

AUSTRALIAN COMPETITION AND CONSUMER COMMISSION

EXERCISE OF DELEGATED POWERS UNDER THE *COMPETITION AND CONSUMER ACT 2010*

As a member of the Australian Competition and Consumer Commission's (Commission) Communications Committee and in accordance with delegation instrument TP141 approved by the Commission on 17 February 2022, I have decided to extend, by written notice published on the Commission's website, the period for making a final access determination for the superfast broadband access service, by a further six-month period until 19 January 2024, pursuant to subsection 152BCK(3) of the *Competition and Consumer Act 2010*.

DATED this 11th day of July 2023



Anna Brakey
Commissioner, Chair of the Communications Committee
Australian Competition and Consumer Commission

Notice under subsection 152BCK(3) of the Competition and Consumer Act 2010

Access determination inquiries are generally required to be completed within six months, pursuant to subsection 152BCK(2) of the Competition and Consumer Act 2010 (CCA).

However, the ACCC can extend or further extend the duration of an inquiry by six months at a time, provided it publishes a notice indicating why it has not been able to make a decision within that timeframe; pursuant to subsection 152BCK(3) of the CCA.

The ACCC has decided to extend the current SBAS access determination inquiry by a period of six months to 19 January 2024 in accordance with subsection 152BCK(3) of the CCA.

We are extending the inquiry due to uncertainty about future regulated NBN access prices while the review of NBN Co's special access undertaking variation remains ongoing. Given the ACCC's intention to benchmark regulated SBAS access prices to those of the NBN.