

**Blanch, Belinda**

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**From:** Vanessa Lavery [vlavery@qld.harness.org.au]  
**Sent:** Tuesday, 24 July 2007 3:00 PM  
**To:** Blanch, Belinda  
**Subject:** Attention: Scott Gregson  
**Importance:** High  
**Attachments:** Ltd To ACCC re Final Determination.pdf

Dear Mr Gregson

Please find attached letter re Sky Channel Pty Ltd, Tabcorp Holdings Ltd and ThoroughVision Pty Ltd application for authorisation A01031 & A91032 - Final Determination.

Should you have any queries, please do not hesitate to contact the writer or myself.

Regards

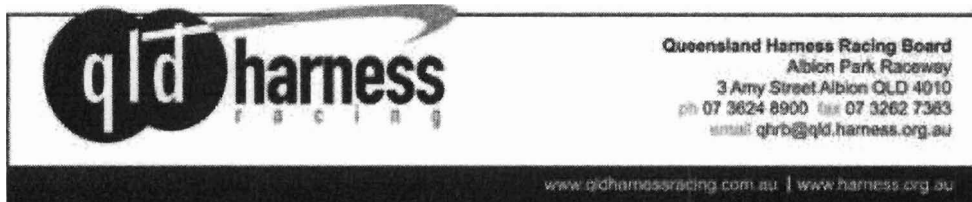
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23 July 2007

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

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 4 July 2007 enclosing a copy of the Determination Applications for Authorisation.

The Queensland Harness Racing Board (QHRB) has not wavered from its original position. We remain concerned that the ACCC has not provided the requested security sought on behalf of the minor codes (Harness and Greyhound racing) in the final determination of the MOU.

A shift in policy from Sky Channel is already evident in that they are broadcasting thoroughbred racing in traditional minor code timeslots to the detriment of those codes. This highlights issues raised in previous QHRB correspondence that the MOU does not necessarily provide a public benefit to harness racing.

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

The QHRB 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. it should note that the current MOU does not necessarily provide a public benefit to harness and greyhound racing;

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3. it should consider the potential adverse impact on harness and greyhound racing; and
4. a condition should be imposed that, while the parties may of course increase the level of coverage of thoroughbred racing, the parties to the MOU must not reduce the current level and type of harness and greyhound racing.

These requests remain critical for the on-going viability of our racing code. The implementation of the MOU as it stands will place the harness and greyhound racing public and participants at a distinct disadvantage.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Kelly', with a large, sweeping flourish underneath.

**Andrew Kelly**  
Chief Executive