



# Victoria Government Gazette

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## Essential Services Commission Act 2001

### NOTICE OF DETERMINATION

The Essential Services Commission (the Commission) gives notice under section 35(2) of the **Essential Services Commission Act 2001** of the making of a determination under section 34 of that Act.

Part 2A of the **Rail Corporations Act 1996** establishes a third party access regime for declared Victorian intrastate track (the Rail Access Regime). Under the Rail Access Regime, a person can request the Commission to make a determination on access to declared rail infrastructure services.

The intrastate standard gauge network operated by Freight Victoria Limited (trading as Freight Australia) (the Freight Network) is declared under the Rail Access Regime.

On 28 May 2003 Pacific National (NSW) Pty Limited (Pacific National) made an application to the Commission for it to make a determination on access to the Freight Network. In respect of the application, the Commission has made the following determination:

- (a) that Freight Australia and Pacific National exchange specified information; and
- (b) that Freight Australia make a formal proposal of the terms and conditions on which it will propose access to the Freight Network.

The determination takes effect on the date of Gazettal of this Notice. As soon as practicable, a non-confidential copy of the determination will be available for inspection from the Commission's website at [www.esc.vic.gov.au](http://www.esc.vic.gov.au) or at the Commission's offices during business hours by contacting: Mr Geoff Jones, Essential Services Commission, Level 2, 35 Spring Street, Melbourne, Vic. 3000.

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**SPECIAL**

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