



Nights of Magic

Pacing With the Stars

20th July 2007

Mr. Scott Gregson
General Manager
Adjudication Branch
Australian Competition & Consumer Commission
PO Box 1199
DICKSON ACT 2602

FILE No.
DOC
MARS/PRISM:

Dear Mr. Gregson

Re: Sky Channel Pty Ltd (Sky), Tabcorp Holdings Ltd (Tabcorp) & ThoroughVision Pty Ltd (TVN) application for authorisation A01031 & A91032 – final determination.

I refer to your letter dated 4th July 2007 enclosing a copy of the Determination Applications for Authorisation.

The Albion Park Harness Racing Club (APHRC) has not wavered from its original position, we are still concerned that the ACCC has not provided the requested security made on behalf of the minor codes (Harness and Greyhound racing) in their final determination of the MOU.

The MOU as it currently stands does not require the conducting parties to take into account or regard the minor codes when determining their business model. We are concerned that, in the future, we could be disadvantaged with the erosion of our traditional racing timeslots.

We have already seen a shift in policy from Sky Channel in that they are broadcasting thoroughbred racing in traditional minor code timeslots to the detriment of those codes.

We request that prior to the ratification of the MOU Sky and TVN give an undertaking not to encroach on minor code timeslots, in particular the major harness timeslots of Friday and Saturday evenings.

We again request that the ACCC address the following prior to implementation of the MOU:-

1. It should be revised to consider the market as the racing industry consists of all three codes
2. The current MOU does not necessarily provide a public benefit to harness and greyhound racing
3. It should protect against potential adverse impact on harness and greyhound racing
4. A condition should be included in the MOU that will ensure that there is not a reduction in the current level and type of coverage of harness and greyhound racing.

Please consider our request because if the MOU is left unchanged then harness and greyhound racing will be at a distinct disadvantage when providing coverage to the general public.


Robert Pearson
Chief Executive Officer.

ALBION PARK

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