

File Ref: 757452

11 August 2014

Mr Alex Kummant  
Chief Executive Officer  
Aurizon Network Pty Ltd  
GPO Box 456  
Brisbane QLD 4001

Dear Mr Kummant

**Notice of Investigation: Aurizon Network's 2014 Draft Access Undertaking**

On 11 August 2014, we received from Aurizon Network Pty Ltd (Aurizon Network) a draft access undertaking (the 2014 DAU) in accordance with section 136 of the *Queensland Competition Authority Act 1997* (the QCA Act). This proposal replaces Aurizon Network's 2013 DAU (submitted to the QCA in April 2013), which has been withdrawn.

**Notice of Investigation**

In accordance with section 146 of the QCA Act, we propose to conduct an investigation to decide whether or not to approve Aurizon Network's 2014 DAU. Section 146 of the QCA Act requires us to provide the owner or operator of a regulated service or the responsible person, with a formal notice that we intend to conduct an investigation and to invite a written submission.

**Submissions**

In accordance with section 138 of the QCA Act, we may approve a DAU only if we have:

- published the draft access undertaking and invited persons to make submissions on it; and
- considered those submissions.

We have published Aurizon Network's 2014 DAU on our website ([www.qca.org.au](http://www.qca.org.au)) and sought submissions from interested parties. We invite a written submission from Aurizon Network. Attached is a submissions page to assist in the preparation and lodgement of that submission. Aurizon Network is welcome to comment on any aspect of the 2014 DAU.

Any inquiries on this matter should be directed to Mr Sean McComish on (07) 3222 0542. The closing date for all submissions is **3 October 2014**.

Yours sincerely



John Hindmarsh  
Chief Executive Officer

## SUBMISSIONS

Closing date for submissions: 3 October 2014

Public involvement is an important element of our decision-making process. Therefore submissions are invited from interested parties concerning our assessment of Aurizon Network's 2014 DAU. We will take account of all submissions received.

Written submissions should be sent to the address below. While we do not necessarily require submissions in any particular format, it would be appreciated if two printed copies are provided together with an electronic version on disk (Microsoft Word format or Microsoft Excel if more applicable) or by e-mail. Submissions, comments or inquiries should be directed to:

Queensland Competition Authority  
GPO Box 2257  
Brisbane Q 4001  
Tel (07) 3222 0542  
Fax (07) 3222 0599  
rail@qca.org.au

[www.qca.org.au](http://www.qca.org.au)

### Confidentiality

In the interests of transparency and to promote informed discussion, we would prefer submissions to be made publicly available wherever this is reasonable. However, if a person making a submission does not want that submission to be public, that person should claim confidentiality in respect of the document (or any part of the document). Claims for confidentiality should be clearly noted on the front page of the submission and the relevant sections of the submission should be marked as confidential, so that the remainder of the document can be made publicly available. It would also be appreciated if two copies of each version of these submissions (i.e. the complete version and another excising confidential information) could be provided. Again, it would be appreciated if each version could be provided on disk. Where it is unclear why a submission has been marked "confidential", the status of the submission will be discussed with the person making the submission.

While we will endeavour to identify and protect material claimed as confidential as well as exempt information and information disclosure of which would be contrary to the public interest (within the meaning of the Right to Information Act 2009 (RTI)), we cannot guarantee that submissions will not be made publicly available. As stated in section 187 of the Queensland Competition Authority Act 1997 (the QCA Act), we must take all reasonable steps to ensure the information is not disclosed (other than to those persons listed in section 187) without the person's consent, provided we are satisfied that the person's belief is justified and that the disclosure of the information would not be in the public interest. Notwithstanding this, there is a possibility we may be required to reveal confidential information as a result of a RTI request.

### Public access to submissions

Subject to any confidentiality constraints, submissions will be available for public inspection at our Brisbane office or on our website at [www.qca.org.au](http://www.qca.org.au).