



21 December 2018

Mr Robert Wright  
General Manager, Insurance, Water and Wireline Markets Infrastructure Regulation  
Australian Competition and Consumer Commission  
Level 17, Casselden Place  
2 Lonsdale Street  
Melbourne VIC 3000  
**Email: [robert.wright@acc.gov.au](mailto:robert.wright@acc.gov.au)**

Copy To:

Ms Katie Young  
**Email: [katie.young@acc.gov.au](mailto:katie.young@acc.gov.au)**

Mr Rod Middleton  
**Email: [rodney.middleton@acc.gov.au](mailto:rodney.middleton@acc.gov.au)**

Dear Mr Wright,

**Forbearance regarding disconnection deferral arrangements for Commonwealth High Security sites**

I refer to the forbearance requested by Telstra on 3 August 2017 in relation to our proposal to defer the disconnection of copper based services supplied to certain Commonwealth High Security (**CHS**) sites, which was granted by the ACCC on 7 September 2017.<sup>1</sup>

In this forbearance request we sought for the deferral of the disconnection obligations in relation to copper based services supplied to certain CHS sites as required by clause 14 and schedule 3 of the Migration Plan.

We advised that Telstra and nbn co. would review the arrangements within 12 months, to determine whether they needed to continue, and would advise the ACCC of any decisions made.

We have found these arrangements to be working well to provide additional service continuity protection, in those cases where the specific sensitive nature of those CHS sites has required a limited additional period of time to be allowed for them to be made serviceable by the **nbn**<sup>TM</sup> network.

We therefore advise the ACCC that we intend to continue to defer the disconnection of copper based services in accordance with the terms of our letter dated 3 August 2017.

Similarly, and subject to the ACCC granting forbearance in respect of the proposed arrangements, we propose to afford nbn co. a limited additional period of time to make

---

<sup>1</sup> See relevant correspondence at: <https://www.accc.gov.au/regulated-infrastructure/communications/industry-reform/telstras-migration-plan/chs-sites-disconnection-arrangements>



relevant CHS sites serviceable prior to our commencement of the disconnection of Special Services at those CHS sites.

The forbearance we now seek from the ACCC relates to Telstra's managed disconnection obligations contained in clause 22 and schedule 7 of the Migration Plan, as well as for clause 14 and schedule 3 where Special Services at CHS sites may be disconnected after an applicable Special Services Disconnection Date, and otherwise in accordance with a Rollout Region Disconnection Date.

The arrangements will be applied without regard to whether Telstra Retail or Telstra Wholesale customers supply Special Services to the impacted CHS sites.

Pursuant to the terms of the forbearance granted by the ACCC on 7 September 2017, Telstra will continue to confidentially share with the ACCC the number of sites that have received an extension under these arrangements on an annual basis in line with our annual compliance report submitted at the end of September.

Please do not hesitate to contact Kim Hilton-Cowie on (02) 9866 2001 if you would like to discuss our approach to this issue or if you have any concerns with this proposal.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Jane - 3'.

Jane van Beelen  
Compliance & Regulatory Affairs Executive  
Legal & Corporate Affairs  
jane.vanBeelen@team.telstra.com