



**Australian
Competition &
Consumer
Commission**

Our Ref: N31497
Contact Officer: Kerry Leigh Taylor
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3 January 2006

Ms Kathryn Edghill
Corrs Chambers Westgarth
GPO Box 9925
SYDNEY NSW 2001

Dear Ms Edghill,

Mirvac Homes (NSW) Pty Limited – Notification of third line forcing N31497

I refer to the above third line forcing notification lodged by Mirvac Homes (NSW) Pty Limited (Mirvac Homes) with the Australian Competition and Consumer Commission (the ACCC) on 23 December 2005. The notification has been placed on the ACCC's public register.

The proposed conduct can be described follows:

Mirvac Homes proposes to sell 16 residential house and land packages located at Hindostan Road, Neva Street and Hillsborough Crescent, Glenfield, NSW. The land is currently comprised in proposed lots 2-17 of lot 2 in DP 270460.

The contracts of sale in relation to the lots described will require the purchasers to enter into a contract with GridX (a manufacturer and supplier of environmentally friendly energy systems) for:

- (i) the installation in each purchaser's particular house of certain appliances adapted to be compatible with the GridX System; and
- (ii) the supply of electricity, hot water and climate control water.

In addition, GridX is seeking to obtain gas retailers' consent to bill the occupants for gas charges as agent for the gas retailers.

Legal immunity conferred by the notification will come into force on 4 January 2006.

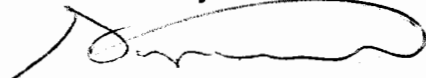
On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.



As with any notification, please note that the ACCC may act to remove the immunity afforded by 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 Kerry Leigh Taylor on (02) 6243 1175.

Yours sincerely

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

Scott Gregson
General Manager
Adjudication Branch