



**Australian  
Competition &  
Consumer  
Commission**

Our Ref: C2010/709  
Contact Officer: Jasmine Tan  
Contact Phone: (02) 6243 1363

GPO Box 3131  
Canberra ACT 2601  
23 Marcus Clarke Street  
Canberra ACT 2601  
tel: (02) 6243 1111  
fax: (02) 6243 1199  
[www.accc.gov.au](http://www.accc.gov.au)

7 September 2010

Mr Robert Cunningham  
Partner  
Flower and Hart Lawyers  
GPO Box 219  
Brisbane QLD 4001

Dear Mr Cunningham

**Authorisation A91245 submitted by Pozzolanic Enterprises Pty Ltd –  
request for material to be excluded from the public register**

I refer to Sunstate Cement Ltd's (Sunstate's) submission regarding the above application for authorisation, which you lodged with the Australian Competition and Consumer Commission (the ACCC) on 6 September 2010.

I have considered Sunstate's request that the confidential version of its submission in relation to the authorisation application 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 the confidential version of Sunstate's submission will not be placed on the public register.

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

I note that you also provided a public version of your clients' submission. This version will be placed on the public register in the form it was provided to the ACCC.

Should you have any queries in relation to this matter, please do not hesitate to contact Jasmine Tan on (02) 6243 1363 or by email to [jasmine.tan@acc.gov.au](mailto:jasmine.tan@acc.gov.au).

Yours sincerely

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

Dr Richard Chadwick  
General Manager  
Adjudication Branch