



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2010/452-02
Contact Officer: Jessica Buik
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21 July 2010

Mr Stephen Borthwick
General Manager
Aviation Industry Policy
Aviation & Airports Division
Department of Infrastructure, Transport, Regional Development and Local Government
GPO Box 594
Canberra ACT 2601

Via e-mail: Ilona.Balint@infrastructure.gov.au

Dear Mr Borthwick

**Authorisation Application Numbers A91227 & A91228 submitted by Virgin Blue Airlines
Pty Ltd and Air New Zealand Limited –
request for material to be excluded from the public register**

I refer to your submission regarding the above applications for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 6 May 2010.

I have considered your request that Attachment A be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 89 of the *Trade Practices Act 1974* (the Act) to place documents provided to it in relation to an application for authorisation on the ACCC's public register. The Act provides that a person submitting a document in relation to an authorisation application may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the document.

As a person authorised to make a decision for and on behalf of the ACCC in relation to such a request, I advise that Attachment A will not be placed on the public register.

This letter has been placed on the ACCC's public register.

I note that your submission dated 19 July 2010 and Attachment B will be placed on the public register shortly.

Should you have any queries in relation to this matter, please do not hesitate to contact Jessica Buik on 02 6243 4940.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'R Chadwick', with a long horizontal flourish extending to the right.

Dr Richard Chadwick
General Manager
Adjudication Branch.