

MALLESON'S STEPHEN JAQUES

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Confidential communication

17 December 2003

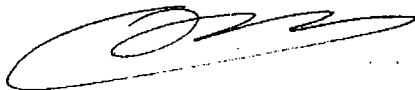
Mr Tim Grimwade
General Manager
Adjudication Branch
Australian Competition and Consumer
Commission
470 Northbourne Avenue
DICKSON ACT 2602
Fax 02 6243 1199

Dear Sir

Attached is a copy of a letter and Form G Exclusive Dealing Notification for Telstra eBusiness Services Pty Ltd. Also attached is a copy of a cheque for the lodgment fee. Originals of these documents have been lodged today with the Sydney office of the ACCC.

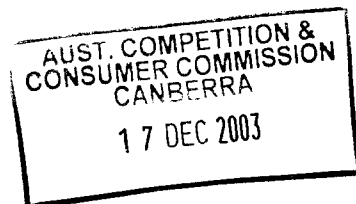
Please do not hesitate to contact me if you have any questions.

Yours sincerely



Kien Choong
Solicitor
Direct line + 61 2 9296 2163
Email kien.choong@mallesons.com

Tony O'Malley
Partner



Level 60 Governor Phillip Tower 1 Farrer Place Sydney NSW 2000 Australia
DX 113 Sydney ABN 22 041 424 954 syd@mallesons.com www.mallesons.com

T +61 2 9296 2000

F +61 2 9296 3999

Confidentiality has been granted for covering letter.

FORM G**Regulation 9****COMMONWEALTH OF AUSTRALIA*****Trade Practices Act 1974 - sub-section 93(1)*****EXCLUSIVE DEALING: NOTIFICATION**

To the Australian Competition and Consumer Commission:

Notice is hereby given, in accordance with sub-section 93(1) of the *Trade Practices Act 1974*, of particulars of conduct or proposed conduct of a kind referred to in sub-section 47(2), (3), (4), (5), (6) or (7), or paragraph 47(8)(a), (b) or (c) or 9(a), (b), (c) or (d) of that Act in which the person giving notice engages or proposes to engage.

1. (a) Name of person giving notice:

Telstra eBusiness Services Pty Ltd (ABN 79 054 644 772) ("**Telstra eBusiness**").

(b) Short description of business carried on by that person:

The provision of virtual private network services and related application and information services to the automotive industry.

(c) Address in Australia for service of documents on that person:

C/- Tony O'Malley
Partner
Mallesons Stephen Jaques
Level 60, Governor Phillip Tower
1 Farrer Place
Sydney NSW 2000

2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

The supply of:

- (i) virtual private network services (including access to the Australian Automotive Network Exchange);
- (ii) carriage services;
- (iii) Public Key Infrastructure (PKI) certification services; and
- (iv) Internet Protocol Security (IPSEC) security devices.

(b) Description of the conduct or proposed conduct:

Telstra eBusiness supplying virtual private network services on condition that subscribers obtain:

- (i) carriage services from a service provider approved by Telstra eBusiness (currently Telstra or Connect Internet Solutions Pty Ltd),
- (ii) a PKI certificate from a provider nominated by Telstra eBusiness (currently Keytrust Pty Ltd); and
- (iii) a nominated brand of security gateway device (currently Alcatel IPsec) from any supplier of that device.

The connection between carriage service providers will be provided by a single exchange point operator (currently Keytrust Pty Ltd).

3. (a) Class or classes of persons to which the conduct relates:

Subscribers (individuals and companies wishing to access the Australian Automotive Network Exchange, including Australian automotive vehicle manufacturers and their major suppliers) within the automotive industry.

(b) Number of those persons:

- (i) At present time: 27
- (ii) Estimated within the next year: 70

(c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses:

As of 1 July 2003, the following companies have completed the registration process and are connected to the network:

Company	ABN
Air International Pty. Ltd. (2 connections)	46 004 684 628
Austrim Nylex Ltd	95 009 375 553
Automotive Components Ltd	51 006 542 785
Bridgestone Australia	65 007 516 841
Dana Australia	87 001 238 160
Denso International Australia Pty Ltd	72 081 951 402
EDAG Future Pty. Ltd.	53 084 878 375
Ford Motor Co. of Australia	30 004 116 223
Hella Asia Pacific Pty Ltd	77 006 256 524
Holden Ltd.	84 006 893 232
Japan Highcomm Co Ltd	n.a.
Mark IV Automotive Pty. Ltd	68 080 115 966
Mitsubishi Motors Australia Ltd	53 007 870 395
PBR Australia	19 006 230 427
Plexicor Australia	81 004 290 288
Polk Australia Pty. Ltd	46 073 818 587

Robert Bosch Australia Pty. Ltd	48 004 315 628
Schefenacker Vision Systems Australia	77 007 550094
SWS Australia Pty Ltd	57 070 634 883
Tenneco Automotive	68 007 525 386
Toll Holdings Ltd	25 006 592 089
Toyota Motor Corporation Australia	64 009 686 097
TWR Australia	84 006 802 053
Venture Industries (2 connections)	31 068 232 253

Additions since 1 July, 2003:

Company	ABN
Car Haulaways – New Zealand	n.a.
Autoliv Australia Pty Ltd	52 000 636 626
Mullins Wheels Pty Ltd	82 007 725 082

4. Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:

Tony O'Malley
 Partner
 Mallesons Stephen Jaques
 Level 60, Governor Phillip Tower
 1 Farrer Place
 Sydney NSW 2000

Dated *17 December 2003*

Signed on behalf of the person giving this notice

A. J. O'Malley
 Tony O'Malley
 Partner

DIRECTIONS

- 1 If there is insufficient space on this form for the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the person giving the notice.
- 2 If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1(a), not the name of the person signing the notice, and the notice is to be signed by a person authorised by the corporation to do so.
- 3 In item 1(b), describe that part of the business of the person giving the notice in the course of which the conduct is engaged in.
- 4 If particulars of a condition or of a reason of the type referred to in sub-section 47(2), (3), (4), (5), (6), (7), (8) or (9) of the *Trade Practices Act* 1974 have been reduced in whole or in part to writing, a copy of the writing is to be furnished with the notice.
- 5 In item 3(a), describe the nature of the business carried on by the persons referred to in that item.
- 6 In item 3(b)(ii), state an estimate of the highest number of persons with whom the person giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.

NOTICE

If this notification is in respect of conduct of a kind referred to in sub-section 47(6) or (7) or paragraph 47(8)(c) or (9)(d) of the *Trade Practice Act* 1974 ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 93(7A) of the Act ("the prescribed period") unless the Commission gives a notice under sub-section 93A(2) of the Act within the prescribed period, or this notification is withdrawn.

The prescribed period is 21 days (if this notification is given on or before 30 June 1996) or 14 days (if this notification is given after 30 June 1996), starting on the day when this notification is given.

If the Commission gives a notice under sub-section 93A(2) of the Act within the prescribed period, this notification will not come into force unless the Commission, after completing the procedures in section 93A of the Act, decides not to give a notice under subsection 93(3A) of the Act. The notification comes into force when that decision is made.

If this notification is in respect of conduct of a kind referred to in subsection 47(2), (3), (4) or (5), or paragraph 47(8)(a) or (b) or (9)(a), (b) or (c), of the Act, it comes into force when it is given.