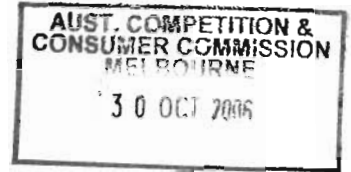


MALLESONS STEPHEN JAQUES

FILE No:
DOC:
MARS/PRISM:



Mr Gavin Jones
Australian Competition and Consumer Commission
Level 35, The Tower
360 Elizabeth Street
Melbourne VIC 3000

30 October 2006

A Bodger
Partner
Direct line
(61 3) 9643 4069

Dear Mr Jones

Telstra Licensed Shops - Third Line Forcing Notifications

We act for Telstra Corporation Limited ("Telstra").

From time to time, Telstra appoints licensees to operate Telstra Licensed Shops and lodges third line forcing notifications on their behalf in relation to their participation in promotional campaigns undertaken by Telstra.

This letter encloses four (4) notifications that Telstra is lodging on behalf of entities recently appointed as Telstra Licensed Shop licensees. These entities, listed in the attachment to this letter, propose to participate in Telstra promotional campaigns by offering certain inducements to customers on condition that they acquire, or agree to acquire, telecommunications services or products, or particular telecommunications services plans from Telstra.

We also enclose a cheque for the applicable lodgement fees of \$400.00.

Please contact Amanda Bodger on (03) 9643 4069 should you have any queries or comments.

Yours faithfully

Mallesons Stephen Jaques

MALLESONS STEPHEN JAQUES

Australian Competition and Consumer Commission

30 October 2006

Attachment: List of new Telstra Licensed Shop licensees

No.	Name	ABN/ACN
1	Madcow Pty Ltd	ABN 37 120 080 784
2	Systech Communications Pty Ltd	ABN 45 119 908 771
3	Tassie Communications Pty Ltd	ABN 34 118 427 151
4	Gold Telecom Pty Ltd	ACN 120 846 611

N41034
N41035
N41036
N41037

FORM GRegulation 9 *N41034*

COMMONWEALTH OF AUSTRALIA

*Trade Practices Act 1974 - sub-section 93(1)***EXCLUSIVE DEALING: NOTIFICATION**

To the Australian Competition and Consumer Commission:

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

1. (a) Name of person giving notice:

Madcow Pty Ltd (ABN 37 120 080 784).

Madcow Pty Ltd (ABN 37 120 080 784) ("TLS") operates a Telstra Shop under licence from Telstra and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

(b) Short description of business carried on by that person:

TLS supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, software, hand held computers, data products and internet starter packs.

(c) Address in Australia for service of documents on that person:

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

TLS will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, software, hand held computers, data products and internet starter packs) ("TLS Products") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food items) ("Promotional Products") to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

TLS proposes to:

- (i) supply or offer to supply a TLS Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to

acquire telecommunications services or products or particular telecommunications services plans from Telstra;

- (ii) refuse to supply or refuse to offer to supply a TLS Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a TLS Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire TLS Products and/or Promotional Products at a discount or at no cost.

The proposed conduct will not lessen competition because:

- (i) the retail markets for the TLS Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) TLS does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

3. (a) Class or classes of persons to which the conduct relates:

Retail customers (including small and medium enterprise customers).

(b) Number of those persons -

- (i) **At present time:** Substantially greater than 50.
- (ii) **Estimated within the next year:** Substantially greater than 50.

(c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses: Not applicable.

4. Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated

30 October 2006

Signed by the person giving this notice

A handwritten signature in black ink, appearing to read 'M Bodger', with a long, sweeping horizontal stroke extending to the right.

Amanda Bodger

Partner, Mallesons Stephen Jaques

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 If 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 Practice Act* 1974 ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 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 subsection 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 subsection 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.

FORM G

Regulation 9 N41035

COMMONWEALTH OF AUSTRALIA

*Trade Practices Act 1974 - sub-section 93(1)***EXCLUSIVE DEALING: NOTIFICATION**

To the Australian Competition and Consumer Commission:

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

1. (a) Name of person giving notice:

Systech Communications Pty Ltd (ABN 45 119 908 771).

Systech Communications Pty Ltd (ABN 45 119 908 771) ("TLS") operates a Telstra Shop under licence from Telstra and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

(b) Short description of business carried on by that person:

TLS supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, software, hand held computers, data products and internet starter packs.

(c) Address in Australia for service of documents on that person:

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

TLS will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, software, hand held computers, data products and internet starter packs) ("**TLS Products**") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food items) ("**Promotional Products**") to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

TLS proposes to:

- (i) supply or offer to supply a TLS Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to

acquire telecommunications services or products or particular telecommunications services plans from Telstra;

- (ii) refuse to supply or refuse to offer to supply a TLS Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a TLS Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire TLS Products and/or Promotional Products at a discount or at no cost.

The proposed conduct will not lessen competition because:

- (i) the retail markets for the TLS Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) TLS does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

3. (a) Class or classes of persons to which the conduct relates:

Retail customers (including small and medium enterprise customers).

(b) Number of those persons -

(i) At present time: Substantially greater than 50.

(ii) Estimated within the next year: Substantially greater than 50.

(c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses: Not applicable.

4. Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated

30 October 2006

Signed by the person giving this notice

A handwritten signature in black ink, appearing to read 'M Bodger', with a long, sweeping horizontal line extending to the right.

Amanda Bodger

Partner, Mallesons Stephen Jaques

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 If 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 Practice Act* 1974 ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 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 subsection 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 subsection 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.

FORM G**Regulation 9**

COMMONWEALTH OF AUSTRALIA

*Trade Practices Act 1974 - sub-section 93(1)***EXCLUSIVE DEALING: NOTIFICATION**

To the Australian Competition and Consumer Commission:

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

1. (a) Name of person giving notice:

Tassie Communications Pty Ltd (ABN 34 118 427 151).

Tassie Communications Pty Ltd (ABN 34 118 427 151) ("TLS") operates a Telstra Shop under licence from Telstra and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

(b) Short description of business carried on by that person:

TLS supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, software, hand held computers, data products and internet starter packs.

(c) Address in Australia for service of documents on that person:

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

TLS will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, software, hand held computers, data products and internet starter packs) ("TLS Products") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food items) ("Promotional Products") to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

TLS proposes to:

- (i) supply or offer to supply a TLS Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to

acquire telecommunications services or products or particular telecommunications services plans from Telstra;

- (ii) refuse to supply or refuse to offer to supply a TLS Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a TLS Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire TLS Products and/or Promotional Products at a discount or at no cost.

The proposed conduct will not lessen competition because:

- (i) the retail markets for the TLS Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) TLS does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

3. (a) Class or classes of persons to which the conduct relates:

Retail customers (including small and medium enterprise customers).

(b) Number of those persons -

(i) At present time: Substantially greater than 50.

(ii) Estimated within the next year: Substantially greater than 50.

(c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses: Not applicable.

4. Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated

30 October 2006

Signed by the person giving this notice

A handwritten signature in black ink, appearing to read 'A Bodger', is written over a light grey rectangular background.

Amanda Bodger

Partner, Mallesons Stephen Jaques

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 If 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 Practice Act* 1974 ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 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 subsection 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 subsection 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.

N41037

FORM G

Regulation 9

COMMONWEALTH OF AUSTRALIA

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

EXCLUSIVE DEALING: NOTIFICATION

To the Australian Competition and Consumer Commission:

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

1. (a) Name of person giving notice:

Gold Telecom Pty Ltd (ACN 120 846 611).

Gold Telecom Pty Ltd (ACN 120 846 611) ("TLS") operates a Telstra Shop under licence from Telstra and has been appointed by Telstra to promote the sale of, and extend the demand for, Telstra telecommunications services and related goods and services.

(b) Short description of business carried on by that person:

TLS supplies a range of consumer products to retail customers. These include mobile phones, cordless phones, fax machines, phone cards, software, hand held computers, data products and internet starter packs.

(c) Address in Australia for service of documents on that person:

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

2. (a) Description of the goods or services in relation to the supply or acquisition of which this notice relates:

TLS will offer a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, software, hand held computers, data products and internet starter packs) ("TLS Products") and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food items) ("Promotional Products") to customers on condition that they acquire telecommunications services and/or related goods or services from Telstra.

(b) Description of the conduct or proposed conduct:

TLS proposes to:

- (i) supply or offer to supply a TLS Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to

acquire telecommunications services or products or particular telecommunications services plans from Telstra;

- (ii) refuse to supply or refuse to offer to supply a TLS Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra;
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relation to a TLS Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra.

The proposed conduct will be of benefit to the public because it will allow retail customers to acquire TLS Products and/or Promotional Products at a discount or at no cost.

The proposed conduct will not lessen competition because:

- (i) the retail markets for the TLS Products and Promotional Products are characterised by large numbers of competitors and very intense competition; and
- (ii) TLS does not have a substantial degree of market power in any relevant market.

The benefits from the proposed conduct will outweigh any possible detriment considered to arise from the proposed conduct.

3. (a) Class or classes of persons to which the conduct relates:

Retail customers (including small and medium enterprise customers).

(b) Number of those persons -

- (i) **At present time:** Substantially greater than 50.
- (ii) **Estimated within the next year:** Substantially greater than 50.

(c) Where number of persons stated in item 3(b)(i) is less than 50, their names and addresses: Not applicable.

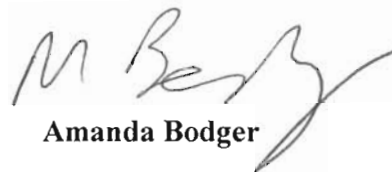
4. Name and address of person authorised by the person giving this notice to provide additional information in relation to this notice:

Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000
Tel: 9643 4069

Dated

30 October 2006

Signed by the person giving this notice

A handwritten signature in black ink, appearing to read 'M Bodger', with a long, sweeping flourish extending to the right.

Amanda Bodger

Partner, Mallesons Stephen Jaques

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 If 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 Practice Act* 1974 ("the Act"), it comes into force at the end of the period prescribed for the purposes of subsection 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 subsection 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 subsection 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.