



Deacons

FILE No:
DOC:
MARS/PRISM:

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25 July 2006

Australian Competition and Consumer Commission
Public Register Officer
PO Box 1199
DICKSON ACT 2602

Other Offices
Brisbane
Canberra
Melbourne
Perth

**Independent
Affiliated Firms**
Hong Kong
Indonesia
Malaysia
People's Republic of China
Singapore
Taiwan
Thailand
Vietnam

Our Ref: ACH:2602640

Dear Sir or Madam:

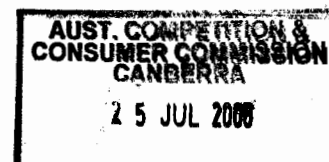
**Country Energy and Victorian Farmers Federation Membership Discount –
Third Line Forcing Notification**

Please find enclosed an Exclusive Dealing Notification Form (**Notification**) for Country Energy (**CE**) relating to the offer to award Victorian Farmers Federation (**VFF**) members a discount on renewal of their VFF membership when they choose CE as their electricity retailer.

CE is proposing to provide a 'member offer' to VFF members. The offer provides that if a VFF member chooses CE as its electricity retailer, that member will be given a \$60 discount (by way of a 'voucher') on the renewal of their VFF membership. If the VFF member pays their VFF membership by levy or ongoing monthly payments, they will be entitled to a \$60 credit on their electricity amount.

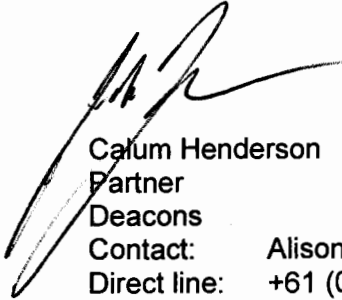
With reference to the test that must be satisfied pursuant to section 93(3A), CE considers that there is no public detriment, but there will be a public benefit, as the offer will enable members of the VFF to renew their membership at a substantial discount off the normal price. Further, the offer adds value to CE's services at no extra cost to consumers and is thus expected to have a pro-competitive effect in the market for retail electricity services.

Please find enclosed a cheque for \$1,000 for the lodgement of the Notification.



Should you have any further questions, please do not hesitate to contact myself or Alison Shilkin.

Yours faithfully



Calum Henderson
Partner
Deacons

Contact: Alison Shilkin
Direct line: +61 (0)2 9330 8686
Email: alison.shilkin@deacons.com.au

FORM G

COMMONWEALTH OF AUSTRALIA

N92564

Trade Practices Act 1974 - Sub-section 93(1)

EXCLUSIVE DEALING

NOTIFICATION

To the Australian Competition & Consumer Commission:

Notice is hereby given, in accordance with sub-section 93(1) of the *Trade Practices Act 1974*, of particulars of conduct or of proposed conduct of a kind referred to in sub-section 47(2), (3), (4), (5), (6) or (7) or paragraph 47(8)(a), (b) or (c) or (9)(a), (b), (c) or (d) of that Act in which the person giving notice engaged or proposes to engage.

(PLEASE READ DIRECTIONS AND NOTICE AT END OF FORM)

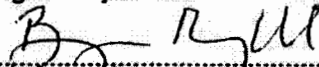
1. (a) Name of person giving notice
Country Energy (CE)
(See Direction 2 below)
- (b) Short description of business carried on by that person
Electricity supplier and retailer
- (c) Address in Australia for service of documents on that person
c/o Calum Henderson
Deacons
Level 8
1 Alfred St
SYDNEY NSW 2000
2. (a) Description of the goods or services in relation to the supply or acquisition
of which this notice relates
Retail electricity services
- (b) Description of the conduct or proposed conduct
CE is proposing to provide a 'member offer' to Victorian Farmers Federation (VFF) members. The offer provides that if a VFF member chooses CE as its electricity retailer, that member will be given a \$60 discount on the renewal of their VFF membership
(See Direction 4 below)
3. (a) Class or classes of persons to which the conduct relates
VFF members

- (b) Number of those persons -
- (i) At present time
Approximately 20,000
 - (ii) Estimated within the next year
Approximately 20,000
- (c) Where number of persons stated in item 3(b)(i) is less than 50, their names and address
4. Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice

Calum Henderson
Deacons
Level 8
1 Alfred St
SYDNEY NSW 2000

Dated 25 July 2006

Signed by/on behalf of the applicant


.....
Bronwyn Magdulski
Corporate Lawyer
Country Energy

DIRECTIONS

1. If there is insufficient space on this form for the required information, the information is to be shown on separate sheets, numbered consecutively and signed by or on behalf of the person giving the notice.
2. If the notice is given by or on behalf of a corporation, the name of the corporation is to be inserted in item 1(a), not the name of the person signing the notice and the notice is to be signed by a person authorised by the corporation to do so.
3. In item 1(b), describe that part of the business of the person giving the notice in the course of which the conduct is engaged in.
4. Where particulars of a condition or of a reason of the type referred to in sub-section 47(2),(3),(4),(5),(6),(7),(8) or (9) of the *Trade Practices Act 1974* have been reduced in whole or in part to writing, a copy of the writing is to be furnished with the notice.
5. In item 3(a), describe the nature of the business carried on by the persons referred to in that item.
6. In item 3(b)(ii), state an estimate of the highest number of persons with whom the person giving the notice is likely to deal in the course of engaging in the conduct at any time during the next year.

NOTICE

If this notification is in respect of conduct of a kind referred to in sub-section 47(6) or (7) or paragraph 47(8)(c) or (9)(d) of the *Trade Practices Act 1974* ("the Act"), it comes into force at the end of the of the period prescribed for the purposes of sub-section 93(7A) of the Act (the "prescribed period") unless the Commission gives a notice under sub-section 93A(2) of the Act within the prescribed period, or this notification is withdrawn.

The prescribed period is 21 days (if this notification is given on or before 30 June 1996) or 14 days (if this notification is given after 30 June 1996), starting on the day when this notification is given.

If the Commission gives a notice under sub-section 93A(2) of the Act within the prescribed period, this notification will not come into force unless the Commission, after completing the procedures in Section 93A of the Act decides not to give a notice under sub-section 93(3A) of the Act. The notification comes into force when that decision is made.

If this notification is in respect of conduct of a kind referred to in sub-section 47(2),(3),(4) or (5), or paragraph 47(8)(a) or (b) or (9)(a),(b) or (c) of the Act, it comes into force when it is given.