



Australian
Competition &
Consumer
Commission

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12 October 2015

Jo Daniels
Partner
Baker & McKenzie

Via email: jo.daniels@bakermckenzie.com; peter.dejonge@bakermckenzie.com

Dear Ms Daniels

ihail Pty Ltd application for authorisation A91501 – draft determination

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by ihail Pty Ltd on 26 May 2015.

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 deny authorisation for the proposed arrangements.

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 **26 October 2015**.

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 **26 October 2015**.

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 these applications.

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 has updated its indicative timetable for its consideration of this matter, set out below for your information.

Indicative date	Stage in assessment process
26 May 2015	Lodgement of application and supporting submission, including request for interim authorisation.
17 June 2015	Ihail provided an additional submission confirming the scope of the conduct the subject of the application.
19 June 2015	Public consultation process begins.
17 July 2015	ACCC decided not to grant interim authorisation.
12 October 2015	Draft determination.
October/November 2015	Public consultation on draft determination including any conference if called.
November/December 2015	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 Jaime Martin on 03 9290 1477 (or at jaime.martin@accc.gov.au) or me on (03) 9290 1475 (or at gavin.jones@accc.gov.au).

Yours sincerely



Gavin Jones
Director
Adjudication