



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: A91247 & A91248  
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16 December 2010

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Dear Mr Woodward

**Virgin Blue Airlines Pty Ltd & others & Etihad Airways applications for authorisation  
A91247 & A91248 – draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications for authorisation lodged by Virgin Blue and Etihad on 27 August 2010.

**Draft determination**

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years. The ACCC's assessment is set out in Chapter 4 of the draft determination.

**Next steps**

Once the ACCC issues a draft determination, the applicants or any interested party may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **14 January 2011**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **14 January 2011**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

Submissions will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

### **Timetable**

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

<b>27 August 2010</b>	Lodgement of applications for substantive and interim authorisation and supporting submission.
<b>2 September 2010</b>	Public consultation process begins.
<b>23 September 2010</b>	ACCC decision regarding interim authorisation.
<b>16 December 2010</b>	Draft determination.
<b>January 2011</b>	Public consultation on draft determination including any conference if called.
<b>February 2011</b>	Final determination.

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 Clare McGinness on 02 6243 1049.

Yours sincerely



Dr Richard Chadwick  
General Manager  
Adjudication Branch