



**Australian
Competition &
Consumer
Commission**

Our Ref: C2012/1047
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13 February 2013

Mr Norman O'Bryan AM SC
Melbourne Chambers
235 Queen Street
MELBOURNE VIC 3000

Via email: nobryan@melbchambers.com.au; simonJ@riordans.com.au

Dear Mr O'Bryan

**eRx Script Exchange Pty Ltd application for authorisation A91348
– draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by eRx Script Exchange Pty Ltd on 13 November 2012.

Draft determination

A copy of the ACCC's draft determination and summary of its reasons is attached.

For the reasons set out in its draft determination, the ACCC proposes to grant authorisation until 30 June 2017.

Next steps

Once the ACCC issues a draft determination, the Applicant or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **Thursday, 28 February 2013**.

A pre-decision conference provides the opportunity for interested parties to make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **Thursday, 28 February 2013**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to this application.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

Indicative date	Stage in assessment process
13 November 2012	Lodgement of application and supporting submission, including request for interim authorisation.
16 November 2012	Public consultation process commenced.
23 November 2012	Closing date for submissions from interested parties on interim authorisation.
6 December 2012	ACCC decision regarding interim authorisation.
14 December 2012	Closing date for submissions from interested parties on the substantive application for authorisation.
13 February 2013	Draft determination.
February/March 2013	Public consultation on draft determination including any conference if called.
March/April 2013	Final determination.

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 Gina D'Ettorre on 03 9290 1483.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch