

Our Ref: 56849
Contact Officer: Jaime Martin
Contact Phone: 03 9290 1477



**Australian
Competition &
Consumer
Commission**

16 April 2015

Paul Schoff
Partner
Minter Ellison Lawyers

Justin Oliver
Partner
Minter Ellison Lawyers

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

By email: paul.schoff@minterellison.com; justin.oliver@minterellison.com

Dear Mr Schoff and Mr Oliver

Re: Authorisation A91479-A91481 submitted by NBN Co Limited – request for material to be excluded from the public register

I refer to the second tranche of Optus' response to the ACCC's information request dated 20 March 2015 (Tranche 2 Information Response).

I have considered your request that parts of Optus' Tranche 2 Information Response, including the seven attached 'confidential documents' be excluded from the ACCC's public register.

As you are aware, the ACCC is generally required under section 89 of the *Competition and Consumer Act 2010* (the Act) to place documents provided to it in relation to an application for authorisation on the ACCC's public register. The Act provides that a person submitting a document in relation to an authorisation application 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 the relevant parts of Optus' Tranche 2 Information Response and attached 'confidential documents' will not be placed on the public register. Optus' covering letter dated 14 April 2015 will also not be placed on the public register.

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

I note that you also provided a public version of Optus' Tranche 2 Information Response. This version will be placed on the public register in the form it was provided to the ACCC.

Should you have any queries in relation to this matter, please contact David Hatfield on (02) 6243 1266 (david.hatfield@acc.gov.au) or Jaime Martin on (03) 9290 1477 (jaimemartin@acc.gov.au).

Yours sincerely

A handwritten signature in blue ink, consisting of a stylized initial 'R' followed by a long horizontal line.

Dr Richard Chadwick
General Manager
Adjudication Branch