



**Australian
Competition &
Consumer
Commission**

Our Ref: Trackit 46586
Contact Officer: John Rouw
Contact Number: (03) 929 1402

GPO Box 3131
Canberra ACT 2601
23 Marcus Clarke Street
Canberra ACT 2601

tel: (02) 6243 1111
fax: (02) 6243 1199

www.accc.gov.au

September 2011

Steve Nanninga
Managing Director
Mitchell and Brown Pty Ltd
PO Box 201
GERALDTON WA 6531 **By email: Steven@mitcheilandbrown.com.au**

Dear Mr Nanninga

Third line forcing notification N95500 lodged by Mitchell and Brown Pty Ltd

I refer to the above third line forcing notification lodged with the Australian Competition and Consumer Commission (the ACCC) on 4 August 2011. The notification has been placed on the ACCC's public register.

Mitchell and Brown proposes to supply or offer to supply retail customers with a Dealer and/or a Promotional Product or a discount, rebate or credit on condition that the customer acquires telecommunication services, products or particular telecommunications service plans from Telstra.

Legal immunity conferred by the notification commenced on 18 August 2011.

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 Mitchell and Brown and Telstra will disclose all relevant terms and conditions to prospective clients.

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 contact John Rouw on (03) 9290 1402.

Yours sincerely

Dr Richard Chadwick
General Manager
Adjudication Branch