

BHP BILLITON LTD  
Form 6-K  
July 01, 2010

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# SECURITIES AND EXCHANGE COMMISSION

Washington, DC 20549

## FORM 6-K

### REPORT OF FOREIGN PRIVATE ISSUER

Pursuant to Rule 13a-16 or 15d-16 of

the Securities Exchange Act of 1934

June 30, 2010

| <u>Commission File Number</u> | <u>Translation of registrant's name into English; Address of principal executive offices</u> |
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|  | BHP Billiton Limited (ABN 49 004 028 077)<br>180 LONSDALE STREET, MELBOURNE, VICTORIA<br>3000 AUSTRALIA |
|--|---------------------------------------------------------------------------------------------------------|

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| - | BHP Billiton Plc (REG. NO. 3196209)<br>NEATHOUSE PLACE, VICTORIA, LONDON,<br>UNITED KINGDOM |
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Indicate by check mark whether the registrant files or will

file annual reports under cover of Form 20-F or Form 40-F.

Form 20-F  Form 40-F

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(1):

Indicate by check mark if the registrant is submitting the Form 6-K in paper as permitted by Regulation S-T Rule 101(b)(7):

Indicate by check mark whether the registrant by furnishing the

information contained in this form is also thereby furnishing the

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information to the Commission pursuant to Rule 12g3-2(b) under the  
Securities Exchange Act of 1934.

Yes  No

If "Yes" is marked, indicate below the file number assigned to the  
registrant in connection with Rule 12g3-2(b): 82-.

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NEWS RELEASE

Release Time IMMEDIATE

Date 30 June 2010

Number 15/10

**BHP BILLITON RESPONDS TO AUSTRALIAN COMPETITION TRIBUNAL RAIL ACCESS APPLICATIONS  
DECISION**

BHP Billiton today welcomed the Australian Competition Tribunal's decision to reject the application for declaration of its Newman rail line while expressing its disappointment at the Tribunal's decision to grant declaration of BHP Billiton's Goldsworthy rail line under Part IIIA of the Trade Practices Act.

The company's rail infrastructure in Western Australia is fundamental to its integrated mine, rail and port production process for its world class Iron Ore operations.

Ian Ashby, President of Iron Ore, said: "While we welcome the Tribunal's decision to reject the application for access to our Newman line, we are disappointed by their decision to grant declaration of our Goldsworthy rail line given its importance to our Iron Ore business. It is not in the public interest that our business or customers should be disadvantaged through the increased inefficiencies and costs that will result from other companies operating their trains on our rail lines".

Following the Tribunal's decision, access seekers may now negotiate with BHP Billiton for access to the Goldsworthy railway. These negotiations, and the availability and terms of access, would be governed by the Part IIIA statutory framework, and either the access seeker or BHP Billiton could refer disputed matters to the ACCC for arbitration. The outcome of this process would govern whether access would be provided and on what terms.

BHP Billiton will review the Tribunal's Goldsworthy decision. The company is entitled to appeal the decision via the Full Bench of the Federal Court of Australia.

Notes:

BHP Billiton's partners in the Western Australia Iron Ore operations are Itochu Minerals & Energy of Australia Pty Ltd, Mitsui-Itochu Iron Pty Ltd and Mitsui Iron Ore Corporation Pty Ltd.

\*BHP Billiton's attributable share is approximately 85%.

Further information on BHP Billiton can be found on our Internet site: [www.bhpbilliton.com](http://www.bhpbilliton.com)

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BHP Billiton Limited ABN 49 004 028 077

Registered in Australia

Registered Office: 180 Lonsdale Street

Melbourne Victoria 3000 Australia

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BHP Billiton Plc Registration number 3196209

Registered in England and Wales

Registered Office: Neathouse Place

London SW1V 1BH United Kingdom

Tel +44 20 7802 4000 Fax +44 20 7802 4111

Members of the BHP Billiton group which is headquartered in Australia

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SIGNATURES

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Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

Date : June 30, 2010

BHP Billiton Limited (ABN 49 004 028 077)

By: /s/ Jane McAloon

Name: Jane McAloon

Title: Group Company Secretary