

Faxed 24/7/03
S. Clancy.



Australian Competition & Consumer Commission

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Our Ref: C2003/903
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24 July 2003

Mr Mark Hodgens
Millicent Area Manager
K & S Ampol
PO Box 567
MT GAMBIER SA 5290

By facsimile: (08) 8721 1796

Dear Mr Murray

Exclusive dealing notification N91149 lodged by K & S Ampol

I refer to the above exclusive dealing (third line forcing) notification lodged with the Australian Competition and Consumer Commission (the Commission) on 14 July 2003. Legal immunity provided by the notification is due to commence on 28 July 2003.

You have described the conduct as the sale of (discounted) fuel on condition that the customer acquires groceries from either Fosters Foodland or Andami IGA.

On the basis of the information that you have provided it is not intended that further action be taken in this matter at this stage.

As with any notification, 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 likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

This letter has been placed upon the Commission's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Scott Gregson on (02) 6243 1057.

Yours sincerely

Tim Grimwade
General Manager
Adjudication Branch

