



Our ref: AA1000460
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17/12/2019

Simon Uthmeyer
Partner
DLA Piper Australia

By email

Dear Mr Uthmeyer

**Car rental operators at Cairns Airport application for authorisation AA1000460
— Cairns Airport Pty Ltd request for confidential information and request for
extension**

We refer to your letter dated 12 December 2019 sent on behalf of your client Cairns Airport Pty Ltd (**CAPL**) and your follow up email this morning.

We have considered CAPL's request for the confidential version of the application for authorisation AA1000460, lodged by a group of car rental operators at Cairns Airport (namely, Avis, Budget, Hertz, Europcar, Enterprise and Thrifty – together, the **Applicants**) (the **application**).

The ACCC does not agree that CAPL would be seriously prejudiced if it was not provided with a confidential version of the application. The ACCC considers there is sufficient information available in the public version of the application about the proposed collective bargaining conduct¹ to enable all potentially interested parties, including the target CAPL, to provide submissions in relation to both the interim and substantive applications. The application has been available for public consultation since 3 December 2019.

Given submissions were due today, the ACCC will allow CAPL until cob Wednesday 8 January 2020 to respond to the application. Note the ACCC expects to make a decision on the request for interim authorisation in mid to late January.

Although we consider interested parties have sufficient information to respond to the application, we are liaising with the Applicants to see whether any confidential information in the application (or a summary thereof) may be provided to CAPL. If any such information is forthcoming, CAPL will have an opportunity to make supplementary submissions prior to the ACCC issuing a final determination (and possibly the draft determination if timing permits).

If you wish to discuss any aspect of this matter, please contact me on 03 9290 1482 or Danielle Staltari on 02 6243 1185.

¹ See section 3.1 of the accompanying submission to the application.

A copy of this letter is being placed on the public register.

Yours sincerely

A handwritten signature in grey ink, appearing to read 'DMC' followed by a stylized surname and a long horizontal flourish.

Daniel McCracken-Hewson
Acting General Manager
Adjudication