



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: C2009/1316  
Contact Officer: Jackson Mallory  
Contact Phone: (02) 6243 1061

**16** July 2009

Dear Sir/Madam

**Virgin Blue Group and Delta Airlines Inc applications for authorisation  
A91151 & A91152 - interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received an application for authorisation from the Virgin Blue Group (Virgin Blue) and Delta Air Lines Inc (Delta). The ACCC invites you to comment on the application. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

Virgin Blue and Delta are seeking authorisation for an arrangement that will establish a Cooperation Agreement, a Coordination Agreement and a Joint Venture. Together, these agreements will form the Virgin Blue / Delta Joint Venture.

The Virgin Blue / Delta Joint Venture contemplates coordination and agreement between the applicants in respect of Trans-Pacific routes in relation to:

- schedules, capacity and routes flown
- passenger sales and marketing activities
- pricing and revenue management  
enhancement of frequent flyer and lounge program offerings
- purchasing and procurement.

A full copy of the application for authorisation is available on the ACCC's website [www.accc.gov.au](http://www.accc.gov.au). Alternatively, you can contact Jackson Mallory on (02) 6243 1061 or Clare McGinness on (02) 6243 1049 to obtain a hard copy of the application and submission.

**Request for submissions**

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to Virgin Blue and Delta's application for authorisation, please do so by **5 August 2009**.

Alternatively, if you would like to provide comments orally, please contact Jackson Mallory on (02) 6243 1061 or Clare McGinness on (02) 6243 1049 to organise a suitable time.

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

### **Timetable**

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

<b>9 July 2009</b>	Lodgement of application and supporting submission.
<b>15 July 2009</b>	Public consultation process begins.
<b>5 August 2009</b>	Closing date for submissions from interested parties.
<b>August 2009</b>	Applicant responds to issues raised in the public consultation process.
<b>September/October 2009</b>	Draft determination.
<b>October/November 2009</b>	Public consultation on draft determination including any conference if called.
<b>November/December 2009</b>	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the applications at the draft and final determination stages. If you are able to please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

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 Darrell Channing on (02) 6243 4925, Jackson Mallory on (02) 6243 1061 or Clare McGinness on (02) 6243 1049.

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**

**Virgin Blue Group and Delta Air Lines Ltd – applications for authorisation  
A91151 & A91152 – interested parties consulted.**

Air Canada  
Air China Ltd  
Air New Zealand Limited  
Air Pacific Ltd  
Air Tahiti Nui Airlines  
American Airlines Inc  
British Airways  
Cathay Pacific Airways  
China airlines Limited  
China Southern Airlines  
Emirates  
Hawaiin Airlines Inc  
Japan Airlines Ltd  
Korean Air Lines Co. Ltd  
KLM Royal Dutch Airlines  
Lufthansa German Airlines  
Northwest Airlines  
Philippine Airlines  
Qantas Airways Ltd  
Thai Airways International Public Company Limited  
Singapore Airlines Ltd  
United Airlines  
Board of Airline Representatives of Australia  
International Air Transport Association  
Australian Federation of Travel Agents  
Australian Consumers Association  
Flight Centre Limited  
Harvey World Travel  
Webjet Pty Ltd  
Tourism Australia  
Tourism and Transport Forum Australia  
Australian Tourism Export Council  
Transport Markets Aviation and Airports Division – Department of Infrastructure,  
Transport, Regional Development and Local Government  
Consumer Action Law Centre  
International Air Services Commission  
FedEx Corporation  
United Parcel Service Inc  
Cargolux Airlines