

From: James Mattson [<mailto:JMattson@bartier.com.au>]
Sent: Friday, 24 November 2017 3:39 PM
To: Chambers - Hamberger SDP
Cc: Wendy Carr; Paul Ryan; Richard Calver
Subject: Truck Moves and others' draft determination - AM2016/32 - AMOD Group 2C (road transport) [BP-BPWSD.B.FID688329]

Dear Associate to Senior Deputy President Hamberger

We refer to the above matter and the amended directions issued by the Commission in this matter.

Evidence

As set out in my email of 10 October 2017, our clients continue to rely on the evidence it has already filed in these proceedings.

We enclose by way of filing, and service, the following two further open statements to be relied on by our clients in these proceedings:

1. A [statement from Mr Matthew Whitnall](#) made on 24 November 2017.
2. A [statement from Mr John Bradac](#) made on 24 November 2017.

Mr Whitnall's statement at paragraphs 7 and 8 refer to a CD/DVD of footage. We will arrange for that footage to be delivered to the Commission, and the parties copied into this email. We request those parties advise us of the best address to send the CD/DVDs.

In a separate email, and further to some material tendered in confidence at the hearing on 7 March 2017 (see PN 548 to 553), our client will be relying on a confidential statement containing commercially confidential and sensitive financial business information. Given the nature of this evidence, we trust that this statement will not be placed on the Commission's website or circulated or used by the parties other than in direct connection with these proceedings.

Finally, our client is hoping to rely on expert evidence. As set out in our email of 10 October 2017, there was a delay in receiving that report. We are hopeful of being in a position to file and serve that expert evidence shortly (but it may be early next week).

Submissions

Attached are the [outline of submissions](#) in support of the proposed draft determination.

Other matters

Subject to what arises from any evidence and submissions in opposition to the proposed draft determination, we wish to raise the possibility that our clients might want a site inspections of its yard, the work its drivers undertake and of a transport yard to see the difference between the vehicle relocation industry and the freight industry. We foreshadow this as a matter that may need to be discussed when the proceedings are relisted at some time in the future following the filing and serving of all evidence.

Best regards

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