



12 September 2018

Ms Tessa Cramond
 Analyst, Adjudication, Mergers and Authorisation Review Division
 Australian Competition and Consumer Commission
 Level 17/2 Lonsdale Street
 Melbourne, VIC 3000

By email: adjudication@acc.gov.au
 Cc: Tessa.cramond@acc.gov.au

86-88 Chinderah Bay Drive
 Chinderah NSW 2487
 P.O Box 1427
 Kingscliff NSW 2487
 AUSTRALIA

Services: 02 6676 7647
 Admin: 02 6674 7656
 Fax: 02 6674 7657
 Email: solorr@solo.com.au
 Web: www.solo.com.au

RE: AA1000414 Draft Determination and Interim Authorisation – Response to Conference Record

Thank you for your time at the Pre Decision Conference in Adelaide on 27 August 2018 and the opportunity for Solo Resource Recovery (Solo) to communicate our concerns regarding the Draft Determination and Interim Authorisation (AA1000414).

In reviewing the Conference Record that has been recently published, we have noticed a few points that we believe require clarification and amendment.

Firstly, the following statement requires the following addition (in bold type) from page eight of the record:

The comment in the ACCC’s draft determination that these capital costs are not incurred until after the tender is awarded suggests that companies, regardless of size, could scale up if they won the tender. However, tenderers have to demonstrate that have the capacity and capital to service a contract before they tender to financial institutions and when they tender to Councils.

Secondly, we believe that the following dot point (from page eight of the record) should be reviewed to read as follows (addition in bold):

- o *the participating councils are big enough individually to entice large companies to tender. Three large companies **that Council Solutions seek to entice to tender** have previously tendered for ~~their~~ **individual Council** contracts including one being a previous incumbent contractor.*

Thirdly, Solo would like to clarify that Mike Ritchie was at the Pre Decision Conference as a representative of MRA and not as a representative of Solo. We note on the ACCC public register that MRA has lodged a submission. In view of this it would be appropriate to have Mike Ritchie and MRA listed as a separate attendee.

Finally, on page 13 of the Conference Record Adrian Rose is referred to as the Managing Director. Adrian Rose is the State Manager South Australia.

<input type="checkbox"/> BYRON BAY Address: 2 Fowlers Lane PO Box 342 Bangalow NSW 2479 Phone: 02 6687 0455 Email: byron@solo.com.au	<input type="checkbox"/> HUNTER REGION Address: 25-27 Oakdale Road PO Box 2347 Gateshead NSW 2290 Phone: 02 4947 8511 Email: solohunt@solo.com.au	<input type="checkbox"/> PORT STEPHENS Address: 47 Camfield Drive Heatherbrae NSW 2324 PO Box 806 Raymond Terrace NSW 2324 Phone: 02 4947 7997 Email: solohunt@solo.com.au	<input type="checkbox"/> FRANKSTON REGION Address: 47 Tova Drive PO Box 8236 Carrum Downs VIC 3201 Phone: 03 9770 8040 Email: frankston@solo.com.au	<input type="checkbox"/> CLAYTON Address: 145 Fairband Road PO Box 1051 Clayton VIC 3168 Email: frankston@solo.com.au
<input type="checkbox"/> ROSEBUD Address: 4 David Court Rosebud VIC 3941 PO Box 8236 Carrum Downs VIC 3941 Phone: 03 5982 2725 Email: frankston@solo.com.au	<input type="checkbox"/> WARRAGUL REGION Address: 16 Pearse Street PO Box 1364 Warragul VIC 3820 Phone: 03 5633 2009 Email: bawbaw@solo.com.au	<input type="checkbox"/> NORTH PLYMPTON Address: 181 Morphett Road North Plympton SA 5037 Phone: 08 8295 5077 Email: solomari@solo.com.au	<input type="checkbox"/> WINGFIELD Address: 401 Hanson Road Wingfield SA 5013 Phone: 08 8447 5725 Email: solomari@solo.com.au	<input type="checkbox"/> WA REGION Address: 59 Burlington Street Naval Base WA 6165 Phone: 08 9410 1566 Email: perth@solo.com.au



We thank you for your consideration of the above changes to the conference record to ensure that any party reviewing the Conference Record will have clarity of Solo's message that was delivered on the day.

Yours faithfully

A handwritten signature in black ink that reads "R. Richards". The signature is written in a cursive, flowing style.

Robert Richards
Managing Director
Solo Resource Recovery

