



**Australian
Competition &
Consumer
Commission**

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Contact Officer: Erin Donohue
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17 December 2009

Ms Eloise Schnierer
Legal Counsel
FOXTEL Management Pty Limited
5 Thomas Holt Drive
North Ryde NSW 2113

Dear Ms Schnierer

**Third line forcing notification N94337 lodged by FOXTEL
Management Pty Limited**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 30 November 2009. The notification has been placed on the ACCC's public register.

FOXTEL proposes to offer existing and new FOXTEL subscribers a discounted FOXTEL Service installation on condition they spend \$1000 or more in participating electrical retail stores in south west regional Western Australia.

The participating electrical retail stores are:

1. Esperance Communications
2. Bunbury Retravision
3. Kalgoorlie Retravision
4. Albany Retravision
5. Keevils Betta Electrical
6. Bunbury Harvey Norman
7. Busselton Retravision
8. Bennetts Betta Electrical
9. Margaret River Retravision
10. Collie Retravision
11. Narrogin Retravision
12. Katanning Retravision
13. McCays Manjimup Retravision
14. Esperance Retravision.

Legal immunity conferred by the notification commenced on 14 December 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 notification 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 FOXTEL Management 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', written over a light grey rectangular background.

Dr Richard Chadwick
General Manager
Adjudication Branch