

Mr Jeremy Threlfall
Economic Regulation Authority
PO Box 8469
PERTH BC WA 6000

30 October 2015

Dear Mr Threlfall

Review of Railways (Access) Code 2000

Australian Rail Track Corporation (**ARTC**) thanks the Economic Regulation Authority for allowing it the opportunity to make a submission in respect of the current review of the Western Australian *Railways (Access) Code 2000* (the **Code**) being undertaken by the Economic Regulation Authority.

ARTC is Australia's largest rail network owner, being a supplier of below rail infrastructure services in respect of over 8,500 km of standard gauge rail track in New South Wales, Victoria, South Australia, Western Australia (so far as Kalgoorlie) and Queensland. In particular, ARTC operates the national interstate rail network and the Hunter Valley rail network which facilitate the movement of a range of commodities including general freight, coal, iron ore, other bulk minerals and agricultural products.

The Economic Regulation Authority has made a number of recommendations in its Draft Report dated September 2015. Relevantly, Recommendation 1 states:

"That the Government implement the 2006 Competition and Infrastructure Reform Agreement (CIRA) in respect of the interstate route west from Kalgoorlie, and the TPI railway."

ARTC understands that if this recommendation were implemented, that portion of the interstate rail line, between Kalgoorlie and Perth would no longer be subject to the State-based access regime established under the Code, and would be open for regulation by the Australian Competition and Consumer Commission, on the basis of the current undertaking provided by ARTC over its portion of the interstate network. ARTC agrees that that change would provide benefits in the form of reducing the costs and resources required by parties to arrive at a negotiated outcome over the entire interstate network.

The purpose of this submission is for ARTC to advise the ERA that it has no objection to the implementation of this recommendation.

Yours sincerely



John Fullerton
Chief Executive Officer