



Australian Competition & Consumer Commission

PO Box 1199
Dickson ACT 2602
470 Northbourne Ave
Dickson ACT 2602
Australia

Ph (02) 6243 1111
Fax (02) 6243 1199

Our Ref: N70210
Your Ref: EJJ:JR
Contact Officer: Alex Georgievski
Contact Phone: 02 6243 1329

23 October 2001

Steven Standing
Freehills
AMP Building
140 St Georges Terrace
Perth WA 6000

Dear Mr Standing

Re: Exclusive Dealing notification N70210 by Western Power

I refer to the exclusive dealing notification lodged by Western Power Corporation on 28 September 2001 with the Australian Competition and Consumer Commission. That notification detailed the Midwest Power Purchase Agreement, which would involve StateWest Power Pty Ltd to supply electricity to Western Power in preference to any other party in the case of a Curtailment.

The notification has been placed on the Commission's public register. Legal immunity for the exclusive dealing notification came into force on 28 September 2001. On the basis of the information that you have provided, I do not propose to make further inquiries in relation to the notified conduct at this stage.

Please note that the Commission may act to remove the immunity afforded by this notification at a later stage if it is satisfied that the public benefit arising from the notified conduct does not outweigh the public detriment arising from the conduct.

This letter has been placed upon the Commission's public register. If you wish to discuss any aspect of this matter further, please do not hesitate to contact Alex Georgievski on (02) 6243 1329.

Yours sincerely

Joanne Palisi
A/g General Manager
Adjudication Branch

