

27 November 2023

Kieran Burgess
Assistant Director
Communications Markets and Advocacy
Australian Competition and Consumer Commission
Via email

Dear Kieran,

Re SBAS access determination inquiry - further consultation on NBN price benchmarking approach

Aussie Broadband Limited (**Aussie Broadband**) welcomes the opportunity to respond to the Australian Competition and Consumer Commission's (**ACCC**) access determination inquiry on superfast broadband access service (**SBAS**). We specifically respond to the ACCC's letter of 2 November 2023, which seeks feedback regarding the proposal to benchmark regulated maximum prices to NBN Co's new pricing approach (**the 'floor and ceiling' price**). This pricing approach was recently accepted under the Special Access Undertaking (**SAU**) variation.

SBAS pricing

Aussie Broadband continues to be supportive of the ACCC's intention to benchmark regulated access terms and pricing for the SBAS against equivalent NBN Co services. Our position is that SBAS charges and network costs to retail service providers (**RSPs**) should be aligned with NBN Co and not exceed current NBN Co charges for access and usage. We agree with the ACCC's view that benchmarking maximum SBAS pricing against NBN Co ensures that access seekers are not subject to higher prices for equivalent NBN Co services, to the benefit of the long-term interests of end users. The options under which access providers can supply the declared Layer 2 wholesale SBAS—either by adopting NBN Co's 'floor and ceiling' pricing model, or an SBAS total monthly charge that does not exceed NBN Co's Average Combined Charge—are welcomed by Aussie Broadband, and in particular we see great benefit in simplifying charging for SBAS providers by basing this on NBN Co's Average Combined Charge.

NNI charges

Aussie Broadband remains of the view that network-to-network interface (**NNI**) charges should be regulated, should they continue to exist at all. Unreasonably high prices that fail to reflect actual operational costs to SBAS providers ultimately impede customers from transferring between networks and RSPs. We consider it imperative to maintain retail competition and to ensure the long-term interest of the end user. ACCC's proposal to benchmark SBAS setup and monthly recurring NNI charges against equivalent NBN Co charges will go some way to address this.

We appreciate the opportunity to respond to the inquiry on the SBAS access determination and would be willing to discuss our submission further at your convenience.

Sincerely,



Andrew Webster
General Manager – Risk, Compliance & Regulatory Affairs