



GPO Box 3131 Canberra ACT 2601

23 Marcus Clarke Street Canberra ACT 2601

> tel: (02) 6243 1111 fax: (02) 6243 1199

www.accc.gov.au

Our Ref: 48725 Contact Officer: Mark Basile

Contact Phone: (03) 9290 1855

1 June 2012

Stephen Corones

Consultant

DLA Piper

PO Box 7804

Waterfront Place QLD 4001

Daniel McGuiness

Senior Associate

DLA Piper

PO Box 7804

Waterfront Place QLD 4001

By email: stephen.corones@dlapiper.com; daniel.mcguiness@dlapiper.com;

Dear Mr Corones and Mr McGuiness

Etihad Airways and Air Berlin applications for authorisation A91307 & A91308 – request for additional information

I refer to the above applications for authorisation lodged by Etihad Airways and Air Berlin with the Australian Competition and Consumer Commission (the ACCC).

As previously indicated the next step in the process is for the ACCC to release a draft determination in this matter. As part of this process, the ACCC requires some additional information in order to better understand the context in which the proposed conduct will take place and to assess the extent to which any potential anti-competitive detriment may arise from the conduct.

In your submission dated 26 April 2012, you note at paragraph 4.28.1 that there is minimal overlap between the Etihad and Air Berlin networks. Please provide a complete list of all routes on which the applicants overlap, including the following information:

- the origin of each service;
- the destination of each service;
- the frequency with which each of the applicants operate services on these routes; and

• a list of the other commercial passenger airlines operating on the same route for the last 12 months for which your clients have data.

Please provide this information by 8 June 2012.

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 Mark Basile on (03) 9290 1855.

Yours sincerely

David Jones

Director

Adjudication Branch