



Our Ref: C2005/1030
Contact Officer: Anthony Parker
Contact Number: (02) 6243 1338

**Australian
Competition &
Consumer
Commission**

14 July 2005

Mr Ian Male
Senior Legal Advisor
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Dear Mr Male

**Re: Third line forcing notification Nos. N91830 & N91831
lodged by Actew Retail Limited and AGL ACT Retail Investments Pty Limited**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) by Actew Retail Limited and AGL ACT Retail Investments Pty Limited on 15 June 2005. We note that these two entities trade as ActewAGL Retail (ActewAGL).

While the original notification was lodged on 15 June 2005, the correct fee was received on 27 June 2005. Legal immunity conferred by the notification will commence on 10 July 2005.

The conduct relates to an arrangement between TransACT Capital Communications Pty Limited (TransACT) and ActewAGL under which the parties propose to invite customers in the ACT to acquire services from each of these parties in return for being given a discount for the services acquired from each party. The discounts will apply to various combinations of services provided by TransACT and ActewAGL.

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 ACCC may act to remove the immunity afforded by this notification 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 ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Anthony Parker on 02 6243 1338.

Yours sincerely

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

Scott Gregson
A/g General Manager
Adjudication Branch