



**Australian
Competition &
Consumer
Commission**

Our Ref: C2010/452-04
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22 September 2010

Mr Luke Woodward
Partner
Gilbert + Tobin
GPO Box 3810
SYDNEY NSW 2001

Via e-mail: lklamka@gtlaw.com.au

Dear Mr Woodward

**Authorisation Applications A91227 & A91228 submitted by Virgin Blue Airlines Pty Ltd
& Ors – request for material to be excluded from the public register**

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

I have considered your request that the confidential version of Dr Tretheway's response to questions regarding the InterVISTAS QSI report (Dr Tretheway's response), provided to the ACCC on 24 August 2010, 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 Dr Tretheway's response will not be placed on the public register.

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

I note that on 15 September 2010 you provided a public version of Dr Tretheway's response. 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 Jessica Buik on 02 6243 4940.

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized 'R' followed by a horizontal line.

Dr Richard Chadwick
General Manager
Adjudication Branch