



**Australian  
Competition &  
Consumer  
Commission**

GPO Box 3131  
Canberra ACT 2601

23 Marcus Clarke Street  
Canberra ACT 2601

tel: (02) 6243 1111  
fax: (02) 6243 1199

[www.accc.gov.au](http://www.accc.gov.au)

Contact Officer: Erin Donohue  
Contact Number: (02) 6243 1291

12 November 2009

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

Dear Ms Bodger

**Third line forcing notifications N94288 – N94307 lodged by various Telstra  
Dealers**

I refer to the third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 5 November 2009. A list of the Dealers is included in Schedule A of this letter.

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

Under the notifications, the Dealers propose to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relations to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plan from Telstra.

Legal immunity conferred by notifications will commence on 19 November 2009.

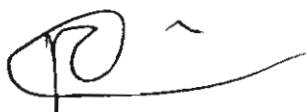
On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the 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 Dealers and Telstra will disclose all relevant terms and conditions to prospective customers.

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 Erin Donohue on (02) 6243 1291.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', with a long horizontal flourish extending to the right.

Dr Richard Chadwick  
General Manager  
Adjudication Branch

## SCHEDULE A

<b>Entity Name</b>	<b>Notification Reference</b>
Voiceplus Pty Ltd	N94288
Ellavale Holdings Pty Ltd	N94289
Cell To Cell Communications Pty Ltd	N94290
Peter Tate Pty Ltd	N94291
Zaj Telecoms Pty Ltd	N94292
Sadarar Pty Ltd	N94293
Gawler Mobile Phones Pty Ltd	N94294
Podino Pty Ltd	N94295
GAT Communications Pty Ltd	N94296
Telefonix Technology Group Pty Ltd	N94297
Total Communications (Australia) Pty Ltd	N94298
Johns Consulting Pty Ltd	N94299
Anything Telephones Pty Ltd	N94300
Fast Connect Pty Ltd	N94301
Bridge Point Communications Pty Ltd	N94302
CDM Australia Pty Ltd	N94303
Outbound Corporation Pty Ltd	N94304
I-Comm Australia Pty Ltd	N94305
Custom Tel (Tas) Pty Ltd	N94306
1Step Communications Pty Ltd	N94307