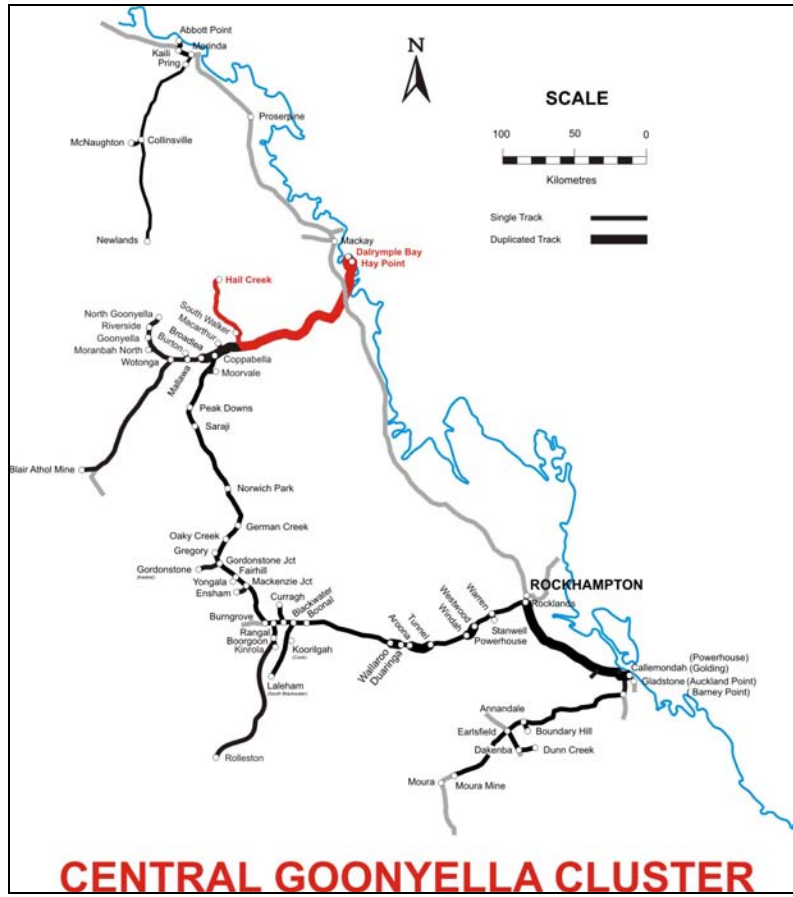
Average Unloading Time (hours) per return trip assessed on a monthly basis

2.8

2.8

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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.

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6.9.2 Reference Tariff

- (a) The Reference Tariff components are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) <u>July 05</u>	<u>Revised Reference Tariff (\$)</u> <u>July 07</u>
AT ₁	0.427	<u>0.49</u>
AT ₂	800	<u>846.98</u>
AT ₃	3.624	<u>3.83</u>
AT ₄	0.656	<u>0.69</u>
AT ₅	1.004	<u>1.25</u>
EC	0.451	<u>0.477</u>
QCA Levy	0.00588	<u>0.0056</u>

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- (b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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 maximum length (including the locomotive/s) of 1000¹⁹ metres;
- a maximum axle load of 26 tonne for a wheel configuration consistent with M220²⁰ loading, or otherwise generates a loading equivalent to M220;
- utilisation of diesel traction; and
- 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

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.

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nominated section running times for the Nominated Infrastructure (as included 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

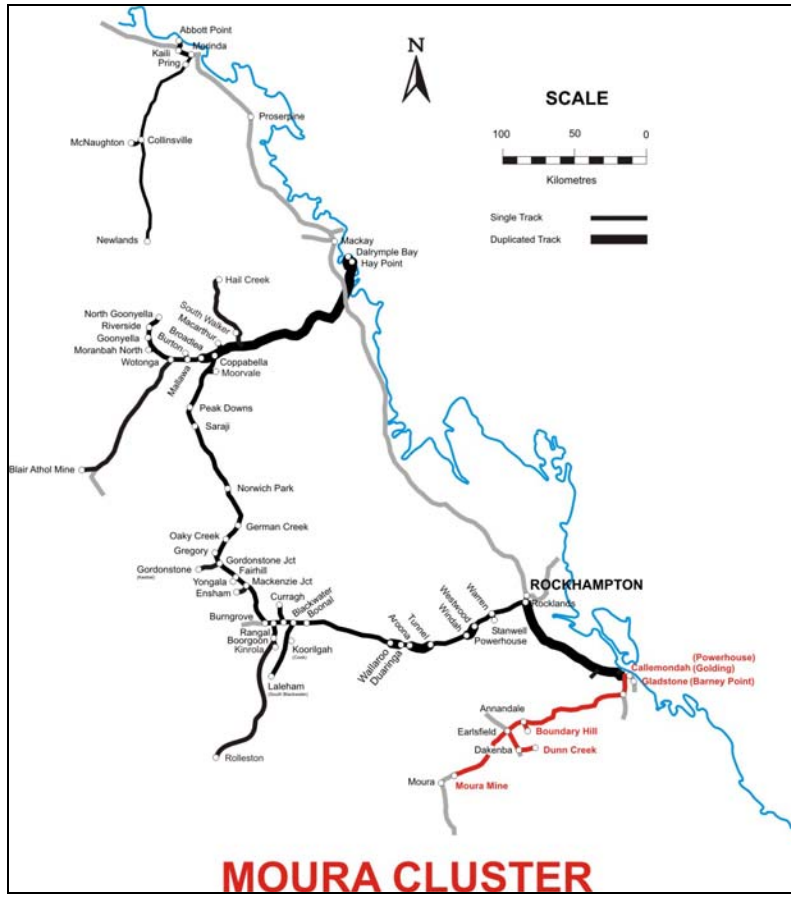
²¹ This is an estimate of loading time for this Loading Facility based on the actual data to date. QR will review this loading time following the Commencing Date. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a Train Service operating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

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7.3.5 Cluster Map



(Note, the cluster map is shown in colour)

7.3.6 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 Annandale and Moura Mine or to any of the branch lines to any Nominated Loading Facility.

7.4 Reference Tariff

(a) The Reference Tariff components are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) <u>July 05</u>	<u>Revised Reference Tariff (\$) July 07</u>
AT ₁	1.158	<u>1.34</u>
AT ₂	416	<u>440.54</u>
AT ₃	5.880	<u>6.70</u>
AT ₄	0.961	<u>1.09</u>
AT ₅	0	-
EC	0	-
QCA Levy	0.00588	<u>0.0056</u>

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(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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	28,440,217
2007/08	3,414,578	<u>31,090,943</u>
2008/09	4,069,312	<u>37,749,042</u>

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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 maximum length (including the locomotive/s) of 1380²⁴ metres;
- 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).

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- (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

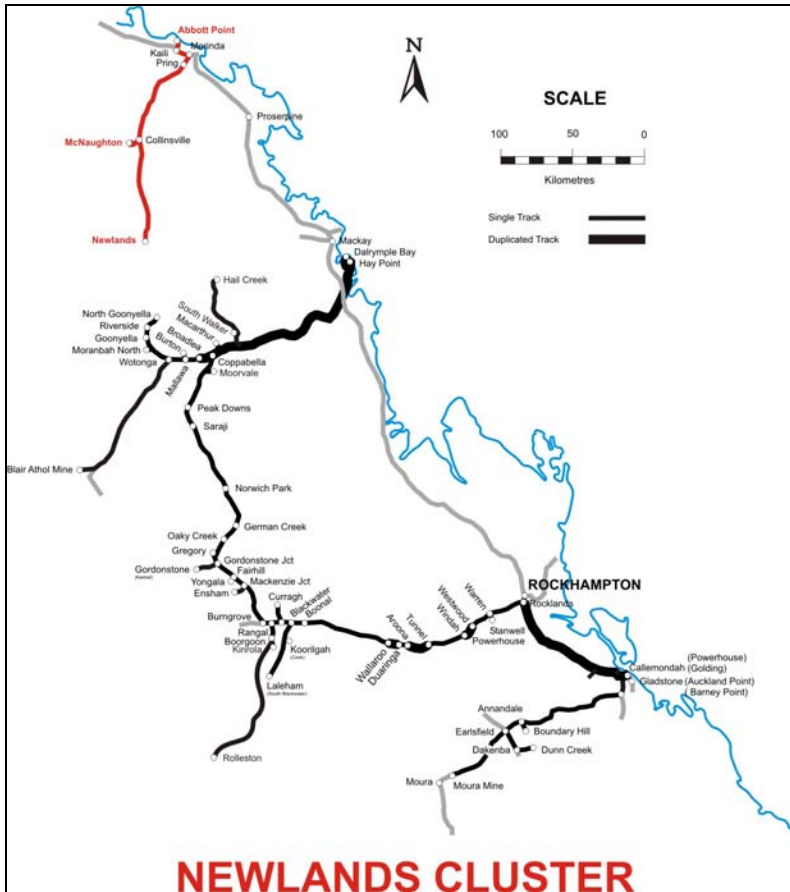
8.3.4 Unloading Facilities

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

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

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 are:

Deleted: (as at 1 July 2005)

Reference Tariff Component	Reference Tariff (\$) <u>July 05</u>	<u>Revised Reference Tariff (\$) July 07</u>
AT ₁	1.203	<u>1.39</u>
AT ₂	186	<u>196.97</u>
AT ₃	4.652	<u>5.00</u>
AT ₄	0.658	<u>0.71</u>
AT ₅	0	-
EC	0	-
QCA Levy	0.00588	<u>0.0056</u>

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(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

Deleted: 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	23,307,925
2007/08	3,718,598	<u>24,953,480</u>
2008/09	3,718,598	<u>25,577,317</u>

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Attachment A

Clean version of Schedule F, Part B

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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:
- (c) based on its Trains being available for operation 24 hours per day and 360 days per year; and
 - (d) 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

2.3 Reference Tariff

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

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

where:

- AT₁ is the incremental maintenance tariff specified as AT₁ for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT₂ is the incremental capacity tariff specified as AT₂ for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT₃ is the allocative part of the Reference Tariff that is levied on a net tonne kilometre basis specified as AT₃ for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT₄ is the allocative part of the Reference Tariff that is levied on a net tonne basis specified as AT₄ for the nominated Reference Train Service in Clauses 5 to 8 of this Part B;
- AT₅ is the electric access tariff that is levied on an egtk basis specified as AT₅ 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

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- 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.
- 2.1.5 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.

2.4 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 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 Paragraph 7.4.4(f) of the Undertaking), the Take or Pay arrangements will be as specified in Subclause 2.2.3. 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 Paragraph 7.4.4(f) of the Undertaking, the Take or Pay arrangements will be as specified in Subclause 2.2.5.
- 2.2.3 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 amount which is one hundred percentage points (100%) of the amount calculated by multiplying:

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- (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 Paragraph 7.4.4(f) of the Undertaking) ("Total Revenue") is:

- (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 Paragraph 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 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

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- (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.

In determining what QR would be entitled to earn for the purposes of this Subclause 2.2.6, QR is deemed to have contracted on the terms of the relevant Standard Access Agreement (as defined under the Undertaking or the 2001 Undertaking, as applicable) that applied on the date of execution or renewal of an Access Agreement, except for

- those Access Agreements which have been altered from that form in accordance with the terms of the Undertaking or the 2001 Undertaking (as applicable) which applied on that date, for which QR's entitlement will be calculated to reflect the terms of such Access Agreements; and
- a New Access Agreement to the extent entered into as part of transferring Access Rights from an Old Access Agreement executed under or prior to the 2001 Undertaking, pursuant to Paragraph 7.4.4(f) of the Undertaking, which has not been renewed after the Commencing Date, for which QR's entitlement to Take or Pay amounts will be calculated on the basis that QR has contracted on the terms of:
 - (A) for an Old Access Agreement executed under the 2001 Undertaking, the relevant Standard Access Agreement (as defined under the 2001 Undertaking) that applied on the date of execution of that Old Access Agreement; or
 - (B) for an Old Access Agreement executed prior to the 2001 Undertaking, the terms of the Old Access Agreement; and
- for the avoidance of doubt, an Access Agreement executed prior to the 2001 Undertaking, for which QR's entitlement will be calculated to reflect the terms of that Access Agreement.

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 (a) The components for Reference Tariffs specified in this Part B are applicable:
- (i) where denoted as "Reference Tariff (\$) July 05", from 1 July 2005 to 30 June 2007; and
 - (ii) where denoted as "Revised Reference Tariff (\$) July 07" (i.e. for Revised Reference Tariffs), from 1 July 2007.
- (b) The backdating of Revised Reference Tariffs will require payment of the difference in the Access Charges:

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- (i) paid by each relevant Access Holder from 1 July 2007 to the date on which the QCA approved the amendment to Schedule F incorporating the Revised Reference Tariffs; and
 - (ii) that would have been paid by that Access Holder during that period if the Revised Reference Tariffs had applied,
- in the event of the difference being:
- (iii) positive (over-recovery), from QR to each relevant Access Holder; or
 - (iv) negative (under-recovery), from each relevant Access Holder to QR.
- (c) The payment of the difference under Paragraph 3.1(b) is due within thirty (30) days of the date on which the QCA approved the amendment to Schedule F incorporating the Revised Reference Tariffs. In the event of an Access Holder not paying the money owed to QR pursuant to this clause 3.1, QR may recover that outstanding money by incorporating it as a component of that Access Holder's future Access Charges.

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.

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- 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

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

- (a) where the Total Actual Revenue for AT_{2-4} is less than or equal to the System Allowable Revenue for AT_{2-4} 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 AT_{2-4} is greater than the System Allowable Revenue for AT_{2-4} 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 AT_{2-4} and the System Allowable Revenue for AT_{2-4} for the relevant Individual Coal System Infrastructure (“Difference”) has, in whole or part, arisen as a direct result of whole of coal chain 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 whole of coal chain 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 AT_{2-4} .

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 AT_{2-4} Revenue Adjustment Amount, by subtracting from the relevant 2nd Year System Allowable Revenue:
 - (i) that AT_{2-4} 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;

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- (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:

- (b) 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

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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;
 - (e) 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;
 - (f) 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;
 - (g) 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.
- 4.1.5 The Reference Tariff for a new coal carrying Train Service will be the higher of (on a \$/net tonne basis):
- (c) the Reference Tariff for the most relevant existing Reference Train Service; or
 - (d) 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.
- 4.1.6 Where the Reference Tariff for a new coal carrying Train Service is established under:
- (c) Paragraph 4.1.2(a), the loading facility for the new Train Service will be added into the relevant existing Reference Train Service; or
 - (d) Paragraph 4.1.2(b), a new Reference Train Service will be established which will incorporate the new Train Service.
- 4.1.7 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

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5.4 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.

5.5 Term

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

5.6 Reference Train Service Description

5.3.1 The Reference Train Service has the following characteristics:

- (e) a maximum length (including the locomotive/s) of 1709²⁷ metres;
- (f) a maximum axle load of 26 tonne for a wheel configuration consistent with M220²⁸ loading, or otherwise generates a loading equivalent to M220;
- (g) unless specified otherwise in Clause 5.5, 5.6, 5.7 or 5.8, utilisation of either electric or diesel traction; and
- (h) 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.

5.3.4 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%).

5.3.5 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.

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 As specified in the ANZRC Railway Bridge Design Manual 1974

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	28,948,620	126,859,868	24,842,392
2007/08	29,947,878	146,966,171	22,965,416
2008/09	31,115,104	157,635,006	30,597,009

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 Mine²⁹ 4.5

5.5.1.2 Unloading Facilities

Nominated Unloading Facilities

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

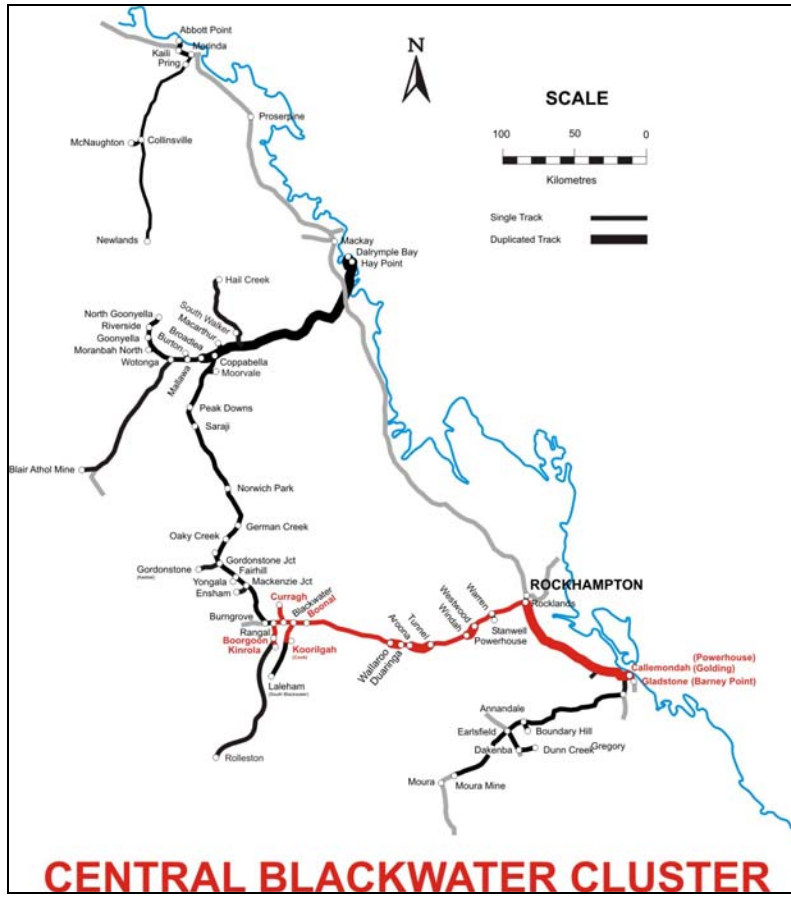
- Golding/RG Tanna Terminal 2.6
- Barney Point 5.0
- Gladstone Power Station 4.3
- Cement Australia 6.0
- Queensland Alumina Ltd (QAL)³⁰ 13.7
- Comalco Refinery 3.1³¹

²⁹ 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.

³⁰ 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.

³¹ 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.

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5.5.2 Reference Tariff

(c) The Reference Tariff components are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.618	0.71
AT ₂	1,389	1470.72
AT ₃	2.727	3.14
AT ₄	0.833	0.96
AT ₅	1.576	1.72
EC	0.451	0.477
QCA Levy	0.00588	0.0056

(d) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

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 4.2³²

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)³³ 13.7
- Comalco Refinery 3.1³⁴

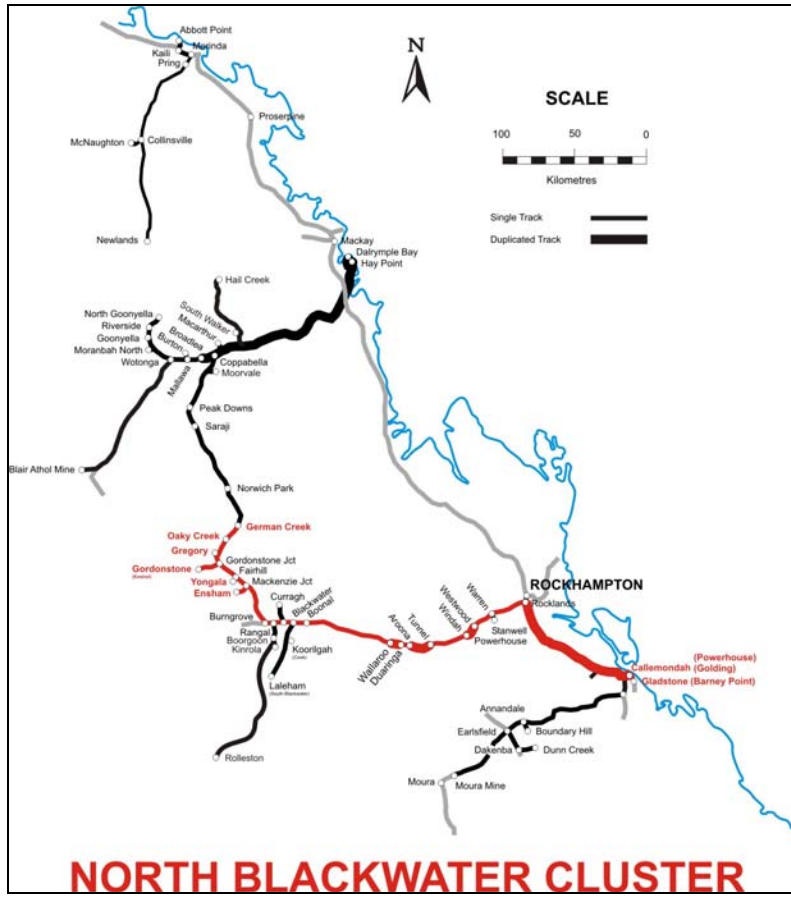
³² This is an estimate of loading time for this Loading Facility based on the actual data to date. QR will review this loading time following the Commencing Date. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a Train Service operating from this Loading Facility from the Reference Tariff due to the actual loading time for this Train Service varying from this estimate.

³³ 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.

³⁴ 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

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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.

this Unloading Facility from the Reference Tariff due to the actual unloading time for this Train Service varying from the estimate.

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5.6.2 Reference Tariff

(c) The Reference Tariff components are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.618	0.71
AT ₂	1,389	1470.72
AT ₃	-	-
AT ₄	1.669	1.92
AT ₅	1.576	1.72
EC	0.451	0.477
QCA Levy	0.00588	0.0056

(d) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

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 ³⁵	4.5
• Yongala	4.2 ³⁶

5.7.1.2 Unloading Facilities

Nominated Unloading Facilities

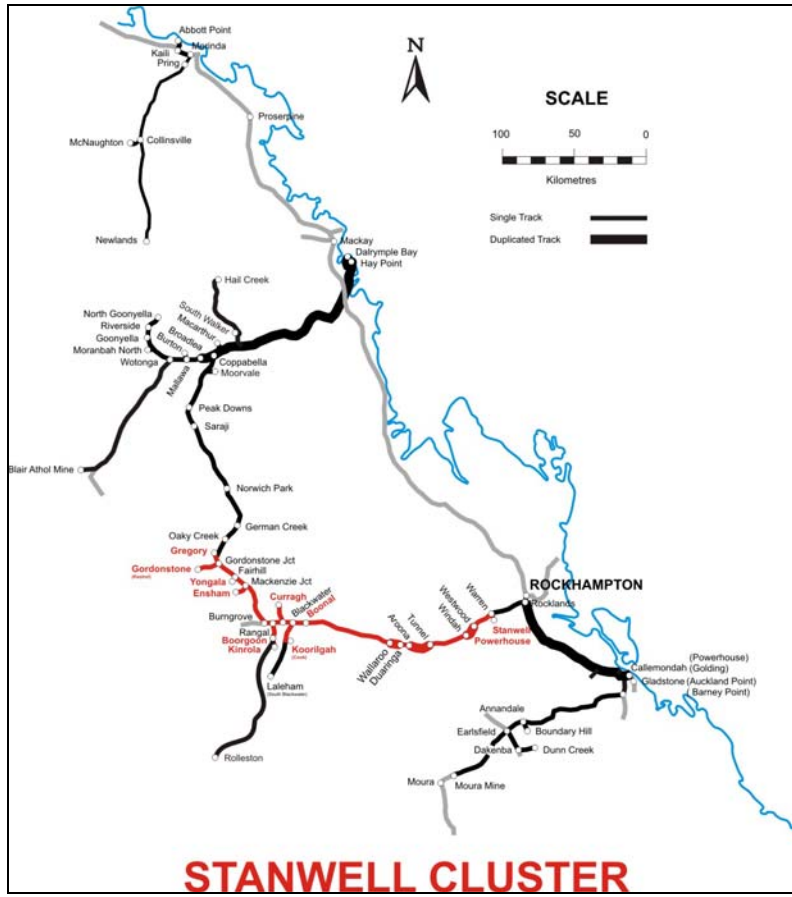
Average Unloading Time (hours) per return trip assessed on a monthly basis

• Stanwell Powerhouse	2.3
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³⁵ 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.

³⁶ 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

(c) The Reference Tariff components are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.618	0.71
AT ₂	1,389	1470.72
AT ₃	2.240	2.58
AT ₄	0.413	0.48
AT ₅	1.576	1.72
EC	0.451	0.477
QCA Levy	0.00588	0.0056

(d) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

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

- Rolleston

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

2.2

5.8.1.3 Unloading Facilities

Nominated Unloading Facilities

- Golding/RG Tanna Terminal
- Barney Point
- Gladstone Power Station
- Cement Australia
- Queensland Alumina Ltd (QAL)³⁷
- Comalco Refinery

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

2.6

5.0

4.3

6.0

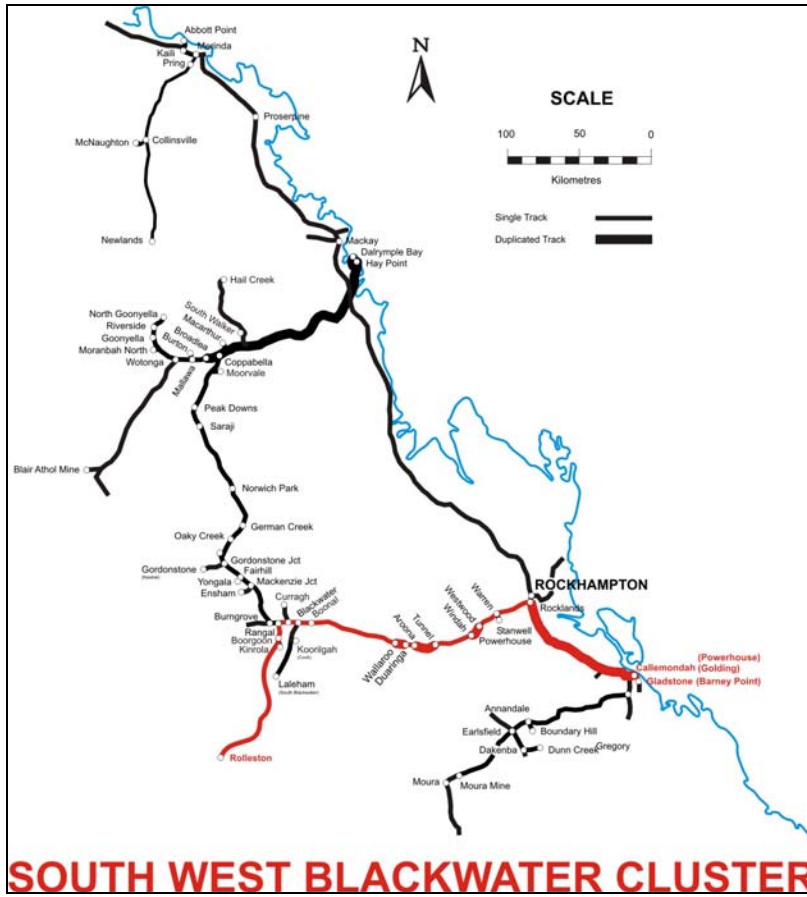
13.7

3.1³⁸

³⁷ 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.

³⁸ 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

(c) The Reference Tariff components are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.618	0.71
AT ₂	1,389	1470.72
AT ₃	5.504	5.78
AT ₄	2.317	2.43
AT ₅	-	-
EC	-	-
QCA Levy	0.00588	0.0056

(d) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

6. Goonyella System

6.4 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.

6.5 Term

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

6.6 Reference Train Service Description

6.3.1 The Reference Train Service has the following characteristics:

- (e) a maximum length (including the locomotive/s) of 2082³⁹ metres;
- (f) a maximum axle load of 26 tonne for a wheel configuration consistent with M220⁴⁰ loading, or otherwise generates a loading equivalent to M220;
- (g) utilisation of either electric or diesel traction; and
- (h) 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

³⁹ 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).

⁴⁰ As specified in the ANZRC Railway Bridge Design Manual 1974.

sum of the nominated section running times for the Nominated Infrastructure (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	116,283,563	35,532,668
2007/08	37,066,523	131,994,028	40,214,743
2008/09	37,465,285	137,313,940	41,658,723

6.5 North Goonyella Cluster

6.5.1 Reference Train Service Description

6.5.1.1 Loading Facilities

Nominated Loading Facilities

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

- South Walker Creek 3.8
- Macarthur/Coppabella 3.9
- Burton 3.8
- Moranbah North 3.9
- Goonyella 3.9
- Riverside 4.6
- North Goonyella 4.3
- Moorvale 3.9
- Carborough Downs 3.5⁴¹
- Isaac Plains 3.5⁴²

6.5.1.2 Unloading Facilities

Nominated Unloading Facilities

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

- Dalrymple Bay 2.8

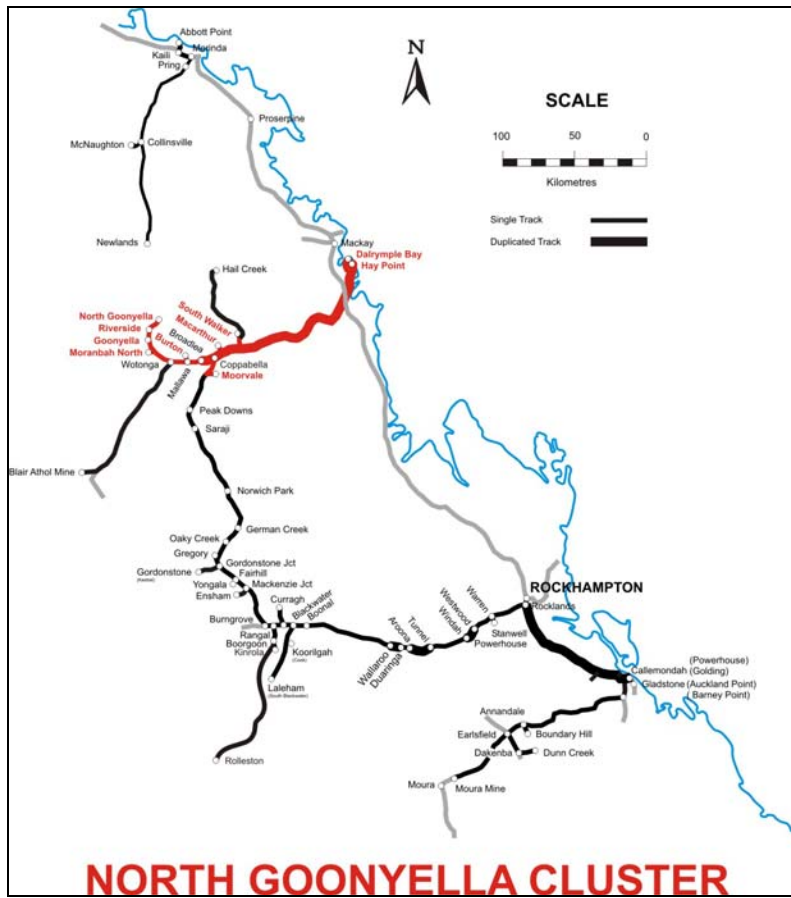
⁴¹ This is an estimate of loading time for this Loading Facility. QR will review this loading time following commencement of the operation of Train Services from this Loading Facility. Until such review and approval of this or a varied loading time by the QCA, QR will not vary the Access Charge for a 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.

⁴² 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.

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- Hay Point

6.5.1.3 Cluster Map



(Note, the cluster map is shown in colour)

6.5.1.4 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 Mindi and North Goonyella or between Coppabella and Moorvale Junction or to any of the branch lines to any Nominated Loading Facility but excluding the corridors between Wotonga and Blair Athol and between Moorvale Junction and Oaky Creek.

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6.5.2 Reference Tariff

(c) The Reference Tariff components are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.427	0.49
AT ₂	800	846.98
AT ₃	2.127	2.28
AT ₄	0.379	0.40
AT ₅	1.004	1.06
EC	0.451	0.477
QCA Levy	0.00588	0.0056

(d) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

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 ⁴³ |

6.6.1.2 Unloading Facilities

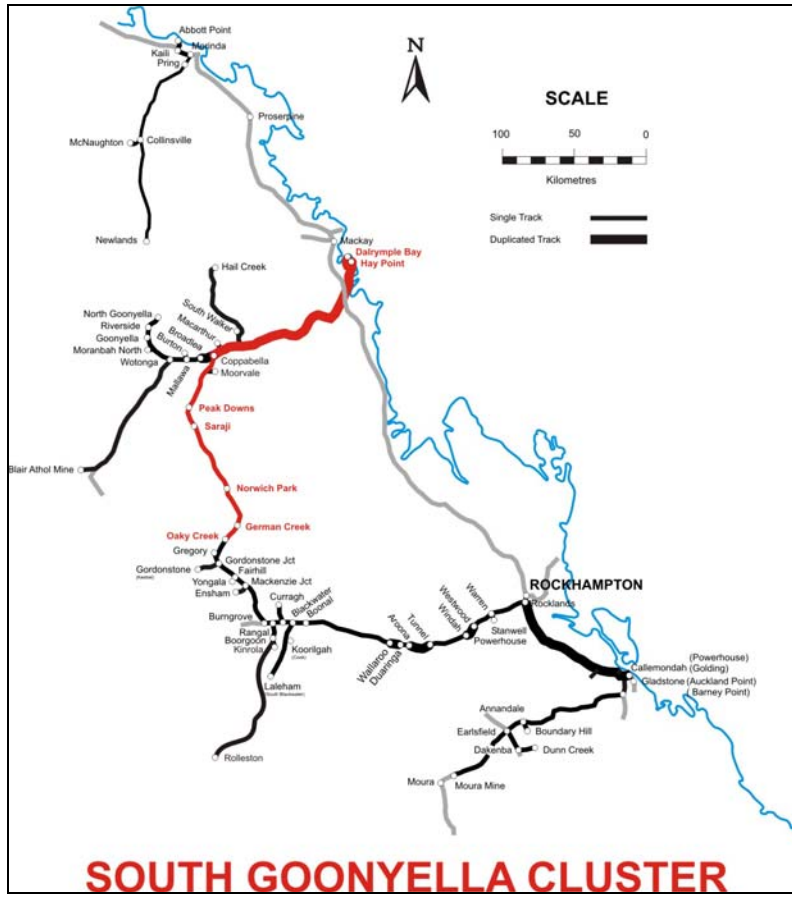
Nominated Unloading Facilities

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

- | | |
|-----------------|-----|
| • Dalrymple Bay | 2.8 |
| • Hay Point | 2.8 |

⁴³ 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.

6.6.1.3 Cluster Map



(Note, the cluster map is shown in colour)

6.6.1.4 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 Moorvale and Oaky Creek or to any of the branch lines to any Nominated Loading Facility but excluding the corridor to the junction south of the Gregory mine branch line.

6.6.2 Reference Tariff

(c) The Reference Tariff components are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.427	0.49
AT ₂	960	1016.59
AT ₃	2.216	2.37
AT ₄	0.529	0.57
AT ₅	1.004	1.06
EC	0.451	0.477
QCA Levy	0.00588	0.0056

(d) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

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

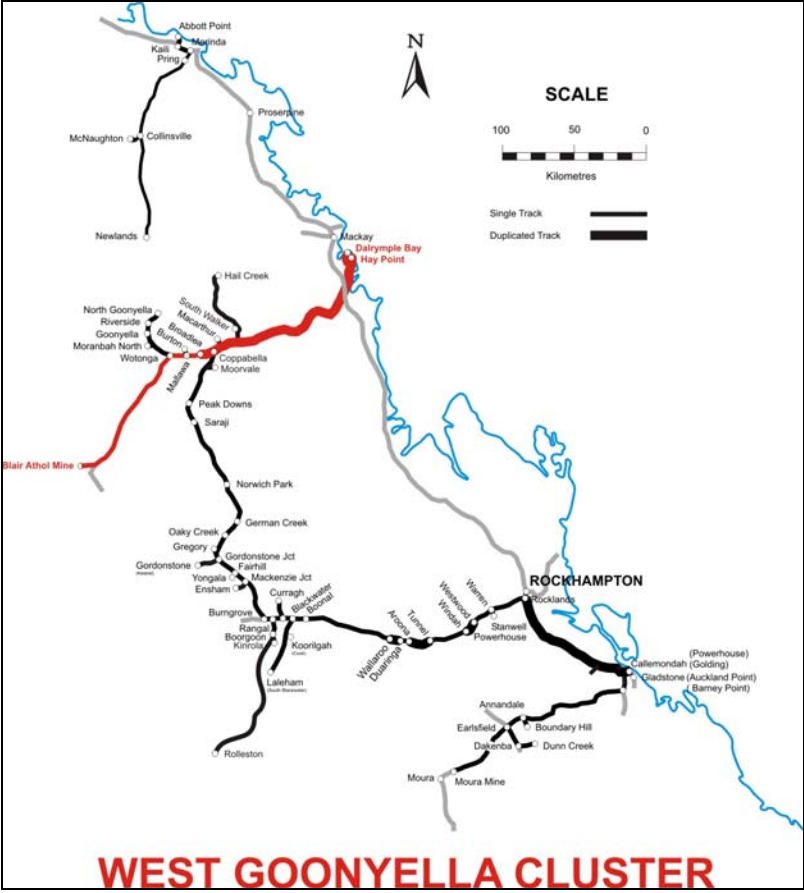
Average Unloading Time (hours) per return trip assessed on a monthly basis

2.8

2.8

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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.

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6.7.2 Reference Tariff

(c) The Reference Tariff components are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.427	0.49
AT ₂	800	846.98
AT ₃	2.254	2.41
AT ₄	0.630	0.67
AT ₅	1.004	1.06
EC	0.451	0.477
QCA Levy	0.00588	0.0056

(d) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

6.8. Gregory Branch via Goonyella Cluster

6.8.1 Reference Train Service Description

6.8.1.1 Loading Facilities

Nominated Loading Facilities

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

- Gregory 3.6
- Kestrel⁴⁴ 4.8
- Ensham¹⁸ 4.2

6.8.1.2 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

⁴⁴ These mines do not have angles to the north.

6.8.2 Reference Tariff

(c) The Reference Tariff components are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.427	0.49
AT ₂	960	1016.59
AT ₃	2.630	2.81
AT ₄	0.823	0.88
AT ₅	1.004	1.06
EC	0.451	0.477
QCA Levy	0.00588	0.0056

(d) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

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

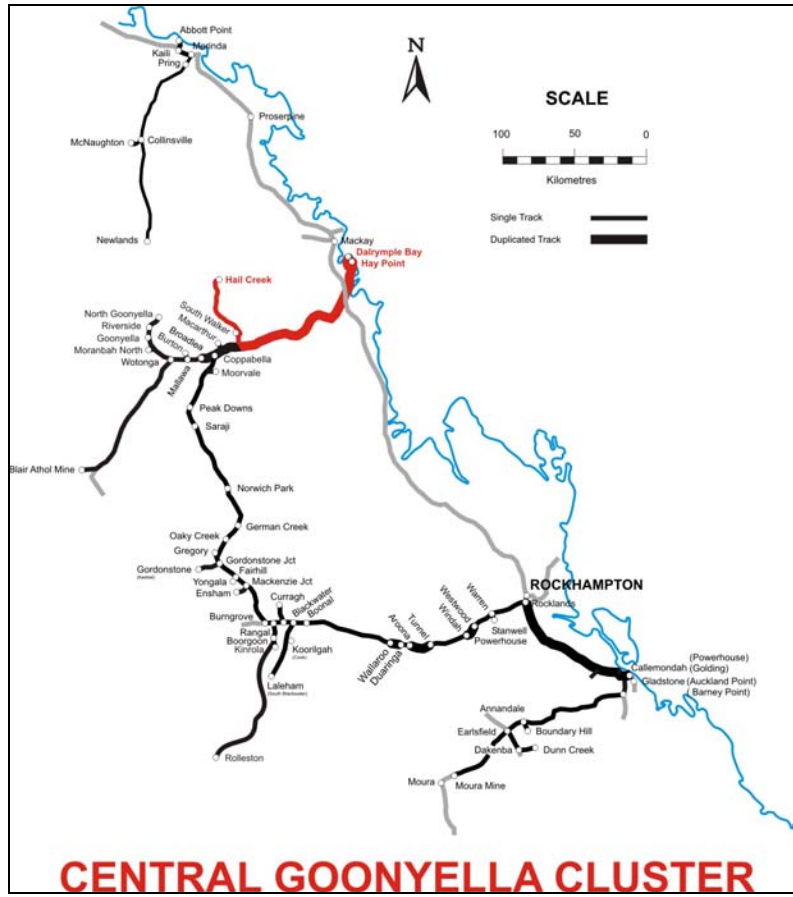
Average Unloading Time (hours) per return trip assessed on a monthly basis

2.8

2.8

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6.9.1.4 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 are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	0.427	0.49
AT ₂	800	846.98
AT ₃	3.624	3.83
AT ₄	0.656	0.69
AT ₅	1.004	1.25
EC	0.451	0.477
QCA Levy	0.00588	0.0056

(b) The First Escalation Date for the Revised Reference Tariff is 1 October 2007

7. Moura Cluster

7.6 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.

7.7 Term

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

7.8 Reference Train Service Description

7.3.1 The Reference Train Service has the following characteristics:

- (e) a maximum length (including the locomotive/s) of 1000⁴⁵ metres;
- (f) a maximum axle load of 26 tonne for a wheel configuration consistent with M220⁴⁶ loading, or otherwise generates a loading equivalent to M220;
- (g) utilisation of diesel traction; and
- (h) 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

⁴⁵ 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).

⁴⁶ As specified in the ANZRC Railway Bridge Design Manual 1974.

nominated section running times for the Nominated Infrastructure (as included 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 ⁴⁷

7.3.4 Unloading Facilities

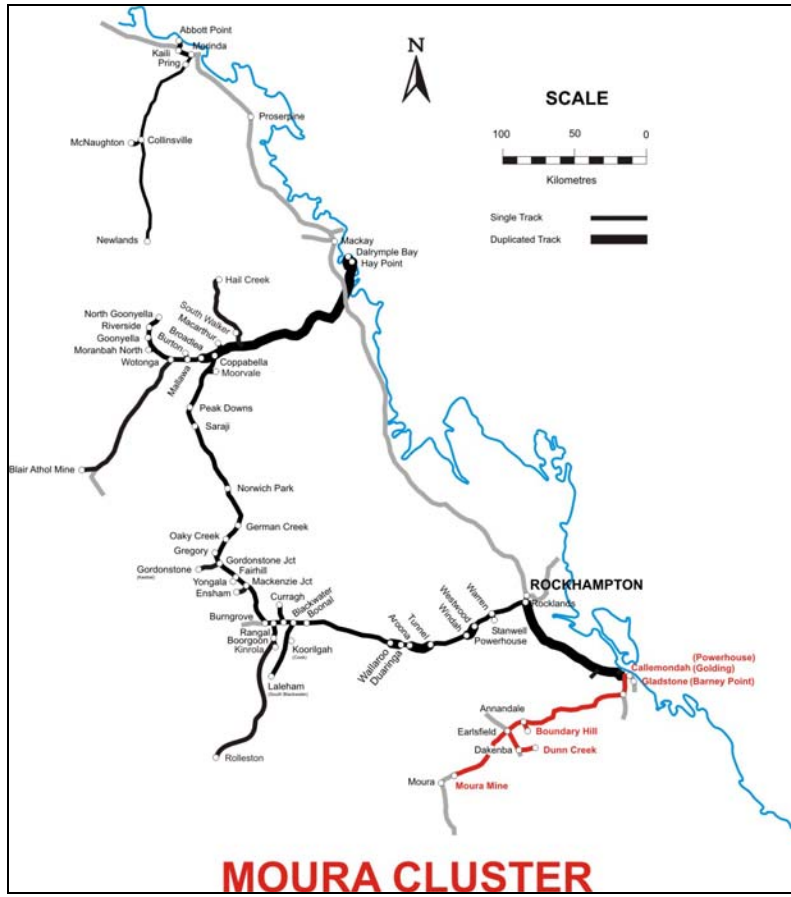
<i>Nominated Unloading Facilities</i>	<i>Average Unloading Time (hours) per return trip assessed on a monthly basis Year</i>
• Golding/RG Tanna Terminal	1.5
• Barney Point	3.1
• Gladstone Power Station	3.3
• Queensland Alumina Ltd (QAL) ⁴⁸	8.9
• Cement Australia	4.3
• Comalco Refinery	3.1 ⁴⁹

⁴⁷ 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.

⁴⁸ 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.

⁴⁹ 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.

7.3.5 Cluster Map



(Note, the cluster map is shown in colour)

7.3.6 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 Annandale and Moura Mine or to any of the branch lines to any Nominated Loading Facility.

7.9 Reference Tariff

(c) The Reference Tariff components are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	1.158	1.34
AT ₂	416	440.54
AT ₃	5.880	6.70
AT ₄	0.961	1.09
AT ₅	0	-
EC	0	-
QCA Levy	0.00588	0.0056

(d) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

7.10 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	28,440,217
2007/08	3,414,578	31,090,943
2008/09	4,069,312	37,749,042

8. Newlands Cluster

8.6 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.

8.7 Term

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

8.8 Reference Train Service Description

8.3.1 The Reference Train Service has the following characteristics:

- (e) a maximum length (including the locomotive/s) of 1380⁵⁰ metres;
- (f) a maximum axle load of 20 tonne for a wheel configuration consistent with M160⁵¹ loading, or otherwise generates a loading equivalent to M160;

⁵⁰ 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).

- (g) utilisation of diesel traction; and
- (h) 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 ⁵²

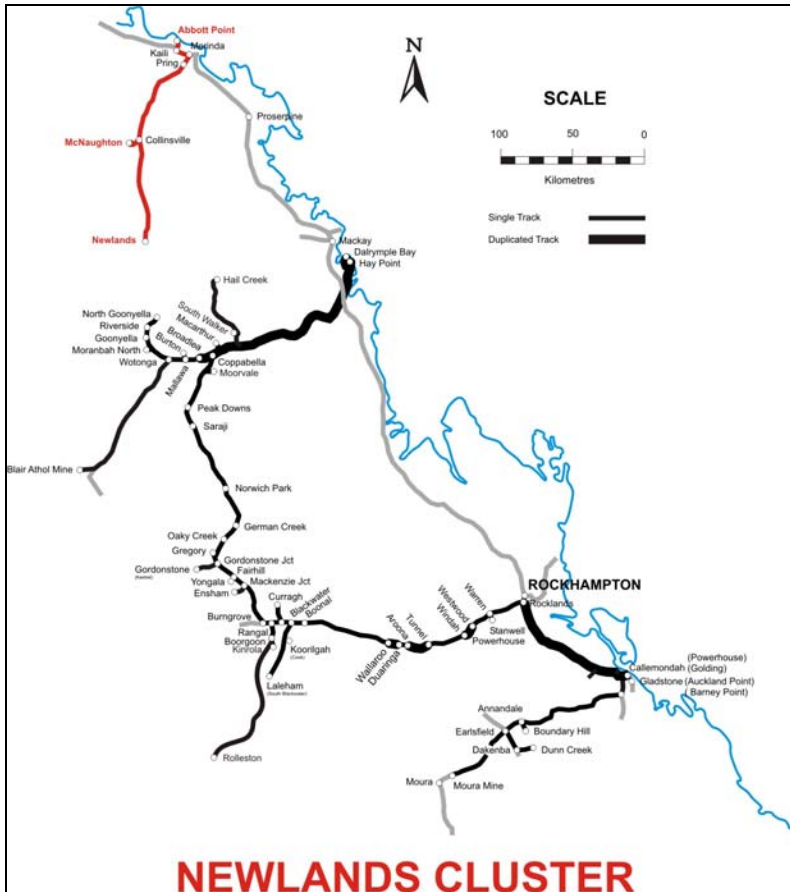
8.3.4 Unloading Facilities

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

⁵¹ As specified in the ANZRC Railway Bridge Design Manual 1974.

⁵² 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.

8.9 Reference Tariff

(c) The Reference Tariff components are:

Reference Tariff Component	Reference Tariff (\$) July 05	Revised Reference Tariff (\$) July 07
AT ₁	1.203	1.39
AT ₂	186	196.97
AT ₃	4.652	5.00
AT ₄	0.658	0.71
AT ₅	0	-
EC	0	-
QCA Levy	0.00588	0.0056

(d) The First Escalation Date for the Revised Reference Tariff is 1 October 2007.

8.10 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	23,307,925
2007/08	3,718,598	24,953,480
2008/09	3,718,598	25,577,317

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