

SUBMISSION TO ACCC IN RESPONSE TO DRAFT SERVICE DESCRIPTION

Thank you for the opportunity to comment on the Draft Service Description for the Superfast Broadband product.

Macquarie Telecom supports the ACCC's initiative in regulating superfast broadband and largely supports the draft service description. The area of most concern to Macquarie Telecom is the exemption from regulation in the defined CBD areas for business, public body and charity customers.

In the absence of details as to how the ACCC has determined that the listed postcodes do actually have competitive services, it is difficult for us to support this exemption.

Given that the ACCC is clearly of a mind to allow exemptions, and the past examples where the Commission has varied or reversed exemptions in the light of finding competition was not effective in locations that had been exemptions from some regulation, we suggest that there should be a public statement in the Service Description confirming that the ACCC will review the exempted CBD areas in 12 months time to assess whether the markets in those defined CBD areas are actually competitive and functioning as expected.

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