



Our ref: 51717
Contact officer: Darren Kearney
Contact phone: (03) 9290 1966

6 October 2020

Mr Iain Little
Director of Equivalence, Regulatory
Sustainability, External Affairs & Legal
Telstra Corporation Limited

Email: Iain.Little@team.telstra.com
CC: Steven.Kuluveovski@team.telstra.com

Dear Mr Little,

I refer to your letters dated 15 and 25 September 2020 concerning Telstra's request for forbearance regarding disconnection arrangements for not NBN-serviceable premises and providing an update on the status of disconnection arrangements in Victoria affected by COVID-19.

Your letter of 15 September 2020 requested forbearance for Telstra to begin implementation of new Managed Disconnection arrangements for not NBN-serviceable premises in lieu of arrangements currently set out in the Migration Plan (clause 15.9). I note that the proposed new arrangements outlined in your letter have been agreed between Telstra and NBN Co. The ACCC agrees to Telstra's request for forbearance on the condition that a formal variation to the Migration Plan is submitted as soon as practical. The ACCC will consider the variation in accordance with the Migration Plan principles and consult publicly when Telstra submits the proposed variation.

Your letter of 25 September 2020 provided an update on the Force Majeure Event due to COVID-19 currently affecting Managed Disconnection arrangements in Victoria and at registered Nursing Homes and Aged Care facilities there and in other states and territories. The ACCC has previously advised Telstra in my letter of 27 August 2020 that the Migration Plan will not be contravened to the extent that this Force Majeure Event causes Telstra to delay or fail to perform its obligations under the Plan. I note your advice that certain Managed Disconnection arrangements in Victoria will now be deferred to 2021 due to this Force Majeure Event, as set out in your letter, and Telstra and NBN Co have agreed to this.

Darren Kearney can be contacted on (03) 9290 1966 if you would like to discuss this matter.

Yours sincerely

Sean Riordan
General Manager
Communications Markets and Advocacy Branch