



**Australian
Competition &
Consumer
Commission**

Our Ref: A91227 & A91228
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6 July 2011

Luke Woodward
Partner
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Louise Klamka
Lawyer
Gilbert + Tobin
2 Park Street
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Sent via email: LWoodward@gtlaw.com.au; LKlamka@gtlaw.com.au

Dear Mr Woodward & Ms Klamka

Re: application for variation to conditions of authorisation A91227 & A91228 submitted by Virgin Australia & Air New Zealand – request for material to be excluded from the public register

I refer to your client's application to vary the conditions of authorisation A91227 & A91228 as a result of the conditions created by the Chilean volcanic eruption of 4 June 2011 lodged with the Australian Competition and Consumer Commission (the ACCC) on 1 July 2011.

I have considered Virgin Australia's request that Attachment A to its submission be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 89 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to an application for authorisation on the ACCC's public register. The Act provides that a person submitting a document in relation to an authorisation application may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in part 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 Attachment A to the submission will not be placed on the public register.

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

I note that you also provided a public version of your clients' submission which excluded Attachment A. This version will be placed on the public register in the form it was provided to the ACCC.

Should you have any queries in relation to this matter, please do not hesitate to contact Imogen Hartcher-O'Brien on (02) 6243 1049.

Yours sincerely

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

Dr Richard Chadwick
General Manager
Adjudication Branch