

28 June 2016

Mr Sean Riordan  
 General Manager  
 Industry Structure and Compliance Branch  
 Australian Competition and Consumer Commission  
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 360 Elizabeth Street  
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 Email: [sean.riordan@acc.gov.au](mailto:sean.riordan@acc.gov.au)

Dear Mr Riordan

**Proposed further extension of interim In-Train Order arrangements**

As you are aware, Telstra has submitted to the ACCC a request to vary the Migration Plan which seeks to implement, amongst other things, long-term arrangements that Telstra and nbn co have commercially agreed in respect of the disconnection of In-Train Orders which are proposed to apply for two years from 1 July 2016.

This letter is to update the ACCC on a proposed further short-term extension of the current interim arrangements until the first Disconnection Date that is at least 30 Business Days after the variation to the Migration Plan is approved given it now appears unlikely that the variation will be approved in its current form by the ACCC by 30 June 2016. Without this extension, the disconnection arrangements will revert to the original In-Train Order arrangements in the Migration Plan. We note the ACCC has previously consented to Telstra extending the interim In-Train Order arrangements (which applied during 2015) until 30 June 2016.

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

- 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 150 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 completeness, we note that the ACCC accepted Telstra’s proposal to extend the interim service disconnection timeframes for In-Train Order Premises to provide an additional 20 Business Days for RSPs to connect NBN services and migrate In-Train Order Premises before Telstra commences service disconnection. Under the new

timeframes, Telstra will commence service disconnection from the date that is 150 Business Days after the Disconnection Date.

The above arrangements are more particularly described in clause 15.1(d) of our existing Migration Plan (as varied in June 2015).

We look forward to the ACCC's decision on the proposed Variation to the Migration Plan.

Please do not hesitate to contact Jennifer Sirca on 8649 2056 or me if you have any questions in relation to this matter or if you have any objection to the proposed extension of the interim arrangements for In-Train Orders.

Yours sincerely,



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Corporate Affairs  
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