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4 November 2013

Louise Hird  
Acting Director, Regulatory Strategy, Digital Economy and Coordination  
NBN Engagement and Group Coordination Branch, Communications Group  
Australian Competition & Consumer Commission  
Level 35, 360 Elizabeth Street  
Melbourne VIC 3000

**By email**

**Withdrawal of application of vary digital radio access undertaking under section 118NH of the Radiocommunications Act 1992**

Dear Louise,

We act for the Foundation Category 1 Digital Radio Multiplex Transmitter Licensees in Adelaide, Brisbane, Melbourne, Perth and Sydney (each a **JVC** and together the **JVCs**).

We refer to our application to vary the digital radio access undertakings pursuant to section 118NH of the *Radiocommunications Act 1992* dated 19 June 2013.

The purpose of this letter is to formally withdraw our application to vary the digital radio access undertakings.

The JVCs will shortly submit a revised application to vary the digital radio access undertakings. This revised application will incorporate additional terms which the JVCs have agreed to incorporate in response to the ACCC's consultation process in relation to the original application to vary.

Please feel free to contact us if you have any questions.

Yours sincerely

**Webb Henderson**



**Ara Margossian**  
**Partner**