

Bourke, Monica

From: Bourke, Monica
Sent: Tuesday, 13 November 2007 4:27 PM
To: 'Cachia, Jacqueline'; Freehills - michael.gray@freehills.com; Emanuel, Lisa; Cameron, Laura
Cc: Palisi, Joanne
Subject: [SEC=UNCLASSIFIED]
Follow Up Flag: Follow up
Flag Status: Red
Categories: SEC=UNCLASSIFIED
Attachments: initial consultation letter.pdf; List for internet.pdf
ACCC Classification: SEC=UNCLASSIFIED

Dear Mr Gray,

I refer to the Tabcorp Manager Pty Ltd applications for authorisation (A91065, A91066 & A91067) lodged with the Australian Competition and Consumer Commission (the ACCC) on 6 November 2007.

Please find attached, for your information, a copy of the letter the ACCC sent to potentially interested parties as part of its public consultation process. Also, for your information, please note that the letter includes an indicative timetable for progressing with the applications.

All publicly available submissions will be posted on the ACCC internet site at <www.accc.gov.au>. Alternatively, at the end of the consultation period the ACCC can arrange for you to receive a copy of all publicly available submissions received in relation to the applications.

If you have any questions please do not hesitate to contact me.

Regards,

Monica Bourke
Project Officer
Adjudication Branch
Australian Competition and Consumer Commission

P: (02) 6243 1351

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Contact Phone: 02 6243 1351

8 November 2007

[name]
[address]

Dear [name]

**Tabcorp Manager Pty Ltd applications for authorisation A91065, A91066 & A91067
- interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received applications for authorisation from Tabcorp Manager Pty Ltd (Tabcorp). For more information on the authorisation process please see the **attachments**.

Tabcorp is seeking authorisation for the 2007 SuperTAB Pooling Agreement (2007 Pooling Agreement) between Tabcorp and TOTE Tasmania Pty Ltd (TOTE Tasmania). The 2007 Pooling Agreement governs TOTE Tasmania's participation in the SuperTAB Pool operated by Tabcorp.

Tabcorp is also seeking interim authorisation to enable Tabcorp and Tote Tasmania to give effect to the 2007 Pooling Agreement while the ACCC is considering the merits of the substantive applications.

A summary of the 2007 Pooling Agreement, a copy of Tabcorp's applications for authorisation and Tabcorp's supporting submission are **attached**.

The purpose of this letter is to seek your comments on the applications as a potentially interested party.

Request for submissions on the applications for authorisation and request for interim authorisation

To assist the ACCC in its consideration of the applications for authorisation, it would be helpful to obtain your comments on the likely public benefits and the likely effect on competition, or any other public detriment, arising from the 2007 Pooling Agreement between Tabcorp and TOTE Tasmania.

The ACCC decides whether to grant interim authorisation on a case by case basis and will usually consider a range of factors including; harm to the applicant and other parties if interim is or is not granted, possible benefit and detriment to the public, the urgency of the matter and whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

The ACCC seeks your comments on the request for interim authorisation by **Friday, 16 November 2007** and on the substantive applications for authorisation by **Friday, 30 November 2007**. All submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are **attached**).

Timetable

The ACCC will progress its assessment of the applications in a timely manner. An indicative timetable is set out below for your information.

6 November 2007	Lodgement of applications and supporting submission.
8 November 2007	Public consultation process begins.
16 November 2007	Closing date for submissions on interim authorisation.
30 November 2007	Closing date for submissions from interested parties on applications for authorisation.
14 December 2007	Applicant responds to issues raised in the public consultation process.
January/February 2008	Draft determination issued.
February/March 2007	Public consultation on draft determination including any conference if called.
April 2008	Final determination issued.

If you wish to lodge a submission please address it to:

The General Manager
 Adjudication Branch
 Australian Competition and Consumer Commission
 GPO Box 3131
 Canberra ACT 2601

Submissions can also be lodged by email to adjudication@acc.gov.au or faxed to (02) 6243 1211.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the applications at the draft and final determination stages. If you are able, please provide a nominated contact email address for future correspondence.

You may forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

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 Monica Bourke on (02) 6243 1351.

Yours sincerely

Scott Gregson
General Manager
Adjudication Branch

Tasmanian Turf Club
Tasmanian Racing Club
Hobart Greyhound Racing Club
Australian Racing Board
Australian Harness Racing Council
Harness Racing Victoria
Harness Racing Tasmania
Greyhounds Australasia
Greyhound Racing Victoria
Australian Trainers Association
Thoroughbred Racing SA
Racing Victoria Ltd
Thoroughbred Breeders Associations of Australia
Queensland Racing Limited
RacingNSW
Tasmanian Thoroughbred Racing Council
Australian Jockey Club
Australian Hotels Association
Clubs Australia
Tattersall's Limited
Australian Internet Bookmakers Association
TOTE Tasmania Pty Ltd
Racing and Wagering WA
ACTTAB Limited
Betfair Pty Limited
Victorian Bookmakers Association
Australian Punters' Association
Sportsbet Pty Ltd
SPT Management
UNiTAB
Racing Services Tasmania – Dept Infrastructure, Energy & Resources
Tasmanian Gaming Commission
Victorian Commission for Gambling Regulation
Office of Gaming and Racing Department of Justice
NSW Office of Liquor, Gaming and Racing
Western Australian Department of Racing, Gaming and Liquor
ACT Gambling and Racing Commission
Racing, Gaming and Licensing Northern Territory Treasury
Queensland Office of Gaming Regulation
South Australian Office of the Liquor and Gambling Commissioner
Centrebet
IASbet
Sports Acumen
Clubs Tasmania
Clubs Victoria
Thoroughbred Breeders Association Victorian Inc