



Our ref: 60806  
Contact officer: Theo Kelly  
Contact phone: (02) 6243 1179

23 Marcus Clarke Street  
Canberra ACT 2601

GPO Box 3131  
Canberra ACT 2601

tel: (02) 6243 1111

fax: (02) 6243 1199

[adjudication@acc.gov.au](mailto:adjudication@acc.gov.au)

[www.acc.gov.au](http://www.acc.gov.au)

19 December 2016

Luke Woodward  
Partner  
Gilbert + Tobin

By email: [lwoodward@gtlaw.com.au](mailto:lwoodward@gtlaw.com.au)  
[mbull@gtlaw.com.au](mailto:mbull@gtlaw.com.au)

Dear Mr Woodward and Ms Bull

**Virgin Australia Regional Airlines Pty Ltd & Ors – Application for authorisation  
A91552 & A91553 – Draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the application for authorisation lodged by Virgin Australia Pty Ltd, Virgin Australia Regional Airlines Pty Ltd and Alliance Aviation Services (together, **the Applicants**) on 31 August 2016.

For the reasons set out in its draft determination, the ACCC proposes to deny authorisation.

A copy of the ACCC's draft determination and summary of its reasons is attached.

**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 **27 January 2017**. Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "A91552 & A91553 – Virgin Australia Regional Airlines Pty Ltd & Ors – submission".

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 **20 January 2017**.

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 this application.

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

<b>Indicative date</b>	<b>Stage in assessment process</b>
<b>31 August 2016</b>	Lodgement of application and supporting submission.
<b>19 December 2016</b>	Draft determination.
<b>December 2016/ January 2017</b>	Public consultation on draft determination including any conference if called.
<b>February 2017</b>	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 Theo Kelly on (02) 6243 1179 or [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Gavin Jones  
Director  
Adjudication