



**Australian
Competition &
Consumer
Commission**

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Our Ref: A91265 & A91266
Contact Officer: Clare McGinness
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17 May 2011

Dear Sir/Madam

**Qantas Airways Limited & American Airlines Inc. applications for authorisation
A91265 & A91266 - interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received applications for authorisation from Qantas Airways Limited & American Airlines Inc. The ACCC invites you to comment on the applications. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

Qantas and American Airlines are seeking authorisation for a Joint Business Agreement (JBA). Under the proposed JBA, they would coordinate operations on services between Australia/New Zealand and the United States of America (the Trans-Pacific Routes), and on extensive Qantas and American Airlines services which support the Trans-Pacific Routes.

A full copy of the applications for authorisation is available on the ACCC's website <www.accc.gov.au/AuthorisationsRegister>.

Interim authorisation

Qantas and American Airlines have requested interim authorisation for the JBA.

The ACCC endeavours to deal with requests for interim authorisation quickly. In making an assessment as to whether it is appropriate to grant interim authorisation, the ACCC is not required to undertake a full assessment of the benefit and detriment likely to arise as a result of the proposed conduct.

The ACCC decides whether to grant interim authorisation on a case by case basis. Should an applicant request interim authorisation, the ACCC will usually consider a range of factors, including harm to the applicant and other parties if interim is or is not granted, possible benefit and detriment to the public, the urgency of the matter and whether the market would be able to return to substantially its pre-interim state if the ACCC should later deny authorisation.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to interim authorisation, please do so by **27 May 2011**.

Submissions in relation the substantive applications for authorisation should be provided by **8 June 2011**.

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

Timetable

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

12 May 2011	Lodgement of application and supporting submission.
17 May 2011	Public consultation process begins.
27 May 2011	Closing date for submissions on interim authorisation.
8 June 2011	Closing date for submissions from interested parties.
June 2011	ACCC decision regarding interim authorisation.
June 2011	Applicant responds to issues raised in the public consultation process.
August/September 2011	Draft determination.
September 2011	Public consultation on draft determination including any conference if called.
October/November 2011	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the applications at the draft and final determination stages. If you are able to, please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

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 (03) 9290 6909 or Darrell Channing on (02) 6243 4925.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch

Initial Consultation -Interested Party List

Aerolineas Argentinas
AFS Projects and Logistics
Air Canada
Air China
Air New Zealand
Air Niugini
Air Tahiti Nui
Air Vanuatu
AirAsia X
Aircalin
AirTran Airways
Ambassador Cargo Management Pty Ltd
American Express International Inc.
Asiana Airlines Inc.
Asiana Cargo
Auckland Airport
Australian Air Express
Australian and International Pilots Association
Australian Chamber of Commerce and Industry
Australian Federation of Air Pilots
Australian Federation of International Forwarders
Australian Federation of Travel Agents
Australian Services Union
Australian Tourism Export Council
Board of Airline Representatives of Australia
Brisbane Airport Corporation Pty Limited
BTi Logistics Pty Ltd
Cargolux Airlines International S.A.
Cathay Pacific Airways
Centre for Asia Pacific Aviation
China Airlines
China Southern Airlines
CHOICE
Concorde International Travel
Consolidated Travel Group
Consumer Action Law Centre
Dallas/Fort Worth International Airport
Delta Air Lines, Inc
Department of Infrastructure, Transport, Regional Development and Local
Government
EgyptAir
Emirates
FedEx
Flight Centre Limited
Garuda Indonesia
Gulf Air
Hamilton Airport
Harvey World Travel

Hawaiian Airlines/DowLohnes PLLC
International Air Services Commission
International Air Transport Association
Japan Airlines Ltd
JetBlue Airways
KLM Royal Dutch Airlines
Korean Air
LAN Airlines
Los Angeles International Airport
Lufthansa German Airlines
Melbourne Airport
Pakistan International Airlines
Philippine Airlines
Regional Express Airlines
San Francisco International Airport
Seattle-Tacoma International Airport
Singapore Airlines Ltd
Skywest Airlines Pty Ltd
Solomon Airlines
South African Airways
Southwest Airlines Co.
STA Travel
Strategic Airlines
Sydney Airport
Thai Airways
Tiger Aviation Pte Ltd
Tourism Australia
TTF Australia
United Airlines
UPS
US Airways
Vietnam Airlines
Virgin Australia Airlines
Webjet
Wellington International Airport
West Australian Tourism Commission