

21 August 2008

Mr E J Hall
Chief Executive
Queensland Competition Authority
Level 19, 12 Creek Street
GPO Box 2257
Brisbane QLD 4001

Dear John

QR Network's 2008 replacement draft access undertaking

Thank you for the opportunity to provide comments in relation to the proposed 2008 draft access undertaking which has been submitted by QR Network (QR Network 2008 Undertaking) for consideration by the Queensland Competition Authority.

QRC reaffirms its previous submission to the QCA concerning this regulatory process (3 June 2008). In particular, QRC reiterates its support for preserving the regulatory principles contained in QR's approved 2006 Access Undertaking within the proposed QR Network 2008 Undertaking. QRC understands that this position is also agreed by QR Network, the QCA and other stakeholders. Indeed, QRC maintains that the primary vehicle for considering any policy changes to improve the operation of the regulatory regime should be addressed within the forthcoming 2009 access undertaking regulatory process.

In relation to information that has been made available for public consultation, QRC notes that documents (including the proposed confidentiality deed and the proposed Access Agreement – replacing the current internal access agreement) have not been made available at this stage of the public consultation process. As a result, QRC requests that the QCA undertake a complete and thorough review of this material and makes all relevant information available for public review (subject to substantiated confidentiality claims) to ensure a transparent regulatory process.

In terms of process, QRC maintains that in the event of the QCA not approving a 2008 access undertaking by 1 September 2008, QR's current undertaking not be withdrawn until an appropriate replacement has been approved. To do otherwise could result in significant regulatory uncertainty for current access holders, access seekers and industry customers.

Yours sincerely



Michael Roche
Chief Executive