

COMMONWEALTH OF AUSTRALIA

Trade Practices Act 1974 (Cth)

File No 2 of 2008

RE: APPLICATION UNDER S 152AV OF THE TRADE PRACTICES ACT 1974 (CTH) (THE ACT) FOR A REVIEW OF AN EXEMPTION ORDER DECISION (INDIVIDUAL EXEMPTION ORDER No. 4 OF 2008) MADE BY THE AUSTRALIAN COMPETITION AND CONSUMER COMMISSION IN RELATION TO TELSTRA CORPORATION LIMITED PURSUANT TO SECTION 152AT(3)(a) OF THE ACT

BY: CHIME COMMUNICATIONS PTY LTD (ACN 073 119 285)

NOTICE PURSUANT TO SECTION 152AW(6) OF THE TRADE PRACTICES ACT 1974 (CTH)

On 12 September 2008 application was made to the Australian Competition Tribunal (the Tribunal) to review a decision of the Australian Competition and Consumer Commission under section 152AT of the *Trade Practices Act 1974 (Cth)* (the Act) to grant an exemption order to Telstra Corporation Limited (Telstra) from its standard access obligations under section 152AR of the Act. Section 152AW(5) of the Act requires the Tribunal to make a decision on the review within six months after receiving the application for review (the statutory six month period).

The statutory six month period for this application ends on 13 March 2009. The Tribunal is unable to make its decision within that period. The reason is as follows. The Tribunal made a decision on the application on 22 December 2008. Telstra applied to the Full Court of the Federal Court of Australia for judicial review of that decision. On 11 March 2009 the Full Court set aside the Tribunal's decision and remitted the matter for further consideration. The Tribunal is unable to hold a further hearing, reconsider the application and make its decision before 13 March 2009.

Pursuant to section 152AW(6) of the Act, the Tribunal hereby extends the statutory six month period by three months to end on 13 June 2009.

Dated this 12th day of March 2009



Finkelstein J (President)