

# Freehills

Mr Arek Gulbenkogl  
Communications Group  
Australian Competition and Consumer  
Commission  
GPO Box 520  
MELBOURNE VIC 3001

25 September 2006  
Matter 80950530

Dear Mr Gulbenkogl

## **ACCC draft decision on Foxtel special access undertaking**

We refer to the Commission's draft decision to reject Foxtel's special access undertaking. The Commission has requested submissions in response to the draft decision by 25 September 2006.

Seven agrees with the conclusion of the draft decision. However, Seven does not agree with all of the statements and findings in the Commission's draft decision. In that respect, it relies upon the submission that it provided to the Commission on 17 February 2006.

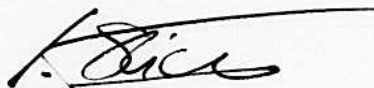
Accordingly, Seven will not be providing any further submissions to the Commission. If further submissions received by the Commission result in a change to the decision, Seven reserves its right to seek a review of the Commission's final decision by the Australian Competition Tribunal.

At this time, Seven wishes to ensure that the Commission has a complete record of the documents to which Seven (and its experts) referred to in their submission and expert reports. Accordingly, we enclose by way of production to the Commission a CD containing the documents that were referred to in Seven's submission, and in its two supporting expert reports, and that were not previously produced to the Commission.

Yours faithfully



**Donald Robertson**  
Partner  
Freehills  
+61 2 9225 5523  
0414 275 523  
donald.robertson@freehills.com



**Peter Strickland**  
Solicitor  
Freehills  
+61 2 9322 4282  
peter.strickland@freehills.com

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