



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2011/1019
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25 January 2012

Mr Luke Woodward
Partner
Gilbert + Tobin
2 Park Street
Sydney NSW 2000

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

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

Dear Mr Woodward and Ms Klamka

**Virgin Australia and Skywest Airlines applications for authorisation A91287 & A91288
- request for interim authorisation**

The ACCC has decided to grant interim authorisation in respect of applications for authorisation lodged by Virgin Australia and Skywest Airlines on 8 December 2011. A copy of the ACCC's decision is attached.

Interim authorisation protects the arrangements for which authorisation is sought from legal action under the relevant provisions of the *Competition and Consumer Act 2010* while the ACCC considers and evaluates the merits of the application.

Next steps

The next step in the process is for the ACCC to release a draft determination which will take account of any submissions from Virgin Australia and Skywest Airlines and interested parties and will indicate the ACCC's preliminary views on the merits of the application. The ACCC will give both the applicants and interested parties the opportunity to provide further submissions on the draft determination before the ACCC issues its final decision.

As noted in the attached decision, the ACCC may review its decision on interim authorisation at any time. In this regard the ACCC may reconsider this decision at the time of issuing its

draft determination. The ACCC's decision in relation to interim authorisation should not be taken to be indicative of whether or not final authorisation will be granted by the ACCC.

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

A handwritten signature in blue ink, appearing to read 'D Jones', is positioned above the printed name.

David Jones
A/g General Manager
Adjudication Branch