



Professor Roy Green
Chair
Queensland Competition Authority
Level 27, 145 Ann Street
BRISBANE QLD 4000

25 August 2016

Dear Professor Green

Submission of the 2017 Draft Access Undertaking

I refer to the QCA's announcement that it will be making a draft decision in relation to Aurizon Network's 2014 Amended Draft Access Undertaking (**2014ADAU**), in particular to address matters raised by one stakeholder in response to the 2014ADAU.

As a result of this announcement, Aurizon Network believes it is unlikely that a final decision will be made by the QCA on the 2014ADAU before 9 September 2016, the date currently set by the QCA for submission of Aurizon Network's next Draft Access Undertaking (**UT5**). Consequently, Aurizon Network seeks an extension of the date for submission of UT5 in the manner set out in this letter.

Importance of consistency between UT4 and UT5

In the interests of regulatory certainty, and having regard to feedback from all stakeholders, Aurizon Network had intended to use the version of the 2014DAU approved by the QCA as the basis for UT5, and had done so on the understanding that the approval date for the 2014DAU would occur before the due date for the submission of UT5. As you know, this undertaking must currently be lodged by 9 September 2016, as set out in the QCA's notice of 11 May 2016.

Aurizon Network believes this logical sequence remains important for the development of UT5 and for the maintenance of regulatory stability. This approach is intended to achieve a degree of regulatory stability for all stakeholders while also allowing incremental development of the current policy framework. As you would appreciate, both the 2014ADAU and the concept of an incremental approach to UT5 have been the subject of customer consultation and are consistent with stakeholder expectations.

Accordingly, it is both reasonable and important for Aurizon Network to have the opportunity to review and consider the QCA's final decision on the 2014ADAU, and to consult as necessary with stakeholders, before submitting UT5. This is important given the compulsory process proposed by the QCA does not contemplate the amendment of the draft undertaking post submission to reflect the outcome of consultation with stakeholders.

Extension requested for submission of UT5

Aurizon Network therefore requests, in accordance with Section 133(1)(b) of the *Queensland Competition Authority Act 1997* that the QCA approves an extension for the submission of an undertaking in response to the QCA's notice of 11 May 2016. This time will allow Aurizon Network to have greater certainty regarding the outcomes and timings of UT4 and provide for further time to engage with its stakeholders.

As the timing of a final decision on the 2014ADAU is uncertain, Aurizon Network respectfully requests that the QCA extend the time period to the date that is 45 days after the date of the QCA's Final Decision on the 2014ADAU.

If the QCA is not minded to grant an extension in these terms, Aurizon Network requests an extension of the time period to 30 November 2016.

Should you have any queries in relation to this matter, please do not hesitate to contact Jon Windle at networkregulation@aurizon.com.au.

Yours sincerely

A large black rectangular redaction box covering the signature area.

Alex Kummant
Executive Vice President Network

