



**Australian  
Competition &  
Consumer  
Commission**

Your Ref: 60005/15529/80086018  
Our Ref: C2009/800  
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5 August 2009

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Dear Mr Fitzpatrick

**Woodside Energy Limited and Benaris International Pty Ltd - application for  
authorisation A91157 - 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 Ltd and Benaris International Pty Ltd on 24 July 2009.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation to the arrangements until 31 December 2012. In reaching this determination, the ACCC had regard to the submissions of the applicants and interested parties previously provided to it in response to application A91135. **Attached** is a copy of the ACCC's draft determination.

**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 the applicants wish the ACCC to hold a pre-decision conference in relation to the draft determination, they must notify the ACCC in writing by **20 August 2009**.

Alternatively, the applicants are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **20 August 2009**.

The ACCC will consider any submissions it receives, including any submissions previously provided to it in respect of application for authorisation A91135, and will then release a final determination in relation to these applications.

The ACCC is proposing to release a final determination in response to both applications for authorisation (A91135 & A91157) in September 2009.

Submissions will be placed on the ACCC's public register subject to any request for exclusion.

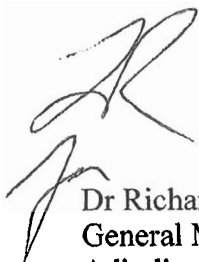
### **Timetable**

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

<b>24 July 2009</b>	Lodgement of application and supporting submission.
<b>29 July 2009</b>	ACCC decision regarding interim authorisation.
<b>5 August 2009</b>	Draft determination.
<b>August/September 2009</b>	Public consultation on draft determination including any conference if called.
<b>September 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



Dr Richard Chadwick  
General Manager  
Adjudication Branch