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## Required Measure 2 – Process for Managed Disconnection of Copper Services from the Disconnection Date

### 1 Background

This Required Measure 2 sets out the process Telstra will use following the Disconnection Date to disconnect remaining retail and wholesale Copper Services within the Fixed Line Footprint, except for certain categories of services specified in the Varied Plan.

Much of the process of this Required Measure is unchanged. However, the new approach provides an improved migration experience for customers who place an order for an NBN service late in the migration window, including a final opportunity to place their NBN order within a limited timeframe after the Disconnection Date, and prior to the disconnection of their services from Telstra's legacy networks.

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### 2 Application

For clarity this Required Measure 2 applies to disconnection of services from the Copper Network only.

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### 3 Communication with Wholesale Customers prior to Disconnection Date

#### 3.1 Preliminary Disconnection List notified to Wholesale Customers

- (a) Where Telstra continues to supply Copper Services to a Wholesale Customer at Premises in a Rollout Region four months before the Disconnection Date for that Rollout Region, Telstra will not less than three months before the Disconnection Date, notify that Wholesale Customer of those relevant Premises which Telstra expects to be subject to Managed Disconnection (**Preliminary Disconnection List**), irrespective of whether or not Telstra had already provided any earlier notification of disconnection to that Wholesale Customer.
- (b) Notification of the Preliminary Disconnection List to Wholesale Customers will occur no later than when the equivalent information is made available to Telstra's Retail Business Unit.

#### 3.2 Dispute process

- (a) Within 20 Business Days of Telstra providing it with a Preliminary Disconnection List, a Wholesale Customer may notify Telstra of any Premises or services on the Preliminary Disconnection List which the Wholesale Customer considers should not be subject to Managed Disconnection by virtue of or due to:
  - (i) the Wholesale Customer having previously certified that services which it supplies at the relevant Premises are Special Service Inputs;
  - (ii) the services acquired by the Wholesale Customer from Telstra in respect of the relevant Premises being Direct Special Services; or
  - (iii) a data error in respect of the service information associated with a Premises on the Preliminary Disconnection List.

- (b) The Wholesale Customer may not raise a dispute in respect of Premises on the Preliminary Disconnection List on any basis other than as set out in subparagraph (a) above. For clarity, any concern as to whether or not a relevant Premises is passed or NBN Serviceable should be referred by a Wholesale Customer to NBN Co.
- (c) Telstra will respond to any dispute notified to it by a Wholesale Customer under section 3.2(a) within 10 Business Days of receiving notice (or as extended by agreement with the Wholesale Customer) and will notify the Wholesale Customer whether or not Telstra agrees to reflect the requested change in the Final Disconnection List for that Rollout Region.
- (d) If Telstra does not agree to reflect the change in the Final Disconnection List, as requested, the parties will use reasonable endeavours to resolve the issue as to whether Special Services or Special Service Inputs have been (as certified by the Wholesale Customer) supplied at the Premises.
- (e) If the parties have failed to agree on the categorisation of services supplied at the relevant Premises by a date which is 15 Business Days after the dispute was notified to Telstra or if Telstra has failed to respond to the Wholesale Customer within 10 Business Days of receiving notice of the dispute (or as extended by agreement with the Wholesale Customer), either party may refer the matter to the Adjudicator. The Adjudicator will be requested to provide its decision within 5 Business Days from the date of referral.
- (f) If the parties (or the Adjudicator) have failed to resolve a dispute as to whether a Premises is to be included in the Final Disconnection List by the date which is 15 Business Days before the Disconnection Date for a Rollout Region, then Telstra is permitted to include the disputed Premises in the Final Disconnection List for that Rollout Region.

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## 4 Commencement of Managed Disconnection

### 4.1 Final Disconnection List

- (a) As Telstra is notified by NBN Co of Premises:
  - (i) that do not form part of the final Fixed Footprint List; or
  - (ii) have In-Train Orders,Telstra will update its NBN Transition Tool database (**NTT**).
- (b) Telstra Operations will, using NTT, create a list specifying all of the Copper Services that remain active at Premises in the final Fixed Footprint List, as understood by Telstra as at the Disconnection Date for each Rollout Region (the **Premises Address List**).
- (c) Following creation, the Premises Address List will then have the following Premises and Copper Services removed (which are disconnected in accordance with sections 6 and 7 below):
  - (i) any Premises notified to Telstra by NBN Co as being an In-Train Order Premises;
  - (ii) Special Services (being Direct Special Services and Special Service Inputs within SS Classes for which a Disconnection Date has not yet occurred as

well as Contracted Special Services and Double Ended Special Services, for which disconnection is not yet required in accordance with the disconnection arrangements under the Varied Plan);

- (iii) any Added Premises where the disconnection date for those Premises has been extended beyond the Disconnection Date for the Rollout Region;
- (iv) any Copper Services supplied to Affected Premises in the Rollout Region on the Disconnection Date for the Rollout Region but only to the extent that Telstra is prevented by law from ceasing the provision of those Copper Services to that Affected Premises and disconnecting the Premises;

and will be the **Final Disconnection List** for each Rollout Region.

- (d) For clarity, MDU Common Areas will not be included in the Final Disconnection List provided that Telstra has been notified by NBN Co that a relevant Premises in a Rollout Region is an MDU Common Area.
- (e) Premises that are notified to Telstra by NBN Co by the Disconnection Date as having a Copper Service that is being used to supply a fire alarm or lift phone service and are registered with NBN Co will remain on the Final Disconnection List to proceed with the disconnection of other services eligible for disconnection at the Premises. However, Telstra will notify Telstra's Retail Business Units and Wholesale Customers of these fire alarm and lift phone services and flag such services in Telstra's systems as exempt from disconnection until after 30 June 2017.

#### **4.2 Final Notifications for Wholesale Customers after the Disconnection Date**

- (a) As soon as practicable after the Disconnection Date for each Rollout Region and, in any event by no later than 5 Business Days after the Disconnection Date, Telstra Operations will provide the Final Disconnection List to Telstra Wholesale.
- (b) Telstra Wholesale will notify Wholesale Customers of any Wholesale Services supplied at Premises on the Final Disconnection List that are to be disconnected in the course of Managed Disconnection during the Primary Disconnection Window for that Rollout Region.
- (c) Notification of the Final Disconnection List to Wholesale Customers will occur at the same time as, or before, any notification of the Final Disconnection List to a Telstra Retail Business Unit.
- (d) Notification to Wholesale Customers will be provided via the Wholesale Customer Portal.

#### **4.3 Soft Dial Tone**

- (a) Telstra will apply a Soft Dial Tone service to each active Retail Line Rental or Wholesale Line Rental service at a Premises on the Final Disconnection List (other than an Affected Premises or service identified in section 4.1(e)), where practicable, within 15 Business Days after the Disconnection Date for the Rollout Region, except where Telstra has become aware that an order for a NBN service has been placed at that Premises. Telstra may become aware of such an order in accordance with paragraph (d) below.
- (b) For clarification, a Soft Dial Tone service will only be applied to active Retail Line Rental or Wholesale Line Rental services where practicable. Telstra cannot and

therefore will not enable Soft Dial Tone where the service supplied by Telstra is a ULL Service.

- (c) If Telstra is notified on or before the date that is 26 Business Days after the Disconnection Date that an order for an NBN Service has been received by NBN Co to a Premises in a Rollout Region that has had a Soft Dial Service applied in accordance with section 4.3(a) above, Telstra will remove the Soft Dial Tone and reactivate the service.
- (d) Telstra may become aware of an order having been placed for a NBN Service at a Premises in the following ways:
  - (i) by being informed by NBN Co directly to the NBN Interface Group (being the group established within Telstra with principal responsibility for liaising with NBN Co in respect of the transfer of information); or
  - (ii) by being informed by either a Retail Customer or a Wholesale Customer; or
  - (iii) when Telstra becomes aware of the NBN Connection through its own migration of a Retail or Wholesale Customer to the NBN.
- (e) Telstra's Retail and Wholesale customers will not be provided with notification of the removal of Soft Dial Tone under this section.

#### **4.4 Disconnection of Premises where Telstra is notified customers do not intend to migrate**

If Telstra receives notification from a Retail Customer or a Wholesale Customer (via business as usual processes) that the end user does not intend to Migrate any of the Copper Services at the Premises, and the Premises is not an In-Train Order Premises, Telstra may disconnect the Premises at any time after Disconnection Date and may not apply a Soft Dial Tone to any of the Copper Services at the Premises.

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## **5 Managed Disconnection of Premises**

### **5.1 Updated Final Disconnection List**

- (a) Telstra is notified by NBN Co:
  - (i) on the date that is 26 Business Days after the Disconnection Date of additional In-Train Order Premises;
  - (ii) progressively during the period from the Disconnection Date through to the date that is 25 Business Days after the Disconnection Date of additional MDU Common Areas; and
  - (iii) progressively during the period from the Disconnection Date through to the date that is 25 Business Days after the Disconnection Date of additional locations which have Copper Services that have been registered with NBN Co as being used to supply fire alarm or lift phone services at a Premises within a Rollout Region which has a Disconnection Date on or before 30 June 2017,

which have been identified by NBN Co from the Disconnection Date through to the date that is 25 Business Days after the Disconnection Date.

- (b) Upon receiving from NBN Co the Premises and Services listed in paragraph (a) above, Telstra will upload the list into its NTT.
- (c) As soon as reasonably practicable from the date that is 26 Business Days after the Disconnection Date, Telstra Operations will, using NTT, update the Premises Address List for each Rollout Region. Telstra will update the Premise Address List to create the **Updated Final Disconnection List** by removing;
  - (i) any additional Premises notified to Telstra by NBN Co under paragraph (a)(i) and **Error! Reference source not found.** above; and
  - (ii) any other Premises and Copper Services listed in section 4.1(c)(ii)-(iv) as at the date that is 25 Business Days after the Disconnection Date.

The Updated Final Disconnection List is provided to Telstra Wholesale and to Telstra's Retail Business Unit for each Rollout Region.

- (d) Premises that are notified to Telstra by NBN Co by the date that is 25 Business Days after the Disconnection Date as having a Copper Service that is being used to supply a fire alarm or lift phone service and are registered with NBN Co, will remain on the Updated Final Disconnection List. However, Telstra will notify a Telstra Retail Business Unit and Wholesale Customers of these fire alarm and lift phone services and flag such services in Telstra's systems as exempt from disconnection until after 30 June 2017.
- (e) Telstra will notify Wholesale Customers of the Updated Final Disconnection List as soon as reasonably practicable after the date that is 26 Business Days from the Disconnection Date. This will occur at the same time as, or before, any notification of the Updated Final Disconnection List to a Telstra Retail Business Unit.
- (f) Notification to Wholesale Customers will be provided via the Wholesale Customer Portal.

## 5.2 Managed Disconnection During the Primary Disconnection Window

- (a) For the purposes of this Required Measure, the **Primary Disconnection Window** refers to the period on and from 26 Business Days after the Disconnection Date up to and including the date that is 45 Business Days after the Disconnection Date.
- (b) Telstra will disconnect:
  - (i) all Copper Services that are required to be disconnected as set out in the Updated Final Disconnection List during the Primary Disconnection Window; and
  - (ii) all other Copper Services in accordance with the specific disconnection arrangements set out in sections 6 and 7 below.
- (c) Disconnections during the Primary Disconnection Window will occur in two phases:
  - (i) service disconnection; followed by,
  - (ii) permanent disconnection.

The process involved in each phase is described below.

### 5.3 Service disconnection

- (a) Upon receiving the Updated Final Disconnection List from Telstra Operations (in accordance with section 5.1 above), Telstra will commence the disconnection of all services supplied to a Telstra Retail or Telstra Wholesale customer by the date that is 30 Business Days after the Disconnection Date and where practicable, complete disconnection of these services by the date that is 35 Business Days after the Disconnection Date (“**Service Disconnection Phase**”).
- (b) Telstra Wholesale and Telstra Retail Business Units carry out the Service Disconnection Phase in order to prepare all relevant Copper Services (those that appear on the Updated Final Disconnection List) for permanent disconnection for example by:
  - (i) rejecting and removing all pending orders from Telstra’s systems;
  - (ii) carrying out all required steps to disconnect the Copper Services in Telstra’s provisioning and billing systems; and
  - (iii) monitoring and managing any errors occurring during the first two steps (i) and (ii) above throughout the Service Disconnection Phase.

### 5.4 Permanent disconnection

- (a) After the Service Disconnection Phase and up until the end of the Primary Disconnection Window, Telstra Operations will perform permanent disconnection of the relevant Copper Paths within Telstra’s systems for all Copper Services that appear on the Updated Final Disconnection List.
- (b) Permanent disconnection of all Copper Services appearing on the Updated Final Disconnection List will occur regardless of activities completed during the preceding Service Disconnection Phase.
- (c) Telstra Operations will manage the permanent disconnection processes on a day-to-day basis during the permanent disconnection phase to efficiently allocate available resources and respond to operational issues as they arise. This may require Telstra to change the sequencing of disconnection of Premises on the Updated Final Disconnection List during the permanent disconnection phase. Telstra is not required to assign a specific date for permanent disconnection of each Premises within the Primary Disconnection Window.
- (d) All permanent disconnections occurring during the permanent disconnection phase will be processed by Telstra Operations without regard as to whether the Copper Service is supplied to a customer of a Telstra Retail Business Unit or a Telstra Wholesale Business Unit.
- (e) Telstra will monitor each Rollout Region to ensure that all Copper Services on the Updated Final Disconnection List (except for those Services identified in section 5.1(a)(a)(iii)) are permanently disconnected by the end of the Primary Disconnection Window for that Rollout Region.
- (f) Where disconnection orders are identified as having not been processed due to an error, these will then be corrected and re-submitted into Telstra’s systems. A check will be conducted to ensure the service is disconnected. This process will be repeated until the relevant Copper Service(s) are permanently disconnected.

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## 6 Disconnection of In-Train Order Premises

- (a) Premises the subject of a notification by NBN Co to Telstra as having an In-Train Order will not be disconnected by Telstra during the Primary Disconnection Window, unless a disconnection order is placed by the customer of the Telstra Wholesale Business Unit or Retail Business Unit.
- (b) NBN Co will notify Telstra on the Disconnection Date and again on the date that is 26 Business Days after the Disconnection Date of all In-Train Order Premises in a Rollout Region. Telstra will generate a report from NTT that identifies all In-Train Order Premises for a Rollout Region.
- (c) Telstra will monitor the In-Train Order report for a Rollout Region for a period of up to 120 Business Days after the Disconnection Date and where Telstra is notified that the NBN order at the Premises has been:
  - (i) completed (i.e. the Premises has been NBN Connected); or
  - (ii) cancelled or revoked before NBN Connection of that In-Train Order Premises; or
  - (iii) if there is more than one In-Train Order for NBN Based Services at an In-Train Order Premises, the date on which the last of the In-Train Orders has been NBN Connected, or the NBN order at the Premises has been cancelled or revoked before it is NBN Connected,

(in each case, a '**Monitoring Trigger**'), Telstra will disconnect the Premises on the date which is not more than 30 Business Days after the Monitoring Trigger occurs, substantially using the business as usual disconnection processes set out in Schedule 1 of the Varied Plan.
- (d) Telstra may disconnect Copper Services at an In-Train Order Premises at any time during the 120 Business Day period in response to a standard disconnection order placed by the customer.
- (e) If no Monitoring Trigger or customer-requested disconnection occurs, Telstra will disconnect all remaining In-Train Order Premises in a Rollout Region as soon as reasonably practicable after the date which is 120 Business Days after the Disconnection Date.

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## 7 Disconnection of Remaining Premises

### 7.1 Types of Premises removed from the Updated Final Disconnection List

- (a) In addition to the Premises referred to in section 6, the following types of Premises and Copper Services within the Fixed Line Footprint in a Rollout Region will not be subject to Managed Disconnection during the Primary Disconnection Window:
  - (i) Added Premises;
  - (ii) Affected Premises (in the Rollout Region on the Disconnection Date for the Rollout Region but only to the extent that Telstra is prevented by law from ceasing the provision of those Copper Services to that Affected Premises);
  - (iii) Special Services, including:

- (A) Direct Special Services and ULLS as a Special Service Input (to the extent that these services belong to a SS Class for which the applicable Disconnection Date has not yet occurred); and
- (B) Contracted Special Services and Double-Ended Special Services (that are not otherwise due to be disconnected during the Primary Disconnection Window in accordance with the Varied Plan);
- (iv) MDU Common Areas; and
- (v) any Copper Services that are being used to supply a fire alarm or lift phone service that have been registered with NBN Co and notified to Telstra by NBN Co by the date that is 25 Business Days after the Disconnection Date,

but will instead be disconnected in accordance with specific rules applicable to each category.

## **7.2 Disconnection of Added Premises**

- (a) Added Premises for which a formal objection has been received by Telstra before the Disconnection Date in accordance with clause 15.2 of the Varied Plan, will be flagged in the Premises Address List generated at the Disconnection Date and will be treated as exceptions to the standard Managed Disconnection process.
- (b) Disconnection of Added Premises will occur in accordance with clause 15.2 of the Varied Plan.
- (c) Added Premises for which no objection has been received by Telstra will not be flagged and will be disconnected in accordance with the standard Managed Disconnection process.

## **7.3 Disconnection of Affected Premises**

- (a) Telstra will flag in NTT any Premises which it identifies at any time as being an Affected Premises.
- (b) Telstra will monitor the list on a weekly basis and, once the Premises has been identified as no longer being an Affected Premises, the flag in NTT will be removed and the applicable Copper Services at the Premises and the Premises will be disconnected using the standard disconnection processes set out in Schedule 1 of the Varied Plan.
- (c) Disconnection will take place within 20 Business Days of the applicable legal prohibition ceasing to be effective.
- (d) Telstra Operations will notify Telstra's Wholesale and Retail Business Units (as relevant) on an equivalent basis once the applicable legal prohibition which prevented Telstra from ceasing to provide Copper Services ceases to apply.
- (e) Telstra will notify relevant Telstra Wholesale Customers of their Wholesale Services at Affected Premises that will be disconnected, just prior to the disconnection of those Wholesale Services.

## **7.4 Disconnection of Special Services**

- (a) All Direct Special Services (both wholesale and retail) will be flagged in NTT.



- (b) Where a Wholesale Customer has certified a Copper Service as a Special Service Input in accordance with the processes set out in Schedule 4 of the Varied Plan, the Copper Service will be flagged as a Special Service in NTT.
- (c) Telstra has published on the Wholesale Customer Portal a unique code for each SS Class (SS Code). The SS Code will be used by a Wholesale Customer to certify that a particular Copper Service is being used to provide a carriage service that is Service Equivalent to a Direct Special Service in the SS Class corresponding to the SS Code. As certification is on a SS Class basis, the Wholesale Customer will need to assess which SS Class applies to the carriage service that is being provided by means of the Copper Service, and which is Service Equivalent to a Direct Special Service.
- (d) Prior to the Disconnection Date for the relevant SS Class, any Direct Special Services and ULLS as a Special Service Input within that SS Class will not be disconnected as part of the Managed Disconnection process in any Rollout Region.
- (e) During this time, any such Copper Services will be flagged in NTT and excluded from the Final Disconnection List and the Updated Final Disconnection List for the Rollout Region.
- (f) From the date immediately following the Disconnection Date for the relevant SS Class Telstra will treat Direct Special Services and all Special Service Inputs of that SS Class as if they were ordinary Copper Services<sup>1</sup> and will include them as part of any Final Disconnection List and Updated Final Disconnection List for future Rollout Regions which will be subject to the standard Managed Disconnection processes set out in section 5 of this Required Measure.

#### **7.5 Disconnection of MDU Common Areas**

- (a) In accordance with the Varied Plan, Telstra will not disconnect Copper Services supplied to MDU Common Areas under clause 14 of the Varied Plan but will disconnect such Services in accordance with clause 1.4 of the Varied Plan.
- (b) Telstra will prepare and publish a separate document setting out the process it will apply to the managed disconnection of MDU Common Areas six months before the End of Rollout Date.

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## **8 Reporting**

Telstra will report to ACCC on a quarterly basis as part of Telstra's confidential Migration Plan Compliance Report the disconnections that are undertaken in accordance with this Required Measure, as required under clause 26 of the Varied Plan.

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<sup>1</sup> The process for NBN Co developing product releases that trigger disconnection of SS Classes is through the publication of White Papers, as discussed in an Explanatory Note to clause 22.4 of the Varied Plan.