

**Coles Myer Ltd.**

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4 April 2005

Mr Scott Gregson
Acting General Manager – Adjudication Branch
Australian Competition and Consumer Commission
470 Northbourne Ave
DICKSON, ACT 2602

By Facsimile (02) 6243 1199

Dear Mr Gregson,

Application for Authorisations A90961 & A90962 lodged by Dairy Western Australian Ltd (Dairy WA)

I have been provided with a copy of your letter dated 22 March 2005 addressed to John Fletcher and asked to respond to you.

We note that you are seeking responses in respect of the interim authorisation of the arrangements proposed by Dairy WA by today. Coles Myer opposes such interim authorisation being given to Dairy WA.

This is a complex matter for which we have not had sufficient time to formulate a full response to the ACCC. However, our opposition to the interim authorisation is made particularly in light of the 2002 decision of the Australian Competition Tribunal which found that collective bargaining groups in the dairy industry must not comprise all of the dairy farmers that operate within particular regions, with one of those regions being Western Australian.

We look forward to responding to you more fully in respect of Dairy WA's application for authorisation by 15 April 2005.

Thank you for the invitation and opportunity to comment.

Yours faithfully,

Melissa Goode
Solicitor
Legal Services – Retail Support

