



**Australian
Competition &
Consumer
Commission**

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Our Ref: N93439
Contact Officer: Jaime Martin
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8 September 2008

Dear Sir/Madam

**Exclusive dealing notification N93439 lodged by Cooperative Bulk Handling Ltd –
decision**

I refer to the above exclusive dealing notification lodged with the Australian Competition and Consumer Commission (ACCC) by Cooperative Bulk Handling Ltd (CBH) on 11 June 2008.

The ACCC has completed its assessment of this notification concerning grain storage, handling and transportation arrangements in Western Australia ('Grain Express').

The ACCC considers there are likely to be significant efficiency benefits under Grain Express as a result of the central coordination of grain storage, handling and transportation in Western Australia.

To revoke the type of notification lodged by CBH, the ACCC must be satisfied that the notified conduct would have the purpose, effect or likely effect of substantially lessening competition and the likely benefit to the public will not outweigh the detriment to the public from the lessening of competition.

On the information available, the ACCC is not satisfied that Grain Express will result in a substantial lessening of competition in the relevant markets. Accordingly, the ACCC proposes not to take any further action in respect of this notification at this time.

This means that the legal immunity provided by notification N93439, which commenced on 11 June 2008, will continue.

The ACCC's reasons are set out in the attached Decision. A copy of the Decision will also be made available at the ACCC website www.accc.gov.au (by following the 'Public registers', 'Authorisations and notifications registers' links).

As with any notification, the ACCC can review the Grain Express notification at any time.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter please contact Jaime Martin on (03) 9290 1477.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Hatfield', written in a cursive style.

David Hatfield
A/g General Manager
Adjudication Branch