



Australian Competition & Consumer Commission

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Our Ref: C2003/1045
Contact Officer: Michael Green
Contact Number: 02 6243 1088

7 October 2003

Ms Amanda Bodger
Mallesons Stephen Jaques
Level 28, Rialto
525 Collins Street
MELBOURNE VIC 3000

Dear Ms Bodger

**Re: Third line forcing notification N40582,
lodged by Telstra Corporation Limited (Telstra)**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the Commission) on 8 August 2003. Legal immunity provided by the notification commenced on 22 August 2003.

The notification details an arrangement in which Telstra, for limited promotional periods, proposes to:

- give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Telstra Internet Product to customers on the condition that the customer acquires or agrees to acquire an IBM Product; and
- refuse to give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a Telstra Internet Product for the reason that the customer has not acquired or has not agreed to acquire an IBM Product.

'Telstra Internet Products' relate to Broadband and narrowband internet services and associated products and services supplied by Telstra from time to time including its BigPond ADSL service, BigPond Cable service and BigPond satellite service and associated internet starter packs and self-installation kits.

'IBM Products' relate to products and services supplied by IBM Australia Limited from time to time including personal computers, computer hardware and software and associated products and services.



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 on the Commission's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Michael Green on 02 6243 1088.

Yours sincerely

Two handwritten signatures are present. The first signature on the left is a stylized 'T' followed by a horizontal line, representing Tim Grimwade. The second signature on the right is a cursive 'MG', representing Michael Green.

Tim Grimwade
General Manager
Adjudication Branch