



Audit of Telecommunications Infrastructure Assets – Record Keeping Rules

Consultation paper

Date

21 November 2019

Australian Competition and Consumer Commission
23 Marcus Clarke Street, Canberra, Australian Capital Territory, 2601
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1. Introduction

1.1. Purpose

The purpose of this Consultation Paper is to seek stakeholders' views on the Australian Competition and Consumer Commission's (ACCC) proposed amendments to the *Audit of Telecommunications Infrastructure Assets - Record Keeping Rules* (the Rules). The ACCC is proposing to update and make amendments to the Rules and seeks submissions on the proposed changes.

The ACCC is also seeking views on its proposal to publish certain information provided by record-keepers under the Rules.

1.2. Submission process

The ACCC encourages submissions from all stakeholders, including industry participants, end users of telecommunications services and members of the public.

Submissions should be provided by **5.00pm on 23 December 2019**.

Submission of commercial-in-confidence material

All submissions will be considered by the ACCC as public submissions and will be posted on the ACCC website. Interested parties wishing to submit commercial-in-confidence material to the ACCC should submit both a public version and commercial-in-confidence version of their submission. The ACCC has issued a guideline setting out the process parties should follow when submitting confidential information to communications inquiries commenced by the ACCC. The guideline is available on the ACCC website at:

<https://www.accc.gov.au/publications/communications-inquiries-submitting-confidential-material>

Contact officer and submission lodgement details

Enquiries in the first instance should be directed to Steve Williams on (07) 3835 4602.

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2. The Infrastructure RKR

2.1. Regulatory framework

The Australian Competition and Consumer Commission has the power to collect information from industry to undertake its telecommunications regulatory functions under the *Competition and Consumer Act 2010* (CCA) and relevant telecommunications legislation.

Section 151BU of the CCA provides that the ACCC may make record-keeping rules requiring carriers and carriage service providers to keep records and provide reports on the information in those records to the ACCC. The ACCC cannot require records to be kept unless they contain information relevant to the operation of certain parts of the CCA or certain other legislation.¹

2.2. Use of data collected under the Rules

The information collected under the Rules assists the ACCC in administering a range of its regulatory functions and responsibilities under Part XIB and Part XIC of the CCA, including the investigation of anticompetitive conduct in telecommunications markets and the regulation of telecommunications services.

2.3. Background

On 19 December 2007, the ACCC made the *Audit of Telecommunications Infrastructure Assets – Record Keeping Rules 2007* to help inform its analysis of competition in relevant telecommunications markets. The 2007 RKR required specified carriers (record-keepers) to report on the extent and location of their core network and customer access network (CAN) infrastructure.

In March 2013, the ACCC amended the Rules to update the list of record-keepers to reflect market developments and introduce an obligation for record-keepers to identify leased infrastructure and infrastructure operated on behalf of third parties.

In December 2017, the Rules were amended again to update the list of record-keepers and clarify the information required to be reported on mobile infrastructure, fibre to the building infrastructure and the geographic boundaries of CANs.

2.4. Proposed changes to the Rules

The ACCC proposes to amend the list of record keepers to ensure that the information collected reflects an up-to-date picture of the state of telecommunications infrastructure in Australia.

The ACCC also considers that record keepers should provide information relating to their mobile infrastructure in a more structured form to ensure greater uniformity and consistency across reports. Accordingly, it proposes to amend the Rules to clarify the information that mobile network operators (MNOs) are to provide. The proposed amendment also includes a requirement to include details of any government co-funding of mobile sites.

Finally, the ACCC proposes an amendment to rectify a typographical error appearing in the Rules instrument following the 2017 amendment.

¹ s.151BU (4) of the CCA

2.5. Proposed publication of reports on mobile infrastructure

The Consultation Paper also seeks views on the merits of the ACCC publicly reporting on the year-on-year (YoY) changes in mobile operators' infrastructure, making use of information collected under the Rules. The ACCC considers that the proposed reports would contribute to improving the availability and transparency of information for the benefit of consumers, in particular those that live or work in regional areas.

3. Matters for consultation

To assist its consideration of whether to make amendments to the Rules, the ACCC is seeking views from interested parties on the following matters.

3.1. Updating the list of reporting entities (Record keepers)

Part 1 of Schedule 1 to the current Rules contains a list of 22 record-keepers required to provide specified information to the ACCC.

To ensure the continued usefulness of the Infrastructure RKR data in informing its decision-making, the ACCC must keep up-to-date records that reflect the full extent of significant telecommunications infrastructure. For this purpose the ACCC must keep track of entities that own and operate such infrastructure.

As part of its continuous efforts to monitor significant changes in the market, the ACCC proposes to update the list of record keepers in Schedule 1 of the Rules.

New record keepers

The ACCC seeks views on the amendment of the list of record keepers to add a number of providers that own or operate infrastructure assets relevant to the ACCC's assessment of competition in communications markets.

In particular, the ACCC is seeking views on whether Queensland Capacity Network Pty Ltd (QCN Fibre), Pivotel Group Pty Limited (Pivotel) and Uniti Group Limited (Uniti Group) should be added to the list of record-keepers.

- QCN Fibre is a new entrant to the market for wholesale transmission services with planned operations in regional Queensland. It has announced an intention to utilise spare capacity on 6,000 kilometres of state-owned fibre optic networks along the State's east coast, including the interconnection of the six NBN Points of interconnect (NBN POIs) located in regional Queensland, to provide retail service providers with alternative backhaul services in areas where competition is currently limited.²
- Pivotel is an established provider of mobile satellite services. It has recently announced the deployment of 4G mobile network infrastructure in rural and remote areas of Australia.³ Currently, the ACCC has limited information on the extent of Pivotel's network rollout and whether its network is or will overlap with other MNOs' networks. The ACCC considers that there is the potential for the infrastructure Pivotel is building to be used to provide services that compete with the services provided by other MNOs.

² <https://www.ditid.qld.gov.au/innovation/qcn-fibre>

³ Communications Day, *Pivotel quietly builds Australia's 4th mobile network*, pp 1-2, 21 August 2019

- Uniti Group is a fibre and wireless operator that provides network connectivity to residential, business and enterprise premises by means of their own access network. Uniti Group has announced the expansion of its fibre footprint through its recent acquisition of LBAS provider LBN Co Pty Ltd.⁴

The ACCC is considering the merits of adding the carriers listed above to the list of record keepers, given that their assets appear of sufficient size so as to have a material impact on the ACCC's analysis of rival infrastructure in the market.

The ACCC therefore seeks interested parties' views on whether QCN Fibre, Pivotel and Uniti Group should be included in the list of record keepers in Schedule 1 of the Rules.

The amended list of record-keepers is set out in Part 1 to Schedule 1 of the draft instrument at **Attachment A**.

3.2. Changes to the information to be reported by mobile operators

The purpose of requiring information regarding mobile radio infrastructure

The ACCC is responsible for administering Parts XIB and XIC of the *Competition and Consumer Act 2010* which, amongst other things, empower the ACCC to investigate anti-competitive conduct in the telecommunications market and regulate certain telecommunications services. In performing these functions, it is necessary for the ACCC to monitor and analyse the state of competition in relevant markets, including markets for the provision of services using mobile radio infrastructure.

The information on infrastructure operated by MNOs is critical to informing the ACCC about the differences in the coverage and quality of each mobile network, the extent of infrastructure sharing and the evolution of network investment over time.⁵

Issues with the current RKR returns

The RKR was amended in 2017 to expand the reporting requirements for mobile infrastructure such as locations of mobile sites, the technology and frequency bands of spectrum used on each mobile site and geographic coverage by technology type. Those amendments were made in response to the findings of the ACCC's 2016 Domestic Mobile Roaming Inquiry.

The three MNOs (Telstra, Optus and VHA) have provided two returns since the 2017 amendments were introduced. However, the ACCC has found inconsistencies in how these record keepers provide information. For example:

- some of them provide geographic coverage information by each technology type and frequency bands of spectrum used, whereas others provide such information by each generation of mobile technology (i.e. 3G and 4G) and
- record keepers differ in how they provide information relating to the location of their mobile sites. All record keepers provide information on a latitude and longitude basis. However, not all provide unique identification numbers for these sites, which means it is difficult for the ACCC to identify new sites as well as sites that have been decommissioned over time.⁶

⁴ Uniti Group ASX announcements, Financial results investor presentation, 30 August 2019

⁵ ACCC, Domestic Mobile Roaming Declaration Inquiry, p.45, 23 October 2017

⁶ It is also difficult to check duplicate sites in the returns in the absence of unique identification information.

Sites funded under co-contribution programs

The ACCC has also encountered some difficulties in identifying the mobile sites which have been funded as part of both federal and state programs to increase mobile coverage in rural and regional areas and in black spot locations. The ACCC's Domestic Mobile Roaming Inquiry found that the competitive dynamics in the mobile services market ensures there are ongoing incentives for the MNOs to continue to invest in expanding and improving their mobile coverage. The Inquiry also recognised that in areas where there is little commercial incentive to invest, government co-contribution programs (such as the Mobile Black Spot Program (MBSP)) have an important role in incentivising investments by the MNOs.

In order for the ACCC to meaningfully analyse the extent of the MNOs' investments, independent of any co-contribution program, the mobile sites reported under the RKR which have been co-funded by these programs need to be identified. We consider that requiring the MNOs to identify mobile sites that were funded under a co-contribution program is likely to be the most direct and accurate way to achieve this outcome.

Proposed changes to address the issues identified above

Introduction of a reporting template for mobile infrastructure

While the reports received by the ACCC have been generally compliant with the Rules, the information provided on mobile infrastructure has been inconsistent across MNOs.

To address the issue of inconsistency across record keepers reporting on mobile network infrastructure, we propose that the RKR includes an input template that will guide this class of record keepers in preparing their yearly reports. The ACCC considers that the introduction of a template will ensure consistency in the information collected, across record keepers and over time.

The proposed input template sets out the required information in relation to mobile sites, including location (latitude/longitude) and frequency bands used on each mobile site.

The ACCC also considers it important to include a unique identification number for each physical site. The ACCC proposes this be the unique identifier assigned to each mobile site by the Radio Frequency National Site Archive (RFNSA ID). An unequivocal identification number for each site will enable the ACCC to more readily identify:

- sites that a record keeper has stopped using each year (decommissioned sites)⁷
- sites that are added onto the record keeper's network each year (new sites).

The input template would also require the record keeper to identify, where relevant, a co-contribution program under which the construction of a mobile site has been funded (discussed in the next section).

Appendix 1 to the Draft Instrument at Attachment A sets out the ACCC's proposed input template for stakeholder comment.

⁷ The ACCC notes that these sites are 'decommissioned' only for the purpose of the particular record keeper, as the sites may still be used by other operators.

Mobile sites funded under co-contribution programs

As discussed above, the ACCC needs to be able to identify which of the mobile sites included in a record keeper's return are funded under a co-contribution program to meaningfully assess the extent of independent investment made by that record keeper.

The ACCC acknowledges that there is information on MBSP sites in various public domains, including the website of the Department of Communications and the Arts, the National Map website and the MNOs' own websites. However, this information does not match the site information provided by operators under the Rules in a manner which would enable the ACCC to conclusively determine whether certain sites reported by the MNOs are in fact MBSP sites.

As such, the ACCC considers that the simplest way for it to accurately access information about co-funded mobile infrastructure is to require the record keepers to identify this information in their Infrastructure RKR returns.

The ACCC considers that record keepers should have readily available lists of sites that are funded under any co-contribution program and it would not be unreasonable to require them to identify those sites separately in their Infrastructure RKR returns.

Accordingly, the ACCC proposes to require the record keepers to identify any mobile site which is funded under any co-contribution program, providing the name of such program and the round (if applicable).

The input template at **Appendix 1** includes separate columns to provide information on site co-funding.

Information on mobile coverage

Currently, sub-rule 5(2)(b)(ii) of the Rules requires MNOs to provide geographic information on their mobile coverage by technology type. However, MNOs do not report consistently against this sub-rule. In particular, not all MNOs provide geographic coverage information based on each technology type *and* frequency band used, while another only provides geographic coverage information based on the generation of technology used.

Having compared the information provided by the MNOs in their yearly returns, the ACCC considers that the geographic coverage information based on each technology type and frequency band is more useful as it depicts the full extent of mobile coverage across the Australian landmass while providing a better indication of the MNOs' use of spectrum (including the mix of spectrum used and the extent it is used) in different areas of Australia.

As such, the ACCC proposes to clarify this requirement by inserting the words 'and frequency band' at the end of sub-rule 5(2)(b)(ii) to ensure that all MNOs provide consistent information on this requirement.

3.3. Introduction of ACCC reports on mobile infrastructure

Investments in mobile infrastructure are of particular interest to communities in regional and remote Australia, as there is a greater need for the expansion of coverage and improvement in the quality of mobile networks in those areas. During the ACCC's Domestic Mobile Roaming Inquiry and the Regional Mobiles Forum, a number of stakeholders raised concerns about the lack of transparency and

accountability on infrastructure investments frequently announced by mobile operators.⁸

At the time of the inquiry the ACCC undertook to consider whether the information reported under the Rules could be used to provide more transparency and accountability on MNOs' investments. In particular, the ACCC noted that it would explore the possibility of reporting yearly changes in MNO network infrastructure for the purpose of comparing these to investments announced by MNOs.

The CCA allows the ACCC to make public the information provided under the RKR in a number of ways. For instance, the ACCC can disclose RKR information if it is already publicly available, or if the person to which the information relates consents to the disclosure.⁹

The ACCC also has the power to disclose, or require a record-keeper to disclose, a report or periodic reports of information provided under the RKR by issuing a notice of disclosure if the ACCC is satisfied that such disclosure would be likely to promote competition or facilitate the operation of certain parts of the CCA.¹⁰

Consequently, through this inquiry, the ACCC takes the opportunity to seek stakeholders' views on its proposal to publish periodic reports that reflect changes in each mobile operator's infrastructure over time. In particular, the ACCC would be interested in reporting yearly changes in the number of mobile sites for each individual operator across metropolitan, regional and remote areas, as defined by the Australian Bureau of Statistics' (ABS) *Remoteness Classification*.¹¹

The ACCC notes that while aggregated site information in the way proposed is not publicly available, the underlining data can be found in the public domain. For instance, it is possible to search for, and track, the location of current and planned mobile sites on the RFNSA website and to identify the technology used on each site. The ACMA also lists the location of mobile sites in its Register of Radiocommunications Licences (which are also published in a searchable geospatial format). In addition, details on the ABS's Remoteness Classification framework are publicly available.

Accordingly, the ACCC considers that the publication of yearly changes in mobile infrastructure are unlikely to give rise to confidentiality issues.

Specifically, the ACCC proposes to publish annual reports encompassing the following information for each of the geographic areas as classified under ABS Remoteness Classification:

1. the total number of physical sites in the current reporting year (this provides context to the scale of change from the previous year)
2. the number of new physical sites added to the record keeper's mobile network since the previous year, and if relevant information can be obtained, the proportion of new sites that were funded under co-contribution programs

⁸ For example, see AgForce Queensland, *Submission to Domestic Mobile Roaming Declaration Inquiry 2016 – Draft Decision*, 15 June 2017, p.1; ACCAN, *Submission to the ACCC's Mobile Roaming draft decision*, 16 June 2017, p.2; Department of Communications and the Arts, *Submission to ACCC's draft decision on domestic mobile roaming*, 26 June 2017, p. 3; Victorian Farmers Federation, *ACCC Domestic Mobile Roaming Declaration Inquiry: Response to draft declaration*, 22 May 2017, p. 2.

⁹ Subsections 155AAA(15) and (16) of the CCA.

¹⁰ Subsections 151BUA(2), 151BUB(2) and 151BUC(2).

¹¹ <https://www.abs.gov.au/websitedbs/d3310114.nsf/home/remoteness+structure>

3. the number of sites decommissioned by the record keeper (i.e. no longer part of the record keeper's network), and
4. the change in the number of 3G, 4G and 5G sites respectively since the previous year.

The output template at **Attachment B** shows how the ACCC envisages how this information should be presented on the ACCC's website.

In addition, the ACCC proposes to publish geo-spatial maps identifying the location of new sites, as this would provide an indication of the geographic spread of the new sites that have been added onto the record keeper's network over the reporting year.

The ACCC seeks comment as to whether reporting information and publishing geo-spatial maps in the way proposed would give rise to any concerns, and in particular, whether it would raise confidentiality concerns for record-keepers and the nature of those concerns.

3.4. Variation of deadline for the 2020 reporting period

In consideration of the consultation timeframe required under the CCA, the draft amendments propose to introduce different deadlines to apply to the 2020 report. Rule 9 of the draft instrument sets out proposed extensions to the deadline for providing reports to the ACCC that will apply to new reporting entities (listed under Group B in the amended instrument) and to those record keepers reporting on government co-funding of mobile infrastructure, while other timeframes for reporting remain the same.

3.5. Minor amendment to the current RKR instrument

The proposed draft amendments also rectify a minor typographical error that appeared in the Infrastructure RKR instrument following the 2017 amendment, whereby the name of the Rules in the interpretation section were incorrectly stated as the *Audit of Telecommunications Infrastructure Assets – Record Keeping Rules 2017*.

The new draft instrument at **Attachment A** amends the Interpretation section of the Rules to correctly state the name of the Rules as '*Audit of Telecommunications Infrastructure Assets - Record Keeping Rules*'.

4. Questions on which the ACCC seeks views

The ACCC is seeking comment from stakeholders and other interested parties on the questions set out below.

Update to the list of record keepers

- 1) Is it appropriate to include Queensland Capacity Network Pty Ltd, Pivotal Group Pty Limited and Uniti Group Limited in the list of record keepers set out in Part 1 to Schedule 1 of the Rules? Please provide reasons to support your views.
- 2) Are there other providers that should be included in the list of record keepers?

Further information on mobile infrastructure - Use of a reporting template

- 3) Do you have any comments on the use of a template spreadsheet to guide the reporting of mobile infrastructure as per **Appendix 1** to the draft instrument?
- 4) Do you have any comments on the requirement for relevant record keepers to report mobile coverage across technology types and frequency bands?

Information on relevant co-contribution programs

- 5) Do you agree with the inclusion of a requirement to provide information relating to sites funded under co-contribution programs?
- 6) Do you have any other comment on the proposed requirements?

Publication of annual reports on investments in mobile infrastructure

- 7) Do you have comments on the ACCC's proposal to report changes in mobile infrastructure in Section 3.3 above?
- 8) Is the report template set out at **Attachment B** appropriate? Would the publication of maps showing the location of new mobile site be useful for the public?



**Audit of Telecommunications Infrastructure Assets – Record keeping
Rules - Amendment**

Competition and Consumer Act 2010

The AUSTRALIAN COMPETITION AND CONSUMER COMMISSION amends these Rules under subsection 151BU(1) of the *Competition and Consumer Act 2010*.

These amendments commence on the date this amendment instrument is signed.

Dated 2020

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Rodney Graham Sims
Chair
Australian Competition and Consumer Commission

Audit of Telecommunications Infrastructure Assets

Record Keeping Rules

Section 151BU

Competition and Consumer Act 2010

Australian Competition and Consumer Commission

1 Name of Rules

These Rules are the *Audit of Telecommunications Infrastructure Assets - Record Keeping Rules*.

2 Commencement

These Rules commenced on 26 March 2013.

3 Interpretation

(1) In these Rules:

ACCC means the Australian Competition and Consumer Commission.

Act means the *Competition and Consumer Act 2010*.

CAN means the Customer Access Network and is that part of the telecommunications network that allows end-users to connect to the local switch, base station, node or exchange.

Consolidated information report means an information report that includes infrastructure records of all subsidiaries and/or related entities of the record-keeper.

Copper means twisted pairs of copper line.

Core network means that part of the network that is not the CAN.

Distribution point unit (DPU) means an NBN Co owned device located in an underground pit, or mounted on a pole close to the end-user premise.

End-user means a consumer of communications carriage services and other services supplied using communications carriage services.

ESA means the geographical area of copper wire served by one local telephone exchange.

Fibre (point to multipoint) means a shared optical fibre service from the core network to the end-user.

Fibre (point to point) means a dedicated optical fibre service from the core network to the end-user.

Fibre to the building (FTTB) means a combination of optical fibre used to connect a multi-tenant site's communications room with an access network whether that be fibre, copper or wireless. It has the capability of delivering a superfast broadband service.

FTTB equipment means the main equipment usually installed in the communications room (e.g. MDF room) of a multi dwelling unit or multi premise site.

Fibre to the curb (FTTC) means a combination of optical fibre and copper used in the CAN to connect the end-user to the core network. Optical fibre is delivered to an underground pit or pole locations where it then connects with a DPU. Copper is then used to deliver services from the DPU to the end-user. It has the capability of delivering a superfast broadband service.

Fibre to the premises (FTTP) means optical fibre used in the CAN to connect the end-user to the core network. It has the capability of delivering a superfast broadband service.

Fibre to the node (FTTN) means a combination of optical fibre and copper is used in the CAN to connect the end-user to the core network. It has the capability of delivering a superfast broadband service.

GDA94 means Geocentric Datum of Australia 1994.

Geographic extent means the physical location of infrastructure and includes the geographic boundaries normally associated with that infrastructure (such as ESA or SAM boundaries) as well as the predicted propagation of wireless infrastructure.

HFC means Hybrid Fibre-Coaxial and is a combination of optical fibre and coaxial cable used in the CAN to connect the end-user to the core network.

Microwave radio means a microwave electromagnetic signal.

Mobile site means the site where mobile infrastructure (such as base stations, towers etc.) is located.

Fixed wireless site means the site (such as towers or other facilities) where fixed wireless infrastructure is located.

Optical fibre means a glass or plastic fibre designed to guide light along its length.

Radio (fixed) means the CAN that is provided by means of air interface using point-to-point or point-to-multipoint topology.

Radio (mobile) means the CAN that is provided by means of air interface using a cellular topology which offers roaming from interconnected geographic regions of service.

Record-keeper is a carrier or carriage service provider listed as a record-keeper in Schedule 1, and includes all its subsidiaries and related entities.

RFNSA is the Radio Frequency National Site Archive, a repository of information on mobile network infrastructure managed by the Australian Mobile Telecommunications Association (AMTA)

RFNSA ID is a unique numerical identifier for each mobile site set by RFNSA based on the site's physical location.

Rules means the *Audit of Telecommunications Infrastructure Assets - Record Keeping Rules 2017*.

Serving Area Module (SAM) means a geographical region which includes premises served by the NBN Co Network.

TAB vector format means the MapInfo proprietary format that contains a spatial representation of data using points, lines, and polygons.

- (2) Unless the contrary intention appears, an expression used in these Rules that is also used in the Act has the same meaning in these Rules.

4 Application

These Rules apply to the record-keepers listed in Part 1 of Schedule 1.

5 CANs

- (1) A record-keeper who is listed in Part 1 of Schedule 1 must supply the information specified in subrule 5(2).

- (2) For each CAN owned and operated by a record-keeper, the record-keeper must specify:

- (a) whether any access media of the types listed in Part 2 of Schedule 1 is deployed on the network; and
- (b) if so, the geographic extent of each access medium deployed, including where relevant:
 - i. for radio (mobile) – **the site’s RFNSA identification**, the location of mobile sites, the technology type and frequency band/s of the radiofrequency spectrum used at each mobile site **in accordance with the template at Appendix 1**;
 - ii. for radio (mobile) – the geographic coverage by technology type **and frequency band/s**;
 - iii. for radio (fixed) – the location of fixed wireless sites, the technology type and frequency band/s of the radiofrequency spectrum used at each fixed wireless site;
 - iv. for radio (fixed) – the geographic coverage by technology type;
 - v. for FTTB – the location of FTTB equipment; and
 - vi. for FTTP, FTTN, FTTB, FTTC, HFC – the geographic boundary of CAN modules (for NBN Co services this will include each SAM boundary).
- (c) **for radio (mobile) – whether the construction of each mobile site was funded under a co-contribution program (whether under federal, state or local government) and if so, details of the relevant program, in accordance with the template at Appendix 1.**

Note: For the purposes of subrule 5(2)(b) a record-keeper is required to provide this information in accordance with rule 7.

6 Core Network

- (1) A record-keeper who is listed in Part 1 of Schedule 1 must supply the information specified in subrules 6(2), 6(3), and 6(4)
- (2) For each core network owned and operated by a record-keeper, the record-keeper must specify the geographic extent of any:
 - (a) optical fibre core network;
 - (b) microwave radio core network; and
 - (c) other core network.
- (3) The record-keeper must separately identify core network that it leases to third parties.
- (4) The record-keeper must separately identify core network that it operates on behalf of third parties.

Note: For the purposes of this rule a record-keeper is required to provide this information in accordance with rule 7.

7 Format

For the purposes of subrule 5(2) and rule 6, information provided to the ACCC by a record-keeper must be:

- (a) in a TAB vector format using the GDA94 coordinate system; or
- (b) in such other format as the ACCC agrees in writing or notifies on its website,
- (c) a consolidated information report of subsidiaries and/or related entities.

8 Reporting requirements

- (1) **Subject to Rule 9**, a record-keeper is required to record and produce a report on the information specified in subrules 5(2), 6(2), 6(3) and 6(4) as at 31 January of each year.
- (2) **Subject to Rule 9**, a record-keeper must provide the ACCC with a report containing the information specified in subrule 8(1) on or before 1 March of each year.
- (3) The report containing the information specified in subrule 8(1) must be provided to the ACCC by email or by another mode of delivery approved in writing by the ACCC. Reports provided by email must be sent to both of the following addresses:
 - (a) rkrinbox@acc.gov.au
 - (b) irdadmin@acc.gov.au

9 Variation of the reporting requirements for the 2020 report

- (1) For the 2020 reporting year, a Group B record keeper must prepare a report containing the information specified in Rule 5 and Rule 6 as at 30 April 2020 and provide it to the ACCC on or before 30 June 2020.
- (2) For the reporting year 2020, a record keeper must provide to the ACCC a report containing the information required under Sub-rule 5 (2) (c) on or before 30 April 2020.

Note 1: Under section 151BX of the Act a person who contravenes a record-keeping rule may be subject to pecuniary penalties.

Note 2: Subsection 36(2) of the *Acts Interpretation Act 1901* (Cth) provides that where the last day of any period prescribed falls on a Saturday, on a Sunday or on a day which is a public holiday in which the thing is to be done, the thing may be done on the first day following which is not a Saturday, a Sunday or a public holiday.

Schedule 1 Record-keeping requirements for CANs and Core Networks

Part 1 List of record-keepers

Group A

Record-keeper/ACN	Subsidiaries and/or related entities
AARNet Pty Ltd 084 540 518	
Basslink Telecoms Pty Ltd 129 550 563	
Digital Distribution Australia Pty Ltd 093 095 419	
Ergon Energy Telecommunications 106 459 465	
Macquarie Telecom Pty Ltd 082 930 916	
NBN Co Limited 136 533 741	
OPENetworks Pty Ltd 118 525 821	
OptiComm Co Pty Ltd 117 414 776	
Queensland Rail Limited 132 181 090	
Rail Corporation New South Wales ABN 59 325 778 353	
SA Power Networks ABN 13 332 330 749	
SingTel Optus Pty Limited 052 833 208	Optus Networks Pty Ltd Optus Mobile Pty Ltd Uecomm Pty Ltd
Spirit Telecom Ltd 089 224 402	
Superloop Limited ABN 96 169 263 094	Big Air Group Limited
Tasmanian Networks Pty Ltd ABN 24 167 357 299	
Telstra Corporation Limited 051 775 556	
TPG Telecom Limited 093 058 069	AAPT Limited

	Adam Internet Pty Ltd Agile Pty Ltd iiNet Limited Soul Pattison Telecommunications Pty Ltd TransACT Capital Communications Pty Ltd
TransGrid ABN 19 622 755 774	
Verizon Australia Pty Ltd 081 001 194	
Victorian Rail Track Corporation ABN 55 047 316 805	
Vocus Group Limited 084 115 499	Amcom Pty Ltd NextGen Networks Vocus Fibre Pty Ltd
Vodafone Hutchison Australia Pty Ltd 096 304 620	

Group B

Queensland Capacity Network Pty Ltd 633 081 517	
Pivotal Group Pty Limited 102 274 322	
Uniti Group Limited 158 957 889	LBN Co Pty Ltd

Part 2**Types of access media deployed**

Copper

Fibre (point to multipoint)

Fibre (point to point)

Fibre to the building (FTTB)

Fibre to the curb (FTTC)

Fibre to the Node (FTTN)

Fibre to the premises (FTTP)

HFC

Radio (fixed)

Radio (mobile)

Other

Input template

RFNSA ID	Latitude	Longitude	Technology/Frequency Band (e.g. LTE700)	Co-funded?	Co-contribution program	Round
Unique identification number			Y or N (Add one column for each active Technology/freq. band)	Y or N	Identify the funding program that co-contributed to the site cost or leave blank (e.g. Federal Government Mobile Black Spot Program)	

Output template

Name of mobile network operator:	Major Cities of Australia	Inner Regional Australia	Outer Regional Australia	Remote Australia	Very Remote Australia
Total number of Physical sites					
Number of new sites in the reporting period					
<i>Proportion of new sites funded under co-contribution programs (%)</i>					
Number of decommissioned sites					
Net change in the number of 3G sites					
Net change in the number of 4G sites					
Net change in the number of 5G sites					

Notes:

1. A '*physical site*' refers to a unique mobile site on which a record-keeper operates radio equipment. Typically, a physical site is likely to have a number of technology units and can be a 3G, 4G or 5G site at the same time. Net change in the number of physical sites in a record-keeper's network since the previous reporting year can be derived from the differences in the number of new sites and the number of decommissioned sites.

2. The geographic classifications are based on the Remoteness Classification by the Australian Bureau of Statistics (ABS). Please refer to ABS website at: <https://www.abs.gov.au/websitedbs/d3310114.nsf/home/remoteness+structure>.