



Australian Competition & Consumer Commission

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Our Ref: D04/23642
Contact Officer: Liam Stewart
Contact Number: 02 6243 1275

17 June 2004

Ms Liza Carver
Partner
Gilbert and Tobin
Level 37, 2 Park Street
SYDNEY NSW 1042

Dear Ms Carver

**Re: Third line forcing notifications No. N91372, N91373
lodged by AGL Electricity Limited and AGL Retail Energy Limited**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the Commission) on 31 March 2004.

You have described the conduct as the offer by AGL Electricity and AGL Retail to customers in New South Wales of a discount, allowance, rebate or credit off the cost of their natural gas, electricity or ancillary services (maintenance services, energy audit services etc) on condition that they acquire one or more service from each party. The amount of the discount, allowance, rebate or credit will vary depending on the number of services acquired but will be in a range from \$50 to \$700.

Legal immunity provided by the notifications commenced on 15 May 2004.

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 these notifications 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.

I note that your clients have requested confidentiality for the information contained in the confidential annexures attached to the notifications. As a person authorised to exclude



documents from the public register for and on behalf of the Commission, I advise that the request has been granted.

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 Liam Stewart on 02 6243 1275.

Yours sincerely

A handwritten signature in black ink, appearing to be 'T. Grimwade', written in a cursive style.

Tim Grimwade
General Manager
Adjudication Branch