



28 April 2006

Mr Paul Bilyk
Queensland Competition Authority
GPO Box 2257
Brisbane Qld 4001

By email: ports.submissions@qca.org.au

Att: Mr Paul Bilyk

RE: COMMENTS ON DBCT SUPPLEMENTARY SUBMISSIONS

We refer to the QCA's request for submissions on the supplementary submissions it received regarding the DBCT 2006 draft access undertaking.

In response to QCA's request regarding the proposed queuing processes, Xstrata re-iterates its support for the mechanisms and processes outlined in BBI's submission of 4 January 2006. Further, for bona fide requests for additional capacity that are in existence at the commencement date of the undertaking, DBCT Management should recognize the 'first in best dressed' principle. Bona fide requests should be contractually binding obligations that commit the requesting party to full take-or-pay payments in the event the expansion proceeds.

With respect to legal rights of parties, Xstrata is concerned that a subsequent shift to a pro-rata mechanism at this stage would create greater uncertainty, inefficiency and potential gaming.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Bridger', written over a horizontal line.

Stephen Bridger
General Manager Business Development
Xstrata Coal Queensland

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