



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2009/800  
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1 July 2009

Dear Madam/Sir

**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. **Attached** is a summary of the authorisation process including how to make a submission to the ACCC.

Woodside and Benaris seek authorisation for three years to jointly market and sell their shares of the Otway Gas Project joint venture's LPG to a common customer or common customers.

**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 this 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.

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

Sue Philp  
Director  
Adjudication Branch

## **A91135 - Draft Determination - Interested Party List**

BP Australia

CalEnergy Gas (Australia)

Caltex Australia

Department of Primary Industries Victoria

Elgas

Royal Automobile Club of Victoria

Santos

Shell Company of Australia

Woolworths