



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2011/427
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22 August 2011

Brett Johnson
General Counsel
Qantas Airways Limited
203 Coward Street
Mascot NSW 2020

Anna Pritchard
Head of Legal – Competition
Qantas Airways Limited
203 Coward Street
Mascot NSW 2020

Sent via email: bsjohnson@qantas.com.au; annapritchard@qantas.com.au

Dear Mr Johnson and Ms Pritchard

**Qantas and American Airlines - applications for authorisation A91265 & A91266 -
draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Qantas and American Airlines on 12 May 2011.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for five years. The ACCC's assessment is set out in Chapter 4.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination, you must notify the ACCC in writing by **2 September 2011**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **9 September 2011**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

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

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated 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.
9 June 2011	ACCC decision regarding interim authorisation.
22 August 2011	Draft determination.
August/September	Public consultation on draft determination including any conference if called.
October/November	Final determination.

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.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch