



**Australian
Competition &
Consumer
Commission**

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Contact Officer: Erin Donohue
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20 January 2010

Ms Amanda Bodger
Mallesons Stephen Jaques
Level 50, Bourke Place
600 Bourke Street
Melbourne VIC 3000

Dear Ms Bodger

Third line forcing notifications N94406-N94443 lodged by various Telstra Dealers

I refer to the third line forcing notifications lodged with the Australian Competition and Consumer Commission (the ACCC) on 14 January 2010. A list of the Dealers is included in Schedule A of this letter.

The notifications have been placed on the ACCC's public register.

Under the notifications, the Dealers propose to:

- (i) supply or offer to supply a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plans from Telstra
- (ii) refuse to supply or refuse to offer to supply a Dealer Product and/or Promotional Product to retail customers for the reason that the customer has not acquired or has not agreed to acquire telecommunications services or products or particular telecommunications services plans from Telstra
- (iii) give or allow or offer to give or allow a discount, allowance, rebate or credit in relations to a Dealer Product and/or Promotional Product to retail customers on the condition that the customer acquires or agrees to acquire telecommunications services or products or particular telecommunications services plan from Telstra.

Legal immunity conferred by the notifications will commence on 28 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.

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

As with any notification, please note that the ACCC may act to remove the immunity afforded by the notifications 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.

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 Erin Donohue on (02) 6243 1291.

Yours sincerely

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

Dr Richard Chadwick
General Manager
Adjudication Branch

SCHEDULE A

Entity Name	Notification Reference
Manning Communications Pty Ltd	N94406
Easytone Communications Pty Ltd	N94407
Central Highlands Trophy Distributors Pty Ltd	N94408
Wills The Quadrant Pty Ltd	N94409
Contel Communications Pty Ltd	N94410
Yaqum Pty Ltd	N94411
Chrisalyn Pty Ltd	N94412
Mitchell & Brown Pty Ltd	N94413
Norwest Phones Pty Ltd	N94414
John & Annalisa Silvestro	N94415
Norwest Communications & Computers Pty Ltd	N94416
AVG & JM Smith	N94417
Craivenn Pty Ltd	N94418
RP & KL Knight Nominees Pty Ltd	N94419
Associated Wholesalers Pty Ltd	N94420
Telco World Pty Ltd	N94421
Terbern Enterprises Pty Ltd	N94422
Adal Communications Pty Ltd	N94423
Coldenia Pty Ltd	N94424
Excel Trading Company Pty Ltd	N94425
Phone Warehouse Pty Ltd	N94426
Colin and Leanne Cook	N94427
Telco Services Australia Pty Ltd	N94428
TTC Group Pty Ltd	N94429
Aim Communications Pty Ltd	N94430
Cannect Pty Ltd	N94431
Maxi Marketing Pty Ltd	N94432
Connect Tel Pty Ltd	N94433
Gateway Business Communications Pty Ltd	N94434
Moostag Pty Ltd	N94435
Gulliya, Nikhil	N94436
Mobile Tracking and Data Pty Ltd	N94437
NTD Management Pty Ltd	N94438
Telephone Technologies Pty Ltd	N94439
Purtill Bros Nominees Pty Ltd	N94440
Into Mobiles Pty Ltd	N94441
Legal Eagal Pty Ltd	N94442
Bell, Max Anthony	N94443