



**Australian  
Competition &  
Consumer  
Commission**

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Our Ref: N94394  
Contact Officer: Jessica Buik  
Contact Number: 02 6243 4940

18 January 2010

Mr Mark McCowan  
Senior Associate  
Corrs Chambers Westgarth Lawyers  
GPO Box 9925  
NSW 2001

Dear Mr McCowan

**Third line forcing notification N94394 lodged by BP Solar Pty Ltd**

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 22 December 2009. The notification has been placed on the ACCC's public register.

BP Solar Pty Ltd (BP Solar) proposes to offer property owners in eligible areas a discount on the BP Solar 1.5kW solar PV system on condition that they purchase retail electricity from Origin Energy Limited and its related bodies corporate.

Legal immunity conferred by the notification commenced on 5 January 2010.

On the basis of the information that you have provided, it is not intended that further action be taken in this matter at this stage.

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notification at a later stage if it is satisfied that the likely benefit to the public from the conduct will not outweigh the likely detriment to the public from the conduct.

This assessment has been made on the basis that BP Solar will disclose all relevant terms and conditions to prospective customers.

A copy of 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 Jessica Buik on (02) 6243 4940.

Yours sincerely

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

Dr Richard Chadwick  
General Manager  
Adjudication Branch