



**Australian
Competition &
Consumer
Commission**

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Our Ref: C2011/1019
Contact Officer: Clare McGinness
Contact Phone: (03) 9290 6909

25 January 2012

Dear Sir/Madam

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

The Australian Competition and Consumer Commission (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

For your information, 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', with a stylized, cursive script.

David Jones
A/g General Manager
Adjudication Branch

Virgin Australia and Skywest Airlines (Australia) Pty Ltd A91287 & A91288
Interested parties list - interim authorisation – 25 January 2012

Air Australia

Anonymous interested party

Department of Transport (Western Australia)

Department of Infrastructure and Transport (Commonwealth)

Northern Territory Airports

Tourism NT, Northern Territory