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Elsbeth Philpott
Assistant Director
Australian Competition & Consumer Commission
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Dear Mr O'Leary and Ms Philpott,

Re: Audit of Telecommunications Infrastructure Assets – Record Keeping Rules (RKR)

We refer to the ACCC's consultation paper dated 24 October 2017 seeking feedback from industry participants on the proposal to update and make amendments to the Infrastructure RKR. We are broadly accepting of the proposed changes to the RKR and their intent, as expressed in the consultation paper. However, we make the following specific comments.

Clarification of type of assets to be recorded and reported – Mobile Radio Networks

To fulfil the proposed RKR requirements relating to mobile radio networks, Telstra is able to provide:

- the location of mobile sites;
- technology type;
- frequency band/s of the radiofrequency spectrum used to deploy the radio access service; and
- radio access service coverage by technology type.

However, in providing this information we note that Telstra and other carriers will be duplicating information already provided to other regulators for other purposes. As the required information is already in the public domain, it is uncertain whether carriers being required to reproduce this information again for the ACCC is necessary especially as it will also result in additional costs and impost on regulated businesses. For example, Telstra (and other carriers) are already obliged to provide information to the Australian Communications and Media Authority (ACMA) to inform the register of Radio-communications Licences.¹ This public, searchable site includes information on mobile sites and frequency. The entire database can be downloaded and is searchable by Site ID and other parameters. In addition, the Radio Frequency National Site Archive² which is focused on electromagnetic energy also contains details of what equipment is deployed at each site.

Secondly, it is important to consider whether regulatory imposts are fit for purpose. For example, under the proposed RKR, information regarding mobile sites is required and the ACCC have signalled that they will use this information to inform assessments regarding depth of coverage.³ Telstra considers that mobile site information alone is not an appropriate proxy for depth of coverage. For example, an operator with five (micro) sites in a location may not have greater depth of coverage compared to another operator with one (macro) site. In many circumstances, the macro technology will be superior and provide greater

¹ https://web.acma.gov.au/rrl/register_search.main_page.

² <http://www.rfnsa.com.au/nsa/index.cgi>

³ <https://www.accc.gov.au/system/files/Measures%20to%20address%20regional%20mobile%20issues.pdf>, pg. 5



depth of coverage than the multiple micro sites, however the RKR does not distinguish this difference and may lead to incorrect conclusions being drawn. Quality of coverage is also highly dependent on spectrum used and technology. Lower bands like 700MHz have better propagation and penetration characteristics than higher bands like 1800MHz and above. In addition, technologies such as Cat M1 IoT have enabled coverage extension that greatly increases the penetration of the service so that it can be accessed deeper into buildings and even underground to some extent.

Finally, Telstra has committed to improving customer information and is presently examining its coverage maps to further identify if distinctions can be made in relation to indoor and outdoor coverage. Telstra is also committed to improving consistency and comparability of information across the industry to empower consumers with enhanced transparency of information. Telstra believes that improvements to coverage maps can more appropriately signal depth of coverage rather than reliance on the number of mobile sites.

Type of assets to be recorded and reported – fibre to the basement and fibre to the curb

The proposed definition of fibre to the basement (FTTB) and fibre to the curb (FTTC) appear to be broader than necessary to address the issue raised in the consultation paper. The intention of the proposed change is stated as being to ‘assist the ACCC to assess the level of competition in the provision of FTTB services over NBN Co’s network and competing networks’.⁴ However, as drafted in the ACCC’s consultation paper we believe these definitions would capture narrowband small pair gain systems which appear to be outside the intended purpose of the proposed change. Telstra supplies information regarding Customer Access Network (CAN) large pair gain systems and CAN digital subscriber line access multiplexers (DSLAMs) to the ACCC in fulfilment of the RKR and will continue to do so.

Geographic information identifying customer access network boundaries

As noted in the consultation paper, Telstra already supplies information commercially on exchange serving area (ESA) and distribution area (DA) boundaries. If the proposed changes proceed, Telstra will also provide this information to the ACCC. However, the proposed definition of ‘geographic extent’ as including ‘the geographic boundaries normally associated with that infrastructure’⁵ is not always relevant because the geographic boundaries associated with particular infrastructure are not always defined. For example, in the case of a FTTB deployment, the geographic boundaries of the building are not defined within our systems and our ESAs are not always fully subdivided into DAs.

Concluding comments

We welcome the opportunity to discuss our submission in more detail. Should you have any queries, please contact Kim Longin on (03) 8649 2030 or kim.longin@team.telstra.com.

Yours sincerely,

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⁴ ACCC, Audit of Telecommunications Infrastructure Assets – Record Keeping Rules Consultation paper, pp. 10-11.

⁵ *ibid*, p. 14.