



Australian
Competition &
Consumer
Commission

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Our Ref: 47752
Contact Officer: Imogen Hartcher-O'Brien
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14 December 2011

Luke Woodward
Partner
Gilbert + Tobin
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Sydney NSW 2000

Louise Klamka
Lawyer
Gilbert + Tobin
2 Park Street
Sydney NSW 2000

Sent via email: LWoodward@gtlaw.com.au; LKlamka@gtlaw.com.au;
WThian@gtlaw.com.au

Dear Mr Woodward and Ms Klamka,

**Notification and Authorisations A91287 and A91288 submitted by Virgin Australia and
Skywest Airlines (Australia) Pty Ltd –
request for material to be excluded from the public register**

I refer to your submission regarding the above notification and applications for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 8 December 2011.

I have considered your client's request that relevant parts of the submission be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 89 and section 95 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to an application for authorisation and notification respectively on the ACCC's public register. The Act provides that a person submitting a document in relation to either or both an authorisation application and/or notification may request that the document or parts thereof be excluded from the public register by reason of the nature of certain information contained in the 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 the relevant parts of 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. 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



Dr Richard Chadwick
General Manager
Adjudication Branch

Lawyer
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