



Australian
Competition &
Consumer
Commission

Our Ref: N96266
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21 January 2013

Mr Hadyn Oriti
Donovan Oates Hannaford Lawyers
111 William Street
Port Macquarie NSW 2444

By email: horiti@dohlaw.com.au

Dear Mr Oriti

**Notification N96266 lodged by Peak Care Equipment Pty Ltd –
request for material to be excluded from the public register**

I refer to Peak Care Equipment Pty Ltd's (**Peak Care**) responses to a request for further information dated 21 December 2012 and 14 January 2013 regarding the above notification lodged with the Australian Competition and Consumer Commission (**ACCC**) on 15 November 2012.

I have considered Peak Care's request that the portions of its response and a number of documents attached in support of its response to the request for information 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 those portions of the information response and the relevant supporting documents will not be placed on the public register.

This letter has been placed on the ACCC's public register.

Should you have any queries in relation to this matter, please do not hesitate to contact Megan Cunningham on (03) 9290 1856.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'R Fleming', with a stylized flourish at the end.

Richard Fleming
A/g General Manager
Adjudication Branch