



Thursday, 14 June 2012

Mr David Heeps  
Chief Executive Officer  
The Essential Services Commission  
Level 2 35 Spring St  
Melbourne 3000

cc Mr Dominic L'Huillier  
Senior Regulatory Manager (Transport Branch)  
The Essential Services Commission  
Level 2 35 Spring St  
Melbourne 3000

Dear Mr Heeps

**Response to the Essential Services Commission Draft Decision on the South Dynon Terminal Access Arrangement**

Under the Rail Management Act (1996) (Victoria) the South Dynon Terminal (SDT) is required to provide third party access to terminal services on terms approved by the Essential Services Commission of Victoria (ESCV). The current terms applying to third party access to the SDT expire on 30 June 2012.

Pacific National lodged a revised SDT Access Arrangement and Agreement with the ESCV in March 2012. The ESCV released a Draft Decision on this Access Arrangement in May.

Please find attached a revised version of the SDT Access Arrangement and Access Agreement which incorporates all of the changes required by the ESCV in its Draft Decision. In addition the attached revised version includes a minor change related to TEU handling charges which has been discussed and agreed with ESCV officers.

This revised version has been provided as a marked up version, with changes made to the version submitted in March 2012, and as a clean version.

Pacific National submits that the attached Access Arrangement and Access Agreement attached should be approved by the ESCV. If you wish to discuss this issue please contact me on (03) 9248 7274.

Yours faithfully,

A handwritten signature in blue ink, reading "Tim Kuypers". The signature is stylized with a long horizontal stroke at the bottom.

**Dr Tim Kuypers**  
General Manager Safety, Access and Regulation