



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2005/361  
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21 March 2005

Mr Stephen Kroker  
Partner  
Corrs Chambers Westgarth  
GPO Box 9925  
VICTORIA 3001

Dear Mr Kroker

**Third line forcing notifications lodged by  
Mobile World Operating Pty Ltd (N91624, N91625 & N40839)**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the Commission) by Mobile World Operating Pty Ltd (trading as Crazy John's) on 25 February 2005 (N91624 & N91625) and 3 March 2005 (N40839). The notifications have been placed on the Commission's public register.

I note that identical conduct is described in each of notifications N91624 & N91625. You advised, by way of telephone conversation with Gavin Jones of this office on 2 March 2005, that this was an inadvertent oversight.

Crazy John's has described the conduct the subject of notifications N91624 & N91625 as follows:

Crazy John's proposes to supply and offer to supply an ADSL Kit (which may only be used to access Telstra BigPond ADSL services) free of charge (as an agent for Telstra) to retail customers on the condition that those customers acquire a mobile telephone for \$0 upfront (from Crazy John's) and a Telstra mobile phone services access plan (from Crazy John's as agent for Telstra).

Legal immunity conferred by these notifications commenced on 11 March 2005.



Crazy John's has described the conduct the subject of notification N40839 as follows:

Crazy John's proposes to supply and offer to supply two pre-paid Motorola C201 mobile telephones free of charge to retail customers on the condition that those customers purchase an ADSL Kit (which may only be used to access Telstra BigPond ADSL services) from Crazy John's acting as agent for Telstra Corporation.

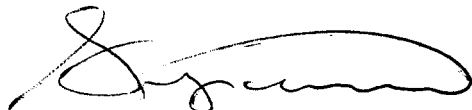
Legal immunity conferred by this notification commenced on 17 March 2005.

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

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.

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 Gavin Jones on (03) 9290 1959.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a large, sweeping flourish at the end.

Scott Gregson  
A/g General Manager  
Adjudication Branch