



**Australian
Competition &
Consumer
Commission**

Our Ref: C2005/780
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16 June 2005

Mr Eddie Scuderi
Corrs Chambers Wessgarth
GPO Box 9925
Brisbane Qld 4001

Dear Mr Scuderi

**Applications for revocation of authorisation A90745 and substitute by replacement
authorisation A90972 lodged by Premium Milk Ltd**

I refer to the application for revocation of authorisation A90745 and substitute by replacement authorisation A90972 made by Premium Milk Ltd (Premium) to the Australian Competition and Consumer Commission (ACCC) and in particular Premium's application for interim authorisation.

The ACCC has considered Premium's request and has decided to grant interim authorisation until it issues a determination in this matter (unless circumstances warrant revocation or amendment of the interim authorisation at an earlier stage).

Accordingly the ACCC has suspended the operation of authorisation A90745 and has granted interim authorisation to the application in substitution (A90972) on the same terms as those originally authorised.

In assessing Premium's request, the ACCC considered that interim authorisation would maintain the status quo in the relevant market(s) while it considers Premium's substantive application. The ACCC has also noted that the authorised arrangements (collective bargaining) have been operating for some time, and in these circumstances considered that the denial of interim authorisation may cause marketplace disruption, particularly if the ACCC were to ultimately grant authorisation.

Please be advised that the ACCC's decision in relation to interim authorisation should not be taken to be indicative of whether or not final authorisation will be granted by the ACCC.



Next steps

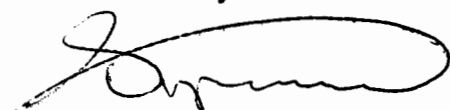
Generally, after having completed the interested parties process, the ACCC would forward any substantial submissions received to the Applicant for their consideration and comment. At this stage, however, the ACCC has not received any such submissions. The ACCC would therefore like to invite Premium to provide any further information it considers may assist the ACCC's assessment of the matter.

Any further comments should be received by no later than close of business **Friday 1 July 2005**.

After considering all of the information before it, the ACCC will release a draft determination which will indicate the ACCC's preliminary views on the merits of the application. The ACCC will give both Premium and interested parties an opportunity to provide further submissions on the draft determination before the ACCC issues its final decision.

This letter has been placed on the ACCC'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 read 'Scott Gregson', with a large, sweeping loop at the end.

Scott Gregson
A/g General Manager
Adjudication Branch