



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2006/2109  
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7 December 2006

Mr Ian Male  
Senior Legal Adviser  
ActewAGL  
ActewAGL House  
221 London Circuit  
Canberra ACT 2601

Dear Mr Male

**Notifications of proposed third line forcing conduct by AGL ACT Retail Investments Pty Ltd (N92694) and ACTEW Retail Investments Pty Ltd (N92695)**

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 Australian Competition and Consumer Commission (the ACCC) on 13 November 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 various rebates and/or benefits will be offered to consumers within the greater Jerrabomberra and Queanbeyan regions of NSW 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. I note that the specific details of the notified arrangement are set out at item 4 of the submission provided by the notifying parties.

The legal immunity provided by the notification commenced on 27 November 2006.

On the basis of the information that you have provided, it is not intended that further action will be taken in respect of the notification 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 of notifications. Should you have any queries in relation to this matter, please do not hesitate to contact Kristy Randall on (02) 6243 1061.

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