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23 September 2021

Iain Little  
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Telstra Corporation Limited

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CC: [Kim.Hilton-Cowie@team.telstra.com](mailto:Kim.Hilton-Cowie@team.telstra.com)

Dear Mr Little

### **Extension to Telstra's COVID-19 related Force Majeure Event under the Migration Plan**

I refer to your letter dated 21 September 2021 notifying the ACCC of an extension to the Force Majeure Event under the Migration Plan due to the ongoing impacts of COVID-19.

You have advised that the ongoing Force Majeure Event is due to COVID-19 impacts that have persisted in the states of NSW and Victoria, which have prompted further deferrals to managed disconnection arrangements under the Migration Plan. I note your advice that NSW currently has a number of COVID-19 related restrictions in place under the *Public Health Act 2010* and Victoria remains under a State of Emergency declaration issued by its Minister for Health in 2020.

As advised on 1 April 2020, the ACCC agrees that the COVID-19 pandemic constitutes a Force Majeure Event under the Migration Plan. Due to the Force Majeure Event status, Telstra will not contravene the Migration Plan to the extent that the pandemic causes Telstra delays or failure to perform its obligations under the Migration Plan.

I note that Telstra has notified its wholesale customers and retail business unit of the revised disconnection arrangements due to the Force Majeure Event, which have been agreed with NBN Co, and that updates will be provided as the situation develops.

As you are aware, Telstra is required to notify the ACCC as soon as reasonably practicable after the Force Majeure Event has ceased to affect its Migration Plan obligations.

Please contact Ifa Rushdi if you would like to discuss this matter further.

Yours sincerely

A handwritten signature in black ink, appearing to read "Sean Riordan". The signature is fluid and cursive, with the first name "Sean" being more prominent than the last name "Riordan".

Sean Riordan  
General Manager  
Communications Markets and Advocacy Branch