

National broadband network

Points of Interconnection

An ACCC Consultation Paper on the proposed Section 151DB list of points of interconnection to the National Broadband Network

**3 August 2012**

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# Introduction

This consultation paper has been published to clarify changes to the locations of Points of Interconnect (POIs) to the National Broadband Network (NBN) that will be listed under section 151DB of the *Competition and Consumer Act 2010* (CCA). It also invites comments on the form of the final list of POIs, which will be published on the ACCC website in accordance with the CCA.

## 1.1 Timetable for consultation

The ACCC seeks stakeholders’ comments on the draft list of POIs to be published under section 151DB. Submissions will be accepted no later than 5.00 pm on **31 August 2012**.

All submissions will be considered public and published on the ACCC’s website. If interested parties wish to submit commercial-in-confidence material to the ACCC they should submit both a public and a commercial-in-confidence version of their submissions. The public version should clearly identify the commercial-in-confidence material by replacing the confidential material with an appropriate symbol or ‘[c-i-c]’.

The ACCC prefers to receive submissions in either Adobe PDF or Microsoft Word format which allow text to be searched.

## 1.2 Making submissions

The ACCC encourages industry participants, other stakeholders and the public more generally to make submissions to the ACCC to assist it in finalising the list of POIs.

Please forward submissions by email to the following contact officers:

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# Section 151DB list of POIs

Under Section 151DB of the CCA, the ACCC must prepare a written list of points of interconnection to the NBN, the ‘section 151DB list’, and publish this list on its website. The Commission can only vary the list in force with the agreement of NBN Co.[[1]](#footnote-1)

NBN Co can refuse to provide interconnection at a location that is not a POI included on the list (listed POI) if this refusal is reasonably necessary to achieve uniform national pricing.[[2]](#footnote-2)

## 2.1 Background

In December 2010, the ACCC released its advice to government on the number and location of the initial POIs for the NBN that would best meet the long-term interests of end users. In that advice, the ACCC considered that the initial POIs for the NBN would best meet the long-term interest of end-users when they are located according to a semi-distributed approach, a set of principles (the Competition Criteria) and are consistent with pre-defined network planning rules.

Under the Competition Criteria a POI should be located where it is technically and operationally feasible to allow interconnection and there are at least two competitors with optical fibres within a nominated distance from the location which connects to an optical fibre network which is connected to a capital city.[[3]](#footnote-3) NBN Co, in consultation with the ACCC, developed a set of network planning rules (the Planning Rules) based on the Competition Criteria. The Planning Rules included a soft cap of 80,000 premises per POI in metro areas and 100,000 premises per POI in regional areas. NBN Co developed a list of 120 initial POIs based on the Competition Criteria and the Planning Rules.

In December 2010, the ACCC commenced a public consultation process on the 120 POIs proposed by NBN Co. The submissions received from stakeholders in response to this consultation recommended the relocation, addition and consolidation of some POIs. As an outcome of the review NBN Co, in consultation with the ACCC, proposed the relocation of 5 POIs, the addition of 2 POIs and the consolidation of a further POI. NBN Co advised that it would be building its own facilities in locations where sharing Telstra exchange buildings was not technically feasible. The list of revised POIs was published on the ACCC’s website in February 2011.

In May 2011 the ACCC published a further revised list of POIs to the NBN. This list identified POIs that had changed from previous lists due to technical limitations in the facilities originally chosen as POIs. This new list identified 20 relocated POIs and 10 POIs where NBN Co would build their own facilities.

# Changes to the May 2011 list of POIs

The table below sets out a list of changes between the list published in May 2011 and the draft section151DB list which is the subject of this consultation paper. The table identifies the revised location and names of nine NBN Co built POIs and the relocation of the North Parramatta POI to the Parramatta Telstra exchange. The ACCC has assessed the changes proposed by NBN Co and is satisfied that the nominated locations are consistent with the adopted semi-distributed approach and the Competition Criteria.

**Table 1: Changes to the section 151DB List of POIs from List published in May 2011**

| **State** | **Proposed POI name** | **POI location** | **Type** | **Located in** |  | **Previous Location of POI (in May 2011 list)** |
| --- | --- | --- | --- | --- | --- | --- |
| NSW | \* Eastern Creek  | Eastern Creek | Metro | Adjacent ESA |  | \*Edensor Park |
| NSW | \* Asquith | Hornsby | Metro | Same ESA |  | \*Hornsby |
| NSW | Parramatta  | Parramatta | Metro | Adjacent ESA |  | North Parramatta |
| QLD | \* Aspley Depot | Aspley  | Metro | Adjacent ESA |  | \*Chermside |
| QLD | \* Acacia Ridge[[4]](#footnote-4) | Acacia Ridge | Metro | Adjacent ESA |  | Salisbury  |
| SA | \*Greenfields | Greenfields | Metro | Adjacent ESA |  | \*Gepps Cross |
| SA | \*Lonsdale | Lonsdale | Metro | Adjacent ESA |  | \*Reynella |
| VIC | \*Nunawading | Nunawading | Metro | Adjacent ESA |  | \*Burwood |
| WA | \*Wangara | Wangara | Metro | Adjacent ESA |  | \*Kingsley |
| WA | \*Bentley | Bentley | Outer Metro | Non-adjacent ESA |  | \*Maida Vale |

An excel worksheet is available at <http://www.accc.gov.au/content/index.phtml/itemId/952292> that provides further information on the proposed changes.

# Public and confidential versions of the List of POIs

For the purposes of section 151DA of the CCA, a point of interconnection means a location for the interconnection of facilities. As such, the location of the POI must be published as part of the list setting out POIs under section 151DB of the CCA.

The ACCC proposes to publish a public version of the list of POIs to the NBN.

The ACCC proposes that the public version of the section151DB list of POIs include:

* State
* POI name
* POI location
* POI type (metro/regional/outer metro)

The draft public version of the section151DB list of POIs is set out in Appendix A.

Due to concerns about the security of infrastructure assets, it is proposed that the physical addresses of each POI be kept confidential. Stakeholders will need to contact NBN Co directly if they require the specific physical address details of any of the POIs.

The confidential version of the list includes:

* State
* POI name
* POI location
* POI Type (metro/regional/outer metro)
* Physical address of the POI premises

Interested parties will be required to enter into confidentiality agreements with NBN Co in order to gain access to the physical address and other POI details not included in the public list. They should refer to the link below:

<http://www.nbnco.com.au/getting-connected/service-providers/network-rollout.html>

# Scope of the consultation

The ACCC has released this final consultation paper for stakeholders to better understand changes to POI locations since the list was published on the ACCC’s website in May 2011 and, in particular, to receive comments on the form of the list. In this regard, the ACCC seeks stakeholders’ comments on what POI related information should be included in the final list, together with views on the approach set out above in relation to the exclusion of physical addresses from the public list.

The ACCC has assessed the changes to the May 2011 list and considers they meet the Competition Criteria, network planning and design rules.

Given the number and location of POIs has been the subject of previous consultation and that any changes to the location of POIs since the May 2011 list result in POIs which are (in all cases except one) in either the same or an adjacent exchange serving area, the ACCC is not seeking further submissions on the location of individual POIs. The ACCC notes that in the one case (the relocation of the Maida Vaile POI to Bentley) where a relocated POI is not in the same or an adjacent ESA, the new location is within a short distance, is in close proximity to existing fibre providers and meets the relevant competition and planning criteria.

# Appendix A



**Listed Points of Interconnection – NBN Corporation**

*Competition and Consumer Act 2010*

The AUSTRALIAN COMPETITON AND CONSUMER COMMISSION has prepared this list setting out points of interconnection under section 151DB of the *Competition and Consumer Act 2010*. This list is a list in force under sub-section 151DB (1).

Date of list: [Date of Commission decision]

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Rod Sims
Chairman
Australian Competition and Consumer Commission

**List of points of interconnection to the National Broadband Network** [date 2012]

|  | **State** | **POI name**  | **POI location** | **Type** |
| --- | --- | --- | --- | --- |
| 1 | ACT | Civic | Braddon | Regional |
| 2 | ACT[[5]](#footnote-5) | Queanbeyan | Queanbeyan | Regional |
| 3 | NSW | Albury | Albury | Regional |
| 4 | NSW | Asquith\* | Hornsby | Metro |
| 5 | NSW | Berkeley Vale | Berkeley Vale | Regional |
| 6 | NSW | Blacktown | Blacktown | Metro |
| 7 | NSW | Campbelltown | Campbelltown | Outer Metro |
| 8 | NSW | Campsie | Campsie | Metro  |
| 9 | NSW | Carramar | Carramar | Metro |
| 10 | NSW | Castle Hill | Castle Hill | Metro |
| 11 | NSW | Chatswood | Chatswood | Metro |
| 12 | NSW | City South | Sydney | Metro |
| 13 | NSW | Coffs Harbour | Coffs Harbour | Regional |
| 14 | NSW | Dalley | Sydney | Metro |
| 15 | NSW | Dubbo | Dubbo | Regional |
| 16 | NSW | Eastern Creek\* | Eastern Creek | Metro |
| 17 | NSW | Edgecliff | Edgecliff | Metro |
| 18 | NSW | Frenchs Forest | Frenchs Forest | Metro |
| 19 | NSW | Glebe | Glebe | Metro |
| 20 | NSW | Gosford | Gosford | Regional |
| 21 | NSW | Grafton | Grafton | Regional |
| 22 | NSW | Hamilton | Hamilton | Regional |
| 23 | NSW | Kensington | Kensington | Metro |
| 24 | NSW | Lakemba | Lakemba | Metro |
| 25 | NSW | Lidcombe | Lidcombe | Metro |
| 26 | NSW | Liverpool | Liverpool | Metro |
| 27 | NSW | Maitland | East Maitland | Regional |
| 28 | NSW | Mayfield | Mayfield | Regional |
| 29 | NSW | Miranda | Miranda | Metro |
| 30 | NSW | Mosman | Mosman | Metro |
| 31 | NSW | Newtown | Newtown | Metro |
| 32 | NSW | Nowra-Bomaderry | Nowra | Regional |
| 33 | NSW | Parramatta | Parramatta | Metro |
| 34 | NSW | Peakhurst | Peakhurst | Metro |
| 35 | NSW | Pendle Hill | Pendle Hill | Metro |
| 36 | NSW | Penrith | Penrith | Metro |
| 37 | NSW | Rockdale | Rockdale | Metro |
| 38 | NSW | Ryde | Ryde | Metro |
| 39 | NSW | St Leonards | St Leonards | Metro |
| 40 | NSW | Tamworth | Tamworth | Regional |
| 41 | NSW | Wagga Wagga | Wagga Wagga | Regional |
| 42 | NSW | Windsor | Windsor | Metro |
| 43 | NSW | Wollongong | Wollongong | Regional |
| 44 | NT | Darwin | Darwin | Regional |
| 45 | QLD | Acacia Ridge\*  | Acacia Ridge | Metro |
| 46 | QLD | Aspley Depot\* | Aspley | Metro |
| 47 | QLD | Aspley  | Aspley | Metro |
| 48 | QLD | Bundaberg | Bundaberg | Regional |
| 49 | QLD | Bundamba | Bundamba | Metro |
| 50 | QLD | Caboolture | Caboolture | Outer Metro |
| 51 | QLD | Cairns | Cairns | Regional |
| 52 | QLD | Camp Hill | Camp Hill | Metro |
| 53 | QLD | Eight Mile | Eight Mile Plains | Metro |
| 54 | QLD | Goodna | Goodna | Metro |
| 55 | QLD | Ipswich | Ipswich | Outer Metro |
| 56 | QLD | Mackay | Mackay | Regional |
| 57 | QLD | Merrimac | Merrimac | Regional |
| 58 | QLD | Nambour | Nambour | Regional |
| 59 | QLD | Nerang | Nerang | Regional |
| 60 | QLD | Petrie | Petrie | Metro |
| 61 | QLD | Rockhampton | Rockhampton | Regional |
| 62 | QLD | Slacks Creek | Logan Central | Metro |
| 63 | QLD | Southport | Southport | Regional |
| 64 | QLD | Toowoomba | Toowoomba | Regional |
| 65 | QLD | Townsville | Townsville | Regional |
| 66 | QLD | Woolloongabba | Kangaroo Point | Metro |
| 67 | SA | Edwardstown | Glandore | Metro |
| 68 | SA | Elizabeth | Elizabeth | Outer Metro |
| 69 | SA | Greenfields\*  | Greenfields | Metro |
| 70 | SA | Lonsdale\* | Lonsdale | Metro |
| 71 | SA | Modbury | Modbury | Metro |
| 72 | SA | Port Augusta | Port Augusta | Regional |
| 73 | SA | Prospect | Prospect | Metro |
| 74 | SA | St Marys | Daw Park | Metro |
| 75 | SA | Stirling | Stirling | Regional |
| 76 | TAS | Hobart | Hobart | Regional |
| 77 | TAS | Launceston | Launceston | Regional |
| 78 | VIC | Ballarat | Ballarat | Regional |
| 79 | VIC | Bendigo | Bendigo | Regional |
| 80 | VIC | Caulfield | Caulfield | Metro |
| 81 | VIC | Cheltenham | Cheltenham | Metro |
| 82 | VIC | Cranbourne | Cranbourne | Outer Metro |
| 83 | VIC | Dandenong | Dandenong | Metro |
| 84 | VIC | Exhibition | Melbourne | Metro |
| 85 | VIC | Footscray | Footscray | Metro |
| 86 | VIC | Geelong | Geelong | Regional |
| 87 | VIC | Hawthorn | Hawthorn | Metro |
| 88 | VIC | Horsham | Horsham | Regional |
| 89 | VIC | Karingal | Frankston | Metro |
| 90 | VIC | Kew | Kew | Metro |
| 91 | VIC | Keysborough | Keysborough | Outer Metro |
| 92 | VIC | Kings Park | St Albans | Metro |
| 93 | VIC | Lilydale | Lilydale | Metro |
| 94 | VIC | Mount Eliza | Mt Eliza | Metro |
| 95 | VIC | North Balwyn | Balwyn North | Metro |
| 96 | VIC | Nunawading\* | Nunawading | Metro |
| 97 | VIC | Port Melbourne\* | Port Melbourne | Metro |
| 98 | VIC | Reservoir | Reservoir | Metro |
| 99 | VIC | Ringwood | Ringwood | Metro |
| 100 | VIC | Shepparton | Shepparton | Regional |
| 101 | VIC | South Morang | Mill Park | Metro |
| 102 | VIC | St Kilda | St Kilda | Metro |
| 103 | VIC | Thornbury | Thornbury | Metro |
| 104 | VIC | Traralgon | Traralgon | Regional |
| 105 | VIC | Tullamarine | Tullamarine | Regional |
| 106 | VIC | Werribee | Werribee | Metro |
| 107 | VIC | Wheelers Hill | Wheelers Hill | Metro |
| 108 | WA | Applecross | Applecross | Metro |
| 109 | WA | Bassendean | Bassendean | Metro |
| 110 | WA | Bentley\*  | Bentley | Outer Metro |
| 111 | WA | Cannington | Cannington | Metro |
| 112 | WA | Doubleview | Doubleview | Metro |
| 113 | WA | Geraldton | Geraldton | Regional |
| 114 | WA | Hilton | O'Connor | Metro |
| 115 | WA | Katanning | Katanning | Regional |
| 116 | WA | Kelmscott | Kelmscott | Outer Metro |
| 117 | WA | Mullaloo | Craigie | Outer Metro |
| 118 | WA | Pinjarra | Pinjarra | Regional |
| 119 | WA | South Coogee | Wattleup | Regional |
| 120 | WA | Subiaco | Subiaco | Metro |
| 121 | WA | Wangara\*  | Wangara | Metro |

\* Indicates an NBN Co built POI

***Confidential Annexure***

**Confidential Table: Addresses of points of interconnection to the National Broadband Network** [date 2012]

1. Subsection 151DB (2A) [↑](#footnote-ref-1)
2. 151DA (2) [↑](#footnote-ref-2)
3. In addition the competitors should deliver wholesale transmission services suitable for service providers who wish to connect to NBN at that location; and there must exist evidence that the particular route is, or is likely to become, effectively competitive. [↑](#footnote-ref-3)
4. This POI will be an NBN Co built POI [↑](#footnote-ref-4)
5. The Queanbeyan POI will be located in NSW but will predominantly serve premises in the ACT. [↑](#footnote-ref-5)