



**Australian
Competition &
Consumer
Commission**

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Our Ref: Trackit 40999
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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 N94529 lodged by
Mornington Peninsula Telecommunications Pty Ltd**

I refer to the third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 23 February 2010 by Mornington Peninsula Telecommunications Pty Ltd (TLS).

The notification has been placed on the ACCC's public register.

Under the notification, TLS proposes 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 notification will commence on 9 March 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 TLS 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 notification 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', with a horizontal line extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch