

Our Ref: 51588
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**Australian
Competition &
Consumer
Commission**

27 June 2013

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By email

Dear Sir/Madam

Holcim (Australia) application for authorisation A91377 - interested party consultation

The Australian Competition and Consumer Commission (the ACCC) has received an application for authorisation from Holcim (Australia). The ACCC invites you to comment on the application. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

Holcim (and previously Cemex) has had authorisation since 2003 to allocate concrete delivery jobs to trucks via an 'Equal Opportunity of Trips' system. Under this system, the volume of concrete each truck is allocated for delivery is monitored to ensure that over time, no truck receives more than the fleet-wide average.

Given Holcim's current authorisation expires on 30 June 2013, it requested interim authorisation. The ACCC has decided to grant interim authorisation to enable Holcim to continue to operate this allocation system and minimise disruption while the ACCC assesses the substantive application. Interim authorisation can be reviewed at any time and should not be taken to be indicative of whether or not final authorisation will be granted by the ACCC.

A full copy of the application for authorisation is available on the ACCC's website <www.accc.gov.au/AuthorisationsRegister>. Alternatively, you can contact Michael Drake on (03) 9658 6517 to obtain a hard copy of the application and submission.

Request for submissions

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the proposed arrangements.

If you intend to provide a submission in relation to this application for authorisation, please do so by **22 July 2013**.

Alternatively, if you would like to provide comments orally, please contact Michael Drake on (03) 9658 6517 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

Timetable

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

19 June 2013	Lodgement of application and supporting submission.
27 June 2013	Public consultation process begins.
22 July 2013	Closing date for submissions from interested parties.
August 2013	Applicant responds to issues raised in the public consultation process.
September 2013	Draft determination.
September/October	Public consultation on draft determination including any conference if called.
October 2013	Final determination.

Please advise if you do not wish to make a submission at this time, but would like to be informed of the progress of the application at the draft and final determination stages. If you are able to please provide a nominated contact email address for future correspondence.

You can also forward this letter to any other party who may wish to make a submission to the ACCC regarding the application.

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 Michael Drake on (03) 9658 6517.

Yours sincerely



David Hatfield
Director
Adjudication Branch

List of interested parties consulted

Australian Trucking Association

Barrow Group

BGC Australia Pty Ltd

Boral Limited

Cement Australia

Cement Concrete & Aggregates Australia

Concrete Institute of Australia (WA)

Department of Transport (WA)

Go Crete Pty Ltd

Hanson Australia Pty Ltd

Labour Relations, Department of Consumer and Employment Protection (WA)

Master Builders Association (WA)

Owner Drivers Australia

Pioneer Concrete (WA) Pty Ltd

Transport Workers' Union (WA)

WA Premix