



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2009/800
Contact Officer: John Rouw
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1 July 2009

Paul Fitzpatrick
Partner
Clayton Utz Lawyers
GPO Box P1214
PERTH WA 6844

Dear Mr Fitzpatrick

**Woodside Energy Ltd and Benaris International Pty Ltd - Application for
authorisation A91135 - draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Woodside Energy and Benaris International on 16 April 2009.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for three years. The ACCC's assessment is set out in Chapter Four on pages 9 to 15.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **17 July 2009**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **17 July 2009**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to the application.

Submissions will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

16 April 2009	Lodgement of application and supporting submission.
22 April 2009	Public consultation process begins.
16 May 2009	ACCC decision regarding interim authorisation.
1 July 2009	Draft determination.
July 2009	Public consultation on draft determination including any conference if called.
August 2009	Final determination.

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 John Rouw on (03) 9290 1402.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch