



**Australian
Competition &
Consumer
Commission**

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Contact Officer: Erin Donohue
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17 December 2009

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

Dear Ms Bodger

**Third line forcing notifications N94343 – N94381 lodged by various Telstra
Dealers**

I refer to the third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 10 December 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 the notifications will commence on 24 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 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', written in a cursive style.

Dr Richard Chadwick
General Manager
Adjudication Branch

SCHEDULE A

Entity Name	Notification Reference
Beekman Nominees Pty Ltd	N94343
Hades Pty Ltd	N94344
Intouch Digital Communications Pty Ltd	N94345
Alpha Select Pty Ltd	N94346
Phone World (Aust) Pty Ltd	N94347
Mcdonagh Computer Services Pty Limited	N94348
Benpuma Pty Ltd	N94349
Transtoa Pty Ltd	N94350
R & K Sherwood Pty Ltd	N94351
AB Matteo D&A Mazzitelli	N94352
Bettatech Communications Pty Ltd	N94353
Fastlink Communications Pty Ltd	N94354
Sasha RRR Consulting Pty Ltd	N94355
Ebas Pty Ltd	N94356
M.P Dunstan & S.M Dunstan	N94357
Brayma Pty Ltd	N94358
Computer Central Pty Ltd	N94359
Comworld Pty Ltd	N94360
Leading Edge Griffith Pty Ltd	N94361
Evotec Pty Ltd	N94362
Parracom Communications Pty Ltd	N94363
Axopta Pty Ltd	N94364
Whitesands Corporation Pty Ltd	N94365
Cadillac Communications Pty Ltd	N94366
Gary & Margarita Rickard	N94367
R & RJ King	N94368
Any Mobile Pty Ltd	N94369
Mountain Communications Pty Ltd	N94370
PJ & CE Carruthers PL	N94371
Codas Group Pty Ltd	N94372
KAP Enterprises Pty Ltd	N94373
Alltel Connect Pty Ltd	N94374
IT & T Pty Limited	N94375
Cellpoint Communications Pty Ltd	N94376
SWC Warrnambool Pty Ltd	N94377
B.T.W Communications Pty Ltd	N94378
Panaway Pty Ltd	N94379
Steel City Communications Pty Ltd	N94380
Moonie Pty Ltd	N94381