

JCDecaux

23 October 2006

Mr Scott Gregson
General Manager, Adjudication Branch
Australian Competition and Consumer Commission
470 Northbourne Ave
Dickson ACT 2602
Facsimile: (02) 6243 1211

**Out of Home
Media**

Dear Mr Gregson

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Czech Republic
Denmark
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France
Germany
Hong Kong
Hungary
Iceland
Ireland
Italy
Japan
Luxembourg
Malaysia
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Philippines
Poland
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Singapore
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Spain
Sweden
Switzerland
Thailand
United Kingdom
United States
Uruguay
Vietnam

Application for Authorisation by Municipal Association of Victoria – Interim Authorisation

I refer to the Commission's letter to interested parties in relation to the Application for Authorisation lodged by the Municipal Association of Victoria.

JCDecaux is engaged in three principal and complementary activities: the supply of street furniture, billboard and transit advertising. JCDecaux operates in over 40 countries internationally. In Australia, JCDecaux provides street furniture under contract with Councils and transport authorities in a number of States.

As an existing supplier of street furniture and outdoor advertising to Councils in Australia and a prospective tenderer to any major tender for provision of street furniture and outdoor advertising, JCDecaux has a very strong interest in the Application for Authorisation and in any impact that authorisation would have on the way in which the relevant Councils tender for the supply of street furniture and outdoor advertising.

I have seen a copy of the letter to the Commission from the Australian Association of National Advertisers ("AANA") dated 18 October 2006 and the copy of the letter to the Commission from the Outdoor Media Association Inc. ("OMA") dated [20 October 2006].

JCDecaux supports the position of the AANA and the position of the OMA and cannot see on the face of the Application any basis for the Commission to grant the Interim Authorisation sought. There is sufficient time to enable the substantive Application for Authorisation to be considered and any tender to then be conducted by the identified end date.

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JCDecaux does not seek at this point to provide its full comments on the substantive Application for Authorisation. However, JCDecaux is not persuaded that it would be necessary to issue one consolidated tender for bus shelters for all of the relevant Councils in order to achieve all, or substantially all, of the public benefits referred to in the Application. JCDecaux considers that there may be a number of ways in which the public benefits referred to in the Application could be obtained, some of which would involve reduced public detriment compared with the Association's proposed course. For example, significant public benefits could be achieved through the standardisation of tender terms for Councils without the need to go to the next step of requiring that there be only one tender for all Councils.

If you have any questions please contact me on 9557 6555.

Yours sincerely,



Steve O'Connor
Chief Executive Officer