



Our Ref: C2005/1061  
Contact Officer: Anthony Parker  
Contact Number: (02) 6243 1338

**Australian  
Competition &  
Consumer  
Commission**

19 July 2005

PO Box 1199  
Dickson ACT 2602  
470 Northbourne Ave  
Dickson ACT 2602

Ms Liza Carver  
Partner  
Gilbert & Tobin  
Level 37, 2 Park Street  
SYDNEY NSW 1042

ph (02) 6243 1111  
fax (02) 6243 1199  
[www.accc.gov.au](http://www.accc.gov.au)

Dear Ms Carver

**Re: Third line forcing notification No. 31393 lodged by AGL Energy Services Pty Limited**

I refer to the above third line forcing notification received by the Australian Competition and Consumer Commission (the ACCC) on 22 June 2005.

While the original notification was received on 22 June 2005, the correct fee was received on 30 June 2005. Legal immunity conferred by the notification commenced on 13 July 2005.

The notification details an arrangement whereby the notifying parties, AGL Energy Services Pty Limited (AGL Energy) and various AGL Retailers listed below, propose to offer a discount, allowance, rebate or credit, off the total amount paid by business customers who:

- enter into or propose to enter into a contract for electricity and/or natural gas for more than 1TJ of natural gas and/or 160 MWh electricity per annum with one of the AGL Retailers; and
- enter into or propose to enter into a contract for the supply of energy services with AGL Energy.

The AGL Retailers are:

- AGL Energy Sales and Marketing Limited
- AGL Retail Energy Limited
- AGL Electricity Limited
- AGL Victoria Pty Limited
- AGL South Australia Pty Limited
- ActewAGL –being a partnership between Actew Retail Limited and AGL ACT Retail Investments Limited.

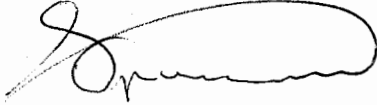
On the basis of the information that you have provided, it is not intended that further action be taken in respect of the notification at this stage.



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.

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 at the end.

Scott Gregson  
A/g General Manager  
Adjudication Branch