



Our Ref: C2006/990  
Contact Officer: Peter Sherry  
Contact Number: (02) 6243 1088

**Australian  
Competition &  
Consumer  
Commission**

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22 June 2006  
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**Attn: Ms Kim Kilby**  
ActewAGL  
GPO Box 366,  
Canberra ACT 2601

Dear Ms Kilby,

**Notifications of proposed third line forcing conduct by AGL ACT Retail Investments Pty Ltd (N92501) and ACTEW Retail Ltd (N92502) – Queanbeyan and Jerrabomberra customers**

I refer to the above third line forcing notifications lodged by AGL ACT Retail Investments Pty Limited and ACTEW Retail Limited (hereinafter ActewAGL) with the ACCC on 23 May 2006. These notifications have been placed on the public register. I note that a related notification was lodged by TransACT Capital Communications Pty Ltd (TransACT) on the same date.

These notifications lodged by ActewAGL detail a proposed arrangement whereby a rebate will be offered to consumers in Queanbeyan and Jerrabomberra who acquire certain services from ActewAGL (electricity, gas), on condition that they also acquire certain telephony services from TransACT. To become eligible for the rebate, customers are required to enter into a 24-month contract with each of the parties.

Legal immunity conferred by the notification came into force on June 6 2006.

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 the notification at a later stage if it is satisfied that the conduct results, or is likely to result in a net detriment to the public.

A copy of 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 Peter Sherry on (02) 6243 1088.

Yours sincerely

**Scott Gregson**  
General Manager  
Adjudication Branch

