

5 July 2013

Attention: Jeremy Threlfall
Assistant Director - Rail
Economic Regulation Authority
PO Box 8469
PERTH BC WA 6849

[Email: publicsubmissions@erawa.com.au](mailto:publicsubmissions@erawa.com.au)

Dear Sirs,

CONSULTATION
Proposal for Access – The Pilbara Infrastructure PL

I refer to the Authority's request for submissions relating to the access proposal by Brockman Iron Ore Pty Limited (Brockman) for access to part of the rail infrastructure owned by The Pilbara Infrastructure Pty Limited (TPI).

The access that Brockman has sought would be from chainage 219.5 to chainage 23. There is mention by TPI that the grant of access to Brockman may preclude others gaining access because of the extent of access sought.

It is very difficult for Flinders to comment fully as the published information does not enable us to accurately assess whether there is a risk that further access would be restricted, or that further expansion of capacity could not be achieved on economically efficient terms (both in terms of raising expansion funding and servicing the additional capital required).

As indicated in my letter to ERA dated 11 June (at paragraph 3.5) there needs to be a process with transparency. This extends not only to costs, but also to the capacity assumptions (on a segment by segment basis) on which TPI is working. Accordingly, Flinders continues to reserve its right to make further submissions.

It is worth noting that while Flinders continues to review its transportation options it is not clear at what point Flinders would seek to connect to the TPI system. Accordingly, any suggestion by TPI that the granting of 20mtpa of access to Brockman would preclude others is of great concern to Flinders. Again, we would like to understand the basis of this comment so that we can assess our options.

Yours faithfully,

Robert Kennedy
Executive Chairman