

18 September 2015

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

### Proposed transitional disconnection arrangements for fire alarms and lift phones

As the ACCC is aware, the Department of Communications (**Department**) has been developing a policy strategy to manage the timely migration of fire alarm and lift phone services (**FA-LP services**) from our legacy networks to the NBN.

This letter is to update the ACCC on a proposed deferral of the Disconnection Date for certain FA-LP services to assist with their migration. This extension will provide a greater opportunity for the providers of FA-LP services to develop substitute products that are compatible with the NBN well before mandatory disconnection occurs and allow time for relevant parties to promote enhanced customer awareness of the need for early migration.

NBN Co has recently established a register for FA-LP services. In addition to this register, we note the Department is proposing to take additional steps to facilitate the management of FA-LP services by relevant parties, including leading a series of industry roundtable discussions with different groups of stakeholders. We understand this will also include the development of a targeted information campaign for NBN Co, FA-LP service providers and State and Territory governments to use to communicate around the migration and disconnection of FA-LP services.

We remain committed to supporting the Department and NBN Co in this policy agenda. To date, this has already involved a modified approach to the managed disconnection of FA-LP services in clause 15.5 of the Varied Migration Plan, which provides for registered FA-LP services with a Disconnection Date in 2015 to be given the same maximum timeframe for migration as In-Train Order Premises (i.e. 120 Business Days post the Disconnection Date).

However, concerns have been raised that even with this longer period of time for migration, there remains a risk that some FA-LP services may be mandatorily disconnected before FA-LP service providers have developed products compatible with NBN delivered services and the improved communication encouraging early migration has occurred.

We have therefore agreed with NBN Co, and in response to a request from the Department, for a modified approach to the disconnection of these services, which will involve the following:

- if a FA-LP service has been registered with NBN Co by 25 Business Days after the relevant Disconnection Date, and notification of that registration is provided to Telstra by NBN Co, then it will not be subject to managed disconnection until **1 July 2017**;
- from 1 July 2017, all FA-LP services that have been exempted from managed disconnection during this period will then proceed to disconnection. We are currently working with NBN Co on how that disconnection will proceed; and

- any FA-LP services that are not registered with NBN Co by 25 Business Days after the relevant Disconnection Date and subsequently notified to Telstra, will remain subject to the existing disconnection arrangements for telecommunications services in the Migration Plan (Telstra does not typically have visibility of these services, unless notified by NBN Co that they are on their register).

As noted above, the deferral is only effective if relevant FA-LP services are registered with NBN Co by 25 Business Days after the relevant Disconnection Date. We would therefore encourage all interested parties to ensure prompt registration of these services. In addition, we would urge the providers of FA-LP services to ensure substitute services are developed to allow services to be migrated well before 1 July 2017, and to continue to migrate these services to the NBN where solutions are already available, so service continuity is promoted.

We will advise you once we have finalised the details of these transitional arrangements, including how disconnection will proceed from 1 July 2017 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 deferral.

Yours sincerely,



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