



Australian
Competition &
Consumer
Commission

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19 December 2013

Mr Ara Margossian
Partner
Webb Henderson
Level 18, 420 George Street
Sydney NSW 2000

By email: ara.margossian@webbhenderson.com

Dear Mr Margossian

**Variation of digital radio access undertakings under section 118NH of the
*Radiocommunications Act 1992***

I am writing to you, as the legal representative of the Foundation Category 1 Digital Radio Multiplex Transmitter Licensees, to advise that, pursuant to section 118NH(8) of the *Radiocommunications Act 1992* (Radiocommunications Act), the ACCC has accepted the terms of the variation to the digital radio access undertakings submitted under section 118NH(2)(a) of the Radiocommunications Act on 7 November 2013. Accordingly, as of the date of this notice, the access undertakings attached to this notice, will be the operative access undertakings in relation to the Foundation Category 1 Digital Radio Multiplex Transmitter Licenses in Adelaide, Brisbane, Melbourne, Perth and Sydney.

The decision to approve the variation was made following a consultation process as required by section 118NH(4) of the Radiocommunications Act.

The reasons for the decision are set out in the attached document – *ACCC final decision on the request for a variation of the digital radio access undertakings*, dated December 2013.

Yours sincerely

Rod Sims
Chairman