



Our ref: 51717
Contact officer: Jola D'Arcy
Contact phone: (02) 6243 3041

18 December 2019

Iain Little
Director Equivalence, Regulatory Affairs
Corporate Affairs
Telstra Corporation Limited

Email: Iain.Little@team.telstra.com
CC: Matthew.Scott@team.telstra.com

Dear Mr Little

NSW and QLD bushfires 2019 Force Majeure Event

I refer to your letter dated 11 December 2019 advising that Telstra considers the NSW and QLD bushfires occurring in November and December 2019 a Force Majeure Event under clause 4.5 of the Migration Plan.

A Force Majeure Event under the Migration Plan is defined to include a natural disaster or lightning, fire, earthquake, storm, flood or any other weather conditions which would be expected to place at risk the health or safety of the employees of Telstra or NBN Co or any other person. The ACCC agrees that the NSW and QLD bushfires constitute a Force Majeure Event under the Migration Plan.

The ACCC is satisfied that Telstra has met its requirement under clause 4.5(c)(i) to advise the ACCC that a Force Majeure Event had affected Telstra's performance under the Migration Plan.

The ACCC also notes Telstra's advice that it will recommence its disconnection activities 40 business days following Telstra notifying its wholesale customers and its retail businesses that it considers the bushfire affected areas are under control and safe.

Due to the Force Majeure Event status, Telstra will not contravene the Migration Plan to the extent that the NSW and QLD bushfires cause delays or failure to perform Telstra's obligations under the Migration Plan.

The ACCC notes that under clause 4.5(c)(ii), there is a requirement for Telstra to notify the ACCC as soon as reasonably practicable after the Force Majeure Event has ceased to affect its Migration Plan obligations.

Jola D'Arcy can be contacted on 02 6243 3041 if you would like to discuss this matter.

Yours sincerely

A handwritten signature in blue ink that reads "R. Wright." The signature is written in a cursive style with a large initial 'R'.

Robert Wright
General Manager
Insurance and Wireline Markets Branch