

**NOTICE OF LODGMENT**  
**AUSTRALIAN COMPETITION TRIBUNAL**

This document was lodged electronically in the AUSTRALIAN COMPETITION TRIBUNAL and has been accepted for lodgment pursuant to the Practice Direction dated 3 April 2019. Filing details follow and important additional information about these are set out below.

**Lodgment and Details**

Document Lodged: Non-prescribed Notice

File Number: ACT 2 of 2018 and ACT 3 of 2018

File Title: Applications under s 44ZP of the Competition and Consumer Act 2010 for review of the arbitration determination by the Australian Competition and Consumer Commission in relation to an access dispute between Glencore Coal Assets Australia Pty Ltd and Port of Newcastle Operations Pty Ltd

Registry: VICTORIA – AUSTRALIAN COMPETITION TRIBUNAL



REGISTRAR

Dated: 20/11/2020 10:40 AM

**Important information**

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Tribunal and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.



## IN THE AUSTRALIAN COMPETITION TRIBUNAL

File Nos: ACT 2 & 3 of 2018

Re: Applications under s 44ZP of the *Competition and Consumer Act 2010* for review of the arbitration determination by the Australian Competition and Consumer Commission in relation to an access dispute between Glencore Coal Assets Australia Pty Ltd and Port of Newcastle Operations Pty Ltd

Applicants Port of Newcastle Operations Pty Limited (ACN 165 332 990)

and

Glencore Coal Assets Australia Pty Ltd (ACN 163 821 298)

### **GLENCORE'S POSITION REGARDING PNO'S APPLICATION FOR THE TRIBUNAL TO ISSUE A NOTICE PURSUANT TO s 44ZZOAAA(5)**

1. Pursuant to Order 3 of the Tribunal's Directions dated 6 October 2020, Glencore indicates that it opposes PNO's application for the Tribunal to issue a notice pursuant to s 44ZZOAAA(5).
2. Glencore also opposes PNO's request for an extension of time to file a further application for the Tribunal to issue a notice pursuant to s 44ZZOAAA(5).