



**Australian  
Competition &  
Consumer  
Commission**

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Your Ref: RB:CAS  
Our Reference: C2007/1433 and C2007/1489  
Contact Officer: Sarah Chubb  
Contact Number: (02) 6243 1088

3 August 2007

Mr Robert Barnes  
Attorney  
Barnes & Wenden  
Level 2, 222 Clarence Street  
SYDNEY NSW 2000

Dear Mr Barnes

**Third line forcing notifications N93054 and N93062 lodged with respect to the Servo Savers scheme**

I refer to the above third line forcing notifications which were lodged with the Australian Competition and Consumer Commission (the ACCC) on 6 July 2007 and 13 July 2007.

The notifications were lodged by Hilal Pty Limited (N93054) and Srikanth Peddu (N93062). The notifications have been placed on the ACCC's public register.

You have described the conduct in each Form G as follows:

*Sale of fuel at a discount subject to the customer purchasing a specified dollar amount of goods or services at 'participating businesses'.*

Legal immunity conferred by notification N93054 commenced on 20 July 2007, while the legal immunity conferred by notification N93062 commenced on 27 July 2007.

The ACCC has considered the above notifications in light of submissions previously put to it by interested parties in relation to similar notifications, as well as its own investigations. In light of this previous consideration and the information you have provided, the ACCC does not intend to take any further action in relation to the notifications at this stage.

I note that, as with previous notifications lodged in respect of the Servo Savers scheme, notifications N93054 and N93062 make reference to attachments which were not attached to the Form Gs. In response to previous requests from the ACCC, you undertook to provide the relevant attachments. However, the ACCC is yet to receive the attachments. I again request that you forward the attachments for the sake of

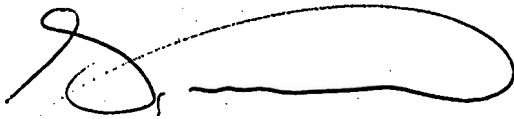
completeness. If the ACCC does not receive the attachments, then we will proceed to note their absence for the purposes of the public register. Should you consider the attachments to be unnecessary, please remove the reference to the attachments in future Servo Savers notifications.

As with any notification, the ACCC may act to remove the immunity afforded by notifications N93054 and N93062 at a later stage if it becomes satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

I also note that, in promoting the discount offer, consumers should be made aware of any exclusions or conditions that may apply.

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 Sarah Chubb on (02) 6243 1088.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Scott Gregson', with a long horizontal flourish extending to the right.

**Scott Gregson**  
General Manager  
Adjudication Branch