



**Australian
Competition &
Consumer
Commission**

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Our ref: 46860
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17 January 2014

Ms Jane van Beelen
Executive Director, Regulatory Affairs
Public Policy and Communications
Telstra Corporation Limited
Level 11, 400 George Street
SYDNEY NSW 2000

By email: jane.vanbeelen@team.telstra.com

Copy to: Tracy.thomas@team.telstra.com; Iain.Little@team.telstra.com;
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Dear Ms van Beelen

Re: Final Access Determination (FAD) Inquiry - information request under the BBM RKR

I am writing further to my letter of 5 December 2013 regarding the information provided by Telstra on 25 November 2013 as its response to the request made by the Australian Competition and Consumer Commission (ACCC) pursuant to Rule 15 of the Building Block Model Record Keeping and Reporting Rule (BBM RKR) (the report).

My letter stated that the ACCC was of the view it is able to accept the report as complying with the requirements of the BBM RKR subject to provision of the following:

- amended forecasts for capital expenditure, operating expenditure and demand to account for the impact of the NBN to reflect changes made by NBN Co, along with explanatory information on those amendments
- response to ACCC requests for further information to clarify and support the response provided on 25 November 2013.

On 20 December 2013, following discussions between Telstra and the ACCC, Telstra staff provided the ACCC with details of information Telstra would be able to provide in respect of the second point. I appreciate Telstra's cooperation in providing the further information necessary for the ACCC to make its final access determinations. I also appreciate Telstra's efforts in identifying further information that could be provided to assist the ACCC; this has enabled the ACCC to formulate its information request to obtain the information needed while ensuring the additional work required by Telstra is not unreasonable.

Please find a request for further information in relation to the ACCC's BBM RKR information request of 13 September 2013 accompanying this letter. Please provide the requested information by email to the addresses specified in Rule 16 of the BBM RKR by **7 February 2014**.

The response to this information request will form relevant material in addition to the report provided by Telstra under the BBM RKR and be subject to the disclosure arrangements to be established under section 151BUA of the *Competition and Consumer Act 2010*. Consultation on a draft disclosure notice will commence after the ACCC has received this information from Telstra.

The ACCC will seek amended forecasts for capital expenditure, operating expenditure and demand when there is greater certainty about the details of how the NBN policy will be implemented.

Please contact Ms Jane Goldwater either by email at jane.goldwater@acc.gov.au or by phone on (03) 9290 1493 if you would like to discuss this matter.

Yours sincerely



Michael Cosgrave
Group General Manager
Communications Group