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By email

Ms Lyn Camilleri
Director
Adjudication
Australian Competition and Consumer Commission
Email lyn.camilleri@accc.gov.au

Dear Ms Camilleri

**Bendigo and Adelaide Bank and others applications for authorisation
(A91546 & A91547) — extension of time**

I refer to your letter dated 2 September 2016 which requests the applicants' response to interested parties' submissions by 9 September 2016.

A number of these submissions were received some time after the ACCC's deadline of 18 August 2016, including a substantial submission from Apple Pty Limited that appends a detailed economist's report. These submissions raise significant questions of fact and law and in some instances appear to misconstrue many of the key elements of the application for authorisation and the process it envisages. Apple has also made statements as to its intentions for future conduct that have implications for the factual and counterfactual scenarios that the ACCC must evaluate. In this context, the applicants wish to ensure that the ACCC is presented with all key factual, legal and economic evidence before making its draft determination.

To this end the applicants intend to provide the ACCC with a detailed response to the issues raised in interested parties' submissions and a supplementary economist's report in response to the report annexed to Apple's submission. The applicants are also consulting with experts on the claims made in submissions in relation to security and other technical aspects.

The applicants believe that this information will be important to the ACCC's evaluation but it cannot be completed before 9 September 2016. The applicants suggest a short extension of time until Friday 30 September 2016 to allow them to fully address the issues that have been raised in interested parties' submissions.

The applicants remain committed to supporting a timely evaluation process and have sought to ensure the shortest possible extension of time. However, the applicants acknowledge that this extension may have an impact on the ACCC's statutory deadline. Accordingly, the applicants undertake to agree to an extension to the relevant period following the issue of the draft determination for the purposes of section 90(10A) of the *Competition and Consumer Act 2010*.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Gilardoni'.

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