



**Australian
Competition &
Consumer
Commission**

Our Ref: C2012/678
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9 October 2012

Mr Wayne Leach
Partner
King & Wood Mallesons
Level 61, Governor Phillip Tower
1 Farrer Place
Sydney NSW 2000

By email: wayne.leach@au.kwm.com; monique.nymeyer@au.kwm.com

Dear Mr Leach

**Notifications CB00206 & CB00207 submitted by Harness Racing Australia Pty Ltd –
request for material to be excluded from the public register**

I refer to your submission regarding the above notifications that you provided to the Australian Competition and Consumer Commission (the ACCC) on behalf of Sky Channel Pty Ltd (Sky) on 5 October 2012 (Sky's October Submission).

I have considered Sky's request that the confidential version of Sky's October Submission be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 95 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to a notification on the ACCC's public register. The Act provides that a person submitting a document in relation to a 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 confidential version of Sky's October 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 Jasmine Tan on 02 6243 1363 or by email to jasmine.tan@acc.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'D Hatfield', is placed over a light yellow rectangular background.

David Hatfield
A/g General Manager
Adjudication Branch