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Dear Sir/Madam

### **Council Solutions' application for authorisation AA1000419 (processing services) – draft determination**

The Australian Competition and Consumer Commission (the **ACCC**) has issued a draft determination in respect of application for authorisation AA1000419, lodged by Council Solutions on 4 May 2018.

Council Solutions, on behalf of the Cities of Adelaide, Charles Sturt, Marion and Port Adelaide Enfield (Participating Councils), seeks authorisation to jointly procure the processing of waste services, comprising the:

- receiving and processing of recyclables
- receiving and processing of organics and
- receiving and processing or disposal of residual waste.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation until 30 June 2031. The ACCC has also granted interim authorisation to allow the councils to commence the tender process, but not enter into any waste collection contracts. A copy of the ACCC's draft determination is attached.

### **Next steps**

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **5 October 2018**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "AA1000419 – Council Solutions – submission". The ACCC may be limited in its ability to take into account submissions received after 5 October 2018.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to a draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference you must notify the ACCC in writing by **28 September 2018**.

If a pre-decision conference is called the ACCC proposes to hold the conference in Adelaide on **22 October 2018**. We will confirm details about the date, time and venue of the conference if a pre-decision conference is called.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the publication [Guidelines for excluding information from the public register](#).

## Timetable

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information:

Indicative date	Stage in assessment process
<b>4 May 2018</b>	Lodgement of application and supporting submission.
<b>17 May 2018</b>	Public consultation process begins.
<b>6 June 2018</b>	Closing date for submissions from interested parties.
<b>August 2018</b>	Applicant responds to issues raised in the public consultation process.
<b>14 September 2018</b>	Draft determination.
<b>28 September 2018</b>	Closing date to call a pre-decision conference.
<b>5 October 2018</b>	Closing date for submissions about the draft determination.
<b>Late October 2018</b>	Final determination if a pre-decision conference is not called.
<b>November 2018</b>	Final determination if a pre-decision conference is called.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Tessa Cramond on 03 9658 6516 or [adjudication@accc.gov.au](mailto:adjudication@accc.gov.au).

Yours sincerely



Gavin Jones  
Director  
Adjudication