



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2009/1513
Contact Officer: Colby Hannan
Contact Number: (02) 6243 4942

2 September 2009

Ms Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000

Dear Ms Bodger

**Third line forcing notifications N94086 – N94094 lodged by
JB Hi-Fi Ltd and Others**

I refer to the above third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 18 August 2009 by the following parties:

- JB Hi-Fi Ltd (N94086)
- "WOW" Audio Visual Superstores Pty Ltd (N94087)
- Leading Edge Group Ltd (N94088)
- Fone Zone Pty Ltd (N94089)
- JK Comm Pty Ltd (N94090)
- Sencam Pty Ltd (N94091)
- Kramer Pty Ltd (N94092)
- Ric Holdings Pty Ltd (N94093)
- Ashben Holdings Pty Ltd (N94094)

(the Notifying Parties).

The notifications have been placed on the ACCC's public register.

The Notifying Parties propose to supply or offer to supply a range of telecommunications and related goods or services (including mobile phones, cordless phones, fax machines, phone cards, software, hand held computers, data products and internet starter packs) (Dealer Products) and/or promotional goods or services (including vouchers, cinema tickets, electrical goods and accessories and food items) (Promotional Products). The Notifying Parties also propose to give or allow a discount,

allowance, rebate or credit in relation to these Products to customers, on condition that they acquire telecommunication services and/or related goods or services from Telstra.

Legal immunity conferred by the notifications commenced on 1 September 2009.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

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

This assessment has been made on the basis that the Notifying Parties and Telstra will disclose all relevant terms and conditions to prospective clients.

A copy of 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 Colby Hannan on (02) 6243 4942.

Yours sincerely

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

David Hatfield
Acting General Manager
Adjudication Branch