

10 August 2012

Michael Cosgrave
Group General Manager, Communication Group
Australian Competition and Consumer Commission
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360 Elizabeth Street
Melbourne VIC 3000

By email: michael.cosgrave@accc.gov.au

c.c.

Sean Riordan, ACCC – Email: sean.riordan@accc.gov.au

Dear Mr Cosgrave

Re: Reference Prices for the Wholesale ADSL Layer 2 Service

I refer to Telstra's Structural Separation Undertaking (**SSU**) accepted by the Australian Competition and Consumer Commission (**ACCC**) on 27 February 2012.

As you know, in Schedule 8 of the SSU Telstra commits to publishing a rate card of Reference Prices for each of the Reference Services to which the SSU applies (**Rate Card**). In clause 1.2(a) of Schedule 8 Telstra also commits that the Reference Price for the services expressly identified in that clause will be those prices specified from time to time by the ACCC in a binding rule of conduct¹, a final access determination² or an interim access determination³ (in order of precedence specified by the *Competition and Consumer Act 2012*).

Clause 1.2(a) of Schedule 8 does not expressly identify the Wholesale ADSL Layer 2 Service and it has come to Telstra's attention that various access seekers have raised concerns about this with the ACCC.

Telstra has agreed to address these concerns by confirming in this letter that it will comply with the SSU as if the Wholesale ADSL Layer 2 Service were expressly identified in clause 1.2(a).

Telstra requests that this correspondence be made publicly available.

¹ Clause 1.2(a)(i) of Schedule 8 of the SSU.

² Clause 1.2(a)(ii) of Schedule 8 of the SSU.

³ Clause 1.2(a)(iii) of Schedule 8 of the SSU.



Yours sincerely,

Jane van Beelen
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