

Atkin, Hew

Subject: Re: Notifications N92748 & N92749 - BP Australia Pty Ltd [SEC=UNCLASSIFIED]

From: Nicholas.Andersen@corrs.com.au [mailto:Nicholas.Andersen@corrs.com.au]
Sent: Wednesday, 24 January 2007 12:10 PM
To: Atkin, Hew
Cc: Palisi, Joanne
Subject: Re: Notifications N92748 & N92749 - BP Australia Pty Ltd [SEC=UNCLASSIFIED]

Dear Hew,

I have set out below an amended version of the "Notified arrangements" and "BP franchisees and distributors" points which you emailed to me on 18 January.

As discussed on 23 January, BP consents to the points under the "Notified arrangements" heading being placed on the public register in respect of Notifications N92748 and N92749.

However BP does not consent to the information contained in the "BP franchisees and distributors" section being placed on the public register or otherwise being disclosed to a third party by the ACCC, as the information contained in those points is of a confidential nature and is of very peripheral relevance to the notified conduct.

Notified arrangements

- The notified arrangements do not automatically obligate franchisees and distributors to have their sites re-fitted or re-branded.
- As part of BP's proposed brand rationalisation program, BP will provide to operators of certain selected BP Retail Sites an offer to operate a cafe under the "Wild Bean Cafe" branding and/or an offer to operate a convenience store under the "2go" branding at the relevant BP Retail Site.
- BP will base its selection of BP Retail Sites on criteria which includes the location of those Sites, the typical volume of customers and fuel sales at those Sites, the size and capacity of those Sites and other aspects which make those Sites of strategic value to the BP Retail Site network.
- Amongst other things, the obligations set out in the notified arrangements will form part of the Wild Bean Cafe and 2go offers.
- The operators of the BP Retail Sites will have the absolute discretion to accept or decline a Wild Bean Cafe or 2go offer which is made to it by BP.
- If an operator of a BP Retail Site declines such an offer from BP, it can continue operating that Site in its current form and subject to existing contractual arrangements between the operator and BP.

BP franchisees and distributors

**EXCLUDED FROM
PUBLIC REGISTER**

Please let me know if you have any further queries.

Yours sincerely

Nik Andersen

29/01/2007

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