

1 December 2015

Mr Sean Riordan
 General Manager
 Industry Structure and Compliance Branch
 Australian Competition and Consumer Commission
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Dear Mr Riordan

Proposed extension of interim 2015 arrangements for In-Train Orders until 30 June 2016

As you are aware, the varied Migration Plan approved by the ACCC on 26 June 2015 contains some transitional arrangements for In-Train Order Premises that apply to Premises located in Rollout Regions with a Disconnection Date falling in the 2015 calendar year. These changes formed part of a set of broader changes to the processes around the Disconnection Date for premises in a rollout region, which were designed to promote service continuity and an improved migration experience for end-users. As the ACCC is aware, we have been working with NBN Co on developing long-term arrangements for In-Train Order Premises to replace the interim arrangements.

This letter is to update the ACCC on a proposed extension of the current interim arrangements until 30 June 2016. (These interim arrangements will otherwise expire on 31 December 2015).

Proposed Rollover of interim arrangements for In-Train Order Premises until 30 June 2016

In light of the imminent expiration of the interim arrangements, which we note are working well in these early migration waves, we have agreed with NBN Co to rollover the existing interim arrangements for In-Train Orders until 30 June 2016. We believe this will assist industry and customers in having a greater opportunity to maintain service continuity, where the customer wishes to migrate to the NBN.

The proposed extension of the interim arrangements to 30 June 2016 will involve the following (each of which currently apply until 31 December 2015):

- expanding the concept of an “In-Train Order Premises” to include Premises which have become NBN Connected (so a wholesale service is available) within 3 months (instead of 1 month) before the Disconnection Date for the Rollout Region in which the Premises is located; and
- allowing Premises that have been NBN Connected from 3 months before the Disconnection Date to remain on our network up to 120 Business Days after the Disconnection Date before managed disconnection commences (rather than requiring these In-Train Order Premises to be disconnected within 30 Business Days from the date that Telstra is notified by NBN Co that the In-Train Order Premises has been connected to the NBN).

For clarity, Telstra remains obliged to disconnect an In-Train Order Premises within 30 Business Days if it has been notified by NBN Co that all of the In-Train Orders at the Premises have been cancelled or revoked prior to the Premises being connected to the NBN.

The above arrangements are more particularly described in clause 15.1(d) of our Migration Plan. The interim arrangements are also set out in slides 5 and 6 of the In-Train Order slidepack available on the ACCC's website at:

<https://www.accc.gov.au/system/files/Disconnection%20of%20In%20Train%20Order%20premises%20-%20illustrative%20diagrams.pdf>.

We believe these interim arrangements are working well and the additional time for RSPs to complete their part of the order following connection to the NBN has been beneficial and provided a better migration experience for end-users in these early migration waves, particularly for complex and/or business premises.

We are working with NBN Co to continue to finalise proposed long-term arrangements for In-Train Orders (to apply from 1 July 2016). We will advise you once we have finalised the details of these arrangements, and if necessary, submit a variation to the Migration Plan to the ACCC for approval.

Please do not hesitate to contact Christine Williams on (07) 3455 3112 if you would like to discuss our approach to this issue or if you have any objection to the proposed extension of the interim 2015 arrangements for In-Train Orders.

Yours sincerely,



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