



Australian Competition & Consumer Commission

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Our Ref: C2004/803
Contact Officer: Gavin Jones
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18 June 2004

Mr Owen Williams
Hilltop Service Station
PO Box 203
DENMARK WA 6333

Dear Mr Williams

Re: Notification N91403 lodged by Hilltop Service Station

I refer to the above notification lodged with the Australian Competition and Consumer Commission (the Commission) on 31 May 2004. Legal immunity provided by the notification came into effect on 14 June 2004.

The conduct is described in the notification as the offer to customers of a 4-cents per litre discount on fuel purchases on condition the customer has purchased a minimum amount of goods at Dewsons.

The Commission consulted a wide variety of interested parties in relation to the conduct that is the subject of a number of similar notifications, most notably a notification lodged by Eureka Operations Pty Ltd (Eureka) (N91137) relating to the provision of a discount at Coles Express service stations on condition the customer has acquired goods of a specified value from companies within the Coles Myer group. The conduct the subject of notification N91403 was expressed similarly to that of Eureka (and others) and has been reviewed at the same time by the Commission.



In light of submissions made to it by interested parties and through its own investigations, the Commission considers that the notified conduct is likely to result in a net public benefit and does not intend to take any further action at this stage to remove the immunity afforded by these notifications.

Please note, as with any notification, the Commission may act to remove the immunity afforded by this notification at a later stage if it becomes 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. The Commission has issued a report in relation to the consideration of this matter, as well as its consideration of a number of acquisitions in the petrol and grocery sectors entitled "*Assessing shopper docket petrol discounts and acquisitions in the petrol and grocery sectors*". The report can be found on the Commission's website at www.accc.gov.au.

Yours sincerely

Handwritten signature of Tim Grimwade, consisting of a stylized 'T' and 'G'.

Tim Grimwade
General Manager
Adjudication Branch