

Our ref: MEX-13-365

Dr. Malcolm Roberts  
Chairman  
Queensland Competition Authority  
GPO Box 2257  
Brisbane QLD 4001

Dear Dr Roberts

The QR Network (2008) June 2010 Access Undertaking (2008AU), which applies to Queensland Rail Limited (Queensland Rail), is set to expire on 30 June 2013. Queensland Rail is submitting this Draft Amending Access Undertaking to the Authority under section 142 of the *Queensland Competition Authority Act 1997 (Act)* to extend the term of the 2008AU to 31 December 2013.

As you are aware, the Authority is currently considering Queensland Rail's Draft Access Undertaking 1 (AU1). Once approved, AU1 will replace the 2008AU. While the process for the approval of AU1 is advanced, it is not expected that the Authority's final approval will be completed prior to the current expiry of the 2008AU. Extending the term of the 2008AU will provide continued regulatory certainty for stakeholders while the Authority's approval process for the replacement access undertaking is finalised.

Queensland Rail is proposing that transitional reference tariffs will apply from 30 June 2013, being current reference tariffs escalated by CPI. The adjustment charge provisions in AU1 will allow the reference tariff to be backdated upon the approval of AU1. Queensland Rail notes that transitional tariffs have been applied in the 2005 and 2010 Access Undertakings.

Please find attached Queensland Rail's draft amending access undertaking in both clean and marked up versions.

If you have any questions please do not hesitate to contact Mr Douglas Jasch, Manager Regulation and Policy on (07) 3235 7272 or [douglas.jasch@qr.com.au](mailto:douglas.jasch@qr.com.au).

Yours sincerely

  
**Jim Benstead**  
Acting Chief Executive Officer

07 May 2013