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Clare O'Reilly
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Dear Clare

Audit of Telecommunications Infrastructure Assets – Record Keeping Rules: Consultation Paper

AusNet Services welcomes the opportunity to make this submission in response to the Australian Competition and Consumer Commission's (ACCC's) Consultation Paper regarding its proposed amendments to the Infrastructure Record Keeping Rules.

The Consultation Paper proposes to add AusNet Services to the list of record-keepers required to report detailed information on its telecommunications infrastructure to the Commission, and asks whether this addition is appropriate.

AusNet Services considers that it should not be added to the list of record-keepers, and therefore should not be subject to the record keeping rules, on the basis that it is neither a *carrier* nor a *carriage service provider* for the purposes of the Telecommunications Act. This is because it is exempt from the requirement to hold a carriers licence, given it is an electricity supply body that principally uses its communications network to manage electricity supply, and is therefore not a *carrier*. Given it is not a *carrier*, it cannot be a *carriage service provider*.

Under section 151BU of the Competition and Consumer Act 2010 the Commission is only able to require *carriers* or *carriage service providers* to comply with record keeping rules. Therefore it would not be appropriate to include AusNet Services in the amended list of entities to which the record keeping rules apply.

Notwithstanding this, AusNet Services considers that reporting information on its telecommunications infrastructure is unlikely to assist the Commission. This is because the vast majority of the network is used by AusNet Services to manage the supply of electricity. All other carriers which access the network are subject to the record keeping rules, and provide the detailed information on the infrastructure sought by the Commission.

Please contact me on 03 9695 6309 with any questions in relation to this submission.

Sincerely,



Charlotte Eddy
Manager Economic Regulation
AusNet Services