



**Australian
Competition &
Consumer
Commission**

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6 January 2010

Ms Gina Cass Gottlieb
Partner
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GPO Box 3810
Sydney NSW 2001

Dear Ms Cass Gottlieb

**Third line forcing notifications lodged by Perisher Blue Pty Limited (N94396) and
Australian Alpine Enterprises Pty Ltd (N94397)
– request for material to be excluded from the public register**

I refer to the above notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 21 December 2009 and 23 December 2009.

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

As you are aware, the ACCC is generally required under section 95 of the *Trade Practices Act 1974* (the Act) to place documents provided to it in relation to a notification on the ACCC's public register. The Act provides that a person submitting a document in relation to a notification 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 Annexure' will not be placed on the public register.

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

Should you have any queries in relation to this matter, please do not hesitate to contact Erin Donohue on (02) 6243 1291.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch