

21 October 2021

Mr Sean Riordan  
General Manager, Communication Markets and Advocacy, Infrastructure Regulation  
Australian Competition and Consumer Commission  
Level 17, Casselden Place  
2 Lonsdale Street  
Melbourne Vic 3000

Via email: [ssu-migration@accc.gov.au](mailto:ssu-migration@accc.gov.au)

Dear Mr Riordan,

### **Comments on Telstra's proposed variation to its NBN Migration Plan**

Macquarie Telecom Group (**Macquarie**) appreciates the opportunity to comment on Telstra's proposed variation to its NBN Migration Plan (**the proposed variation**).

The proposed variation would change the managed disconnection arrangements for premises that are multi-dwelling unit common areas (**MDU CA**) based on whether the MDU CA is in a 'Rollout Region' that has a 'Rollout Region Disconnection Data' (**RRDD**) that occurs before or after the MDU CA Disconnection Date (**MDC CA DD**) of 18 March 2022.

If an MDU CA premises is located in a 'Rollout Region' with an RRDD prior to 18 March 2022, then any remaining active services will be disconnected during the period 1–27 April 2022.

If an MDU CA premises is located in a 'Rollout Region' with an RRDD that is on or after 18 March 2022, then any remaining active services will be treated as standard services at ordinary premises within that Rollout Region and the MDU CA DD will be the RRDD.

A consequence of this change is that 'In-Train Order' periods will no longer apply to these latter services. In practice, this means that if the migration of the remaining active services has been ordered but not yet completed by 18 March 2022, they will nonetheless be disconnected. The end-user will not only lose service but also its rights-of-use to the issued telephone numbers, which will prevent local number portability and thus create new delays to effective migration as end-users and service providers work through escalation channels to request Telstra to reverse specific disconnections to allow numbers to be retrieved before then migrating the services.

It is not practicable to expect all the affected customers to have their service migrations completed before 18 March 2022 given the COVID induced disruptions and lockdowns that both customers and the industry have endured over the last 12–24 months. This has delayed decision-making by customers, prevented services providers and NBN from accessing customer sites, and created a backlog of migration work across industry that is yet to be worked through.

In our particular case, [C-I-C].

Needless disruption for all stakeholders can be avoided if the proposed variation was amended so that 'In-Train Order' periods continue to apply to the affected services. This would ensure that active services would not be disconnected by Telstra if a migration to NBN had been ordered and was in train but, due to circumstances beyond everyone's control, is unable to be completed before 18 March 2022.

Yours sincerely,



Matthew O'Rourke  
Head of Policy & Regulatory Affairs