



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2010/231
Contact Officer: Yi Liu
Contact Number: (02) 6243 4942

3 March 2010

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

Dear Ms Bodger

**Third line forcing notifications N94474 - N94525 lodged by various Telstra
Dealers**

I refer to the third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 12 February 2010. 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 26 February 2010.

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.

This assessment has been made on the basis that the Dealers and Telstra will disclose all relevant terms and conditions to prospective customers.

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.

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 Yi Liu on (02) 6243 4942.

Yours sincerely

A handwritten signature in black ink, appearing to be 'R Chadwick', enclosed in a light grey rectangular box.

Dr Richard Chadwick
General Manager
Adjudication Branch

SCHEDULE A

Entity Name	Notification Reference
Callcare Australia Pty Ltd	N94474
A & B Communications Pty Ltd	N94475
Alcare Telephone Services Pty Ltd	N94476
B & D Technologies Pty Ltd	N94477
Ballarat Telecoms Pty Ltd	N94478
Talledge Pty Ltd	N94479
Hermitage Communications Pty Ltd	N94480
Connect Tel North Pty Ltd	N94481
LT Sims & NJ Sims	N94482
Datis Technology Pty Ltd	N94483
ERA Holdings Pty Ltd	N94484
Brantome Pty Ltd	N94485
Ford Gavin John	N94486
Hunter Mobile Communicaitaions Pty Ltd	N94487
The Trustee for the H&W Martens Family Trust	N94488
The Trustee for the Cheeter Trust	N94489
W M & J R Brady	N94490
Janmel Pty Ltd	N94491
Mellick Centre	N94492
Fernmere Pty Ltd	N94493
Michael Mary	N94494
Ovation Management Services Pty Ltd	N94495
The Trustee for the Andrew Walter Family Trust	N94496
Definitive Communications Pty Ltd	N94497
Coolum Telecoms Pty Ltd	N94498
The Trustee for the Brown Family Trust & The Trustee for Savage Family Trust	N94499
Attrill Melina Lee	N94500
Angelee Pty Ltd	N94501
Bennett William Christopher	N94502
LP Curcio & JM Mckenna	N94503
Macintyre Gazette Pty Ltd	N94504
RHE Investments Pty Ltd	N94505
Egan Way Pty Ltd	N94506
Roma Communications (Qld) Pty Ltd	N94507
Kashem Pty Ltd	N94508
IR Beinke & LR Cunnington & TJ Longfield	N94509
The Trustee for the Edward Family Trust	N94510
Berry Jacqueline	N94511
The Trustee for the Weight Holdings Trust	N94512
Lucky Phils Phones Pty Ltd	N94513
Allcom Pty Ltd	N94514
Green Triangle Electronics Pty Ltd	N94515
Australian Business Mobiles Pty Ltd	N94516
Elms communications Pty Ltd	N94517
David F Angove	N94518

Fairway Enterprises Pty Ltd	N94519
Helfin Pty Ltd	N94520
Omnia Pty Ltd	N94521
Great Choice Pty Ltd	N94522
Carter Peter Bernard	N94523
Matrix Omni Solutions Pty Ltd	N94524
Trustee for the Sim Family Trust	N94525