




**Australian
Competition &
Consumer
Commission**

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 December 2011

Ms Georgina Foster
Partner
Baker & McKenzie

By email: Georgina.Foster@bakermckenzie.com

Ms Caroline Lovell
Principal, Regulatory Affairs
NBN Co Limited

By email: CarolineLovell@nbnco.com.au

Dear Ms Foster and Ms Lovell

**Authorisation A91271-A91273 submitted by NBN Co Limited –
request for material to be excluded from the public register**

I refer to Frontier Economics' Report dated December 2011 regarding the above applications for authorisation lodged with the Australian Competition and Consumer Commission (the ACCC) on 29 August 2011 and updated on 30 September 2011.

I have considered your request that the confidential version of the Frontier Report 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 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 confidential version of the Frontier Report 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 the Frontier Report. This version will be placed on the public register in the form it was provided to the ACCC.

Should you have any queries please do not hesitate to contact Susan Philp (02 6243 1347) or Luke Griffin (02 6243 1114).

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch