



Australian  
Competition &  
Consumer  
Commission

# **Input into a proposed NBN Co carrier licence condition about information disclosure**

**Discussion Paper**

**March 2015**



Australian Competition and Consumer Commission

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# Contents

<b>1</b>	<b>Introduction</b> .....	<b>1</b>
	Timeline and consultation process .....	1
<b>2</b>	<b>Background</b> .....	<b>3</b>
	Costs and benefits of the licence condition .....	3
<b>3</b>	<b>Current information security and equivalence arrangements</b> .....	<b>6</b>
	Telstra’s Migration Plan .....	6
	NBN Co’s publication obligations in the SAU .....	7
	NBN Co’s statutory non-discrimination obligations .....	8
<b>4</b>	<b>Information flows under the Definitive Agreements</b> .....	<b>9</b>
	Schedule: Information flows from NBN Co to Telstra .....	9
<b>5</b>	<b>Issues for discussion</b> .....	<b>11</b>
	Objective of the proposed licence condition .....	11
	Guiding principles for the proposed licence condition .....	11
	Information to be disclosed .....	13
	Manner and form of disclosure .....	18
	Level of detail.....	19
	Recipients of the information .....	20
	Timeliness of disclosure and maintaining currency over time.....	21
	Compliance monitoring and enforcement .....	22
	<b>Schedule: Information flows under the Definitive Agreements</b> .....	<b>23</b>



# 1 Introduction

In light of the shift to the multi-technology mix (MTM) approach to the national broadband network (NBN), Telstra will have closer involvement in the network rollout than was the case under the fibre to the premises (FTTP) model. As part of this, NBN Co will provide Telstra with detailed information about the design and construction of the network, and activation of services at premises.

The Minister has stated that Telstra's and NBN Co's handling of information is a critical issue in ensuring that the competition objectives of the Government's NBN reforms are realised. To ensure that Telstra does not have any actual or perceived information advantage from the information it receives from NBN Co, the Government has proposed imposing a carrier licence condition on NBN Co.

The Department of Communications (the Department) has stated that the overarching object of the proposed licence condition is to ensure symmetry between Telstra and all other retail service providers in respect of relevant NBN-rollout and related information. This will ensure that Telstra does not have any actual or perceived information advantage by virtue of its role as the owner of copper and hybrid-fibre coaxial (HFC) networks being acquired by NBN Co.

In this context the Department has requested the Australian Competition and Consumer Commission (ACCC) to lead consultation with industry to identify suitable information that NBN Co should be required to provide to retail service providers under the proposed carrier licence condition.

## Timeline and consultation process

Submissions are due by **Friday, 24 April 2015**. The ACCC may be limited in its ability to fully consider late submissions. It is therefore important that interested parties make their submissions by the above deadline.

Subject to stakeholders expressing sufficient interest, the ACCC may hold a forum during the consultation period.

Following the completion of this consultation process, and based on submissions provided and the ACCC's advice, the Minister will release a draft licence condition for consultation with NBN Co in accordance with the *Telecommunications Act 1997*.

## Making a submission

Please send submissions to the following email address:

[ssu-migration@acc.gov.au](mailto:ssu-migration@acc.gov.au)

You should make your submission in either Adobe PDF or Microsoft Word format that is text searchable. Hard copy submissions can be sent to the address below.

## **Enquiries**

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## **Confidentiality claims**

To facilitate an informed and open consultation, the ACCC will treat all submissions as public and publish them on the ACCC website. Please note that copies of all submissions provided to the ACCC will also be passed on to the Department of Communications.

If interested parties wish to submit commercial-in-confidence material, they should submit both a public and commercial-in-confidence version of their submission. In the confidential version, confidential material should be clearly identified and marked as confidential. In the public version, confidential material should be redacted and replaced with an appropriate symbol or '[c-i-c]'.

It is the preference of the ACCC that as much material as possible is disclosed in the public submission.

## 2 Background

Following recommendations from the strategic review of the NBN in December 2013, the Government issued a new Statement of Expectations instructing NBN Co to transition from a primarily FTTP model to an MTM rollout model. The MTM rollout model allows NBN Co to use fibre-to-the-node (FTTN) and fibre-to-the-basement (FTTB) technology in addition to FTTP and to integrate existing HFC networks into the rollout where feasible and economically beneficial.

On 14 December 2014, NBN Co and Telstra executed amendments to the Definitive Agreements to facilitate the shift to an MTM NBN. The amended Definitive Agreements provide for the sharing of additional information between NBN Co and Telstra, including in relation to the design and construction of the MTM network, and the commencement of supply to premises.

The Minister has stated that Telstra and NBN Co's handling of information is a critical issue in realising the competition objectives of the Government's NBN reforms.<sup>1</sup> Current restrictions in Telstra's Migration Plan to ensure that FTTP information is ring-fenced by Telstra and will not be used to gain an unfair commercial advantage over its wholesale customers will remain in place. These restrictions will not however apply to the additional FTTN, FTTB, and HFC information shared under the amended Definitive Agreements. Instead, it is intended that any competition concerns will be met by existing mechanisms (including the *Competition and Consumer Act 2010*, Telstra's Structural Separation Undertaking and relevant provisions of the Definitive Agreements) and the imposition of a carrier licence condition on NBN Co. The proposed carrier licence condition will require NBN Co to share rollout related information with all retail service providers.

The Department has stated that the over-arching object of the proposed licence condition is to ensure symmetry between Telstra and all other retail service providers in respect of relevant NBN-rollout and related information. The Department considers this will ensure that Telstra does not have any actual or perceived information advantage by virtue of its role as the owner of copper and HFC networks being acquired by NBN Co.<sup>2</sup>

### Costs and benefits of the licence condition

Imposing the proposed licence condition on NBN Co seeks to deliver benefits, including promoting competition for retail telecommunications services. In a

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<sup>1</sup> Minister for Communications, 'Regulatory instruments for NBN Migration Plan finalised' (Media release, 27 January 2015) at [http://www.minister.communications.gov.au/malcolm\\_turnbull/news/regulatory\\_instruments\\_for\\_nbn\\_migration\\_plan\\_finalised#.VMrf6tS4bzU](http://www.minister.communications.gov.au/malcolm_turnbull/news/regulatory_instruments_for_nbn_migration_plan_finalised#.VMrf6tS4bzU)

<sup>2</sup> Department of Communications, *Variation of Telstra's migration plan – regulatory instruments: exposure drafts* (Discussion Paper) (December 2014) p. 10, at [http://www.communications.gov.au/\\_data/assets/pdf\\_file/0008/243953/MT2014-0654\\_Attachment\\_C\\_-\\_Discussion\\_Paper\\_FINAL\\_2.pdf](http://www.communications.gov.au/_data/assets/pdf_file/0008/243953/MT2014-0654_Attachment_C_-_Discussion_Paper_FINAL_2.pdf)

competitive market, it would be expected that a supplier would make available to potential customers information concerning the nature and availability of its services. This would allow potential customers to plan for and acquire the services on offer. In the current circumstances, NBN Co is likely to be the sole provider of fixed line access services in the areas in which it operates. Also, during the network build and migration phase, NBN Co will have additional objectives that could conflict with ensuring equivalence amongst retail service providers; for instance, achieving rollout targets in particular areas. As such, it is not clear that NBN Co would operate in a manner that would support the policy objective in the absence of the proposed licence condition.

Given the nature of information about the NBN rollout that Telstra will receive pursuant to the Definitive Agreements, there is a risk that Telstra will be able to use this information to its advantage when its competitors in retail markets cannot. The information Telstra receives could include advance details of the timing for the rollout or the particular technology mix to be used at a given location. Telstra could use this information to inform its own retail activities in that area, such as by deciding which technologies to target for marketing. Other retail service providers would not have the same opportunity to compete for customers. The proposed licence condition would oblige NBN Co to provide retail service providers with the same or equivalent information that Telstra receives from NBN Co in its capacity as the owner of separating networks. As such, the proposed condition seeks to support competition in retail markets by ensuring that all retail service providers have the opportunity to compete at the same time.

Information about the rollout can be used by retail service providers to inform decisions about marketing and product development. Timely and accurate information about when and where the rollout is occurring allows retailers to target resources and to compete more actively for customers in those regions. In the past, network owners have provided detailed updates to the market about the rollout of their networks, such as providing details of DSLAM installation in exchange buildings.

In addition, retail service providers' ability to access information is likely to promote a positive consumer experience during the migration to the NBN. In the initial NBN rollout regions, many consumers risked losing continuity of service as a result of not migrating to the NBN during the migration period. Retail service providers have stated that an absence of reliable information about the timing and availability of NBN services contributed to these outcomes. Retail service providers have also expressed the view that they incurred additional costs to support consumers during the transition to the NBN, and were discouraged from actively marketing in initial rollout regions due to the lack of reliable information. Consequently, should achieving information symmetry also increase the quality and timeliness of information available to service providers generally, then a better consumer experience during migration to the NBN could be a further benefit arising from the proposed licence condition.

There are also likely to be costs from the proposed licence condition. These include the administrative and compliance costs on NBN Co from meeting the requirements of the condition. There could similarly be costs to recipients to receive the information and correctly interpret it, depending on the nature and manner of the reports that NBN Co provides. There would also be costs if the condition was not imposed. If NBN Co did not disclose adequate information, it is highly likely that industry participants would

seek to establish information about the NBN rollout from other sources that may be less reliable. Service providers would entail costs in seeking out and piecing together this information, and may obtain only an incomplete picture. This could undermine the transition to the NBN and the quality of competition for retail telecommunications services.

***ACCC question***

1. What are the likely cost and benefits of the proposed licence condition? Quantify the likely costs and benefits as far as possible.

### 3 Current information security and equivalence arrangements

NBN Co and Telstra are subject to a number of existing arrangements that deal with the disclosure and use of sensitive information. The arrangements arise under different instruments with different obligations. Generally though, the approach to date has been to ensure that information is ring-fenced within Telstra so that it cannot be used in relation to retail markets. The timing and nature of disclosure to retail service providers more generally has been left to NBN Co.

Telstra is subject to regulatory obligations about the use of wholesale customer information in its Structural Separation Undertaking (SSU). This includes information a wholesale customer provides to Telstra regarding its acquisition of wholesale line rental services, wholesale ADSL services, ULLS and LSS and other regulated services. Requests to Telstra from a wholesale customer to cancel a regulated service are also protected.

Telstra is also subject to regulatory obligations in the Migration Plan about the use of information it receives from NBN Co. Telstra has proposed amendments to the Migration Plan in light of the move to the MTM model. These proposed changes are outlined below.

NBN Co is subject to obligations in its Special Access Undertaking (SAU) to disclose certain information about the network rollout. NBN Co is also subject to a statutory obligation not to discriminate between access seekers. These are outlined further below.

Both Telstra and NBN Co also have contractual obligations regarding the use and disclosure of confidential information under the Definitive Agreements. The Definitive Agreements deal with the rights and obligations as between Telstra and NBN Co as contracting parties, and are not of themselves an adequate means to promote broader competitive outcomes.

#### Telstra's Migration Plan

Telstra's original Migration Plan outlined how it would progressively migrate voice and broadband services from its copper and HFC networks to the NBN. The ACCC's role in assessing the Migration Plan was to determine whether it was consistent with *Telecommunications (Migration Plan Principles) Determination 2011* (the Migration Plan Principles) and the *Telecommunications (Migration Plan – Specified Matters) Instrument 2011* (SMI), which set out the mandatory elements for the Plan. The ACCC accepted Telstra's Migration Plan in 2012.

Following the move to the MTM model, it has been necessary for the Government to update the original 2011 Migration Plan Principles and SMI. Telstra intends to submit to the ACCC a revised Migration Plan. The ACCC's role will again be to assess the Migration Plan against the Principles and the SMI, and if the Migration Plan is consistent with the Principles and the SMI, the ACCC must accept it. The ACCC will

conduct a separate public consultation as part of its assessment of the revised Migration Plan.

Under the revised Migration Plan Principles, the specific information security provisions covering information relating to premises to be connected with FTTP technology (or other information agreed by Telstra) remain unchanged. Government has decided though that information security for other MTM technologies (that is, FTTN, FTTB or HFC technology) will not be covered in the Migration Plan, but rather addressed through other means:

- the continuation of restrictions on the use of information by Telstra under the SSU;
- contractual provisions in the Definitive Agreements which restrict Telstra's misuse of information; and
- the imposition of the proposed carrier licence condition on NBN Co.

Similarly, the Migration Plan Principles limit the wholesale customer information security arrangements to information related to premises receiving FTTP technology. This means the Migration Plan would not need to provide for the protection of wholesale customer information where it relates to FTTN, HFC or FTTB technology.

## **NBN Co's publication obligations in the SAU**

Pursuant to its SAU, NBN Co must publish certain information about the FTTP network.<sup>3</sup> This includes:

- a three year construction rollout plan;
- a one year construction rollout plan;
- a monthly ready for service rollout plan;
- an historical footprint list and historical rollout region list; and
- updates to the status of established points of interconnect (a Points of Interconnect Plan).

In March 2014 NBN Co wrote to the ACCC to advise that it would not meet its obligations under the SAU to publish 3-year and 1-year construction rollout plans by 31 March 2014. The key reasons cited by NBN Co for its failure to comply were the shift to the MTM model for the NBN rollout, and ongoing discussions with NBN Co's construction delivery partners. NBN Co did not therefore consider there was a sufficient basis to deliver on its commitment to publish the required plans. NBN Co advised the ACCC that it would use its best endeavours to publish the plans as soon as possible.<sup>4</sup>

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<sup>3</sup> NBN Co Special Access Undertaking, clauses 1H.2, 1H.3.

<sup>4</sup> NBN Co, Letter to ACCC re Special Access Undertaking – rollout progress information (31 March 2014), at <http://www.accc.gov.au/system/files/letter%20from%20NBN%20CO.pdf>.

On 4 July 2014, NBN Co confirmed to the ACCC that there was still not a sufficiently robust basis on which it could prepare the rollout plans, and that it was continuing to use its best endeavours to provide the plans as soon as possible. On 1 December 2014, NBN Co made its 18-month rollout information forecast available to registered access seekers.

NBN Co currently makes the following information available on its website:

- a rollout map showing locations in Australia where services are available, where the build or the preparation has commenced, and where other fibre operators are available;
- a list of communities/suburbs where services are available or build has commenced (published weekly);
- a multi-technology rollout plan, published on 30 November 2014, which indicates each area's technology (FTTP, MTM or wireless) and what appears to be an indicative number of premises that are scheduled to have had some form of construction work by June 2016.

## **NBN Co's statutory non-discrimination obligations**

The *Competition and Consumer Act 2010* (CCA) imposes obligations on NBN Co not to discriminate between access seekers.<sup>5</sup>

Section 152AXC states that NBN Co must not, in complying with any of its Category B standard access obligations, discriminate between access seekers.<sup>6</sup> Section 152 AXD requires NBN Co to carry on specified activities on a non-discriminatory basis.

The CCA does not define what constitutes 'discrimination' or 'discrimination between access seekers'. In April 2012 the ACCC issued explanatory material setting out how it would approach compliance with the requirements.<sup>7</sup>

The proposed licence condition would complement these existing general obligations by providing greater guidance to NBN Co on the nature and timing of information it should make available.

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<sup>5</sup> These obligations are also imposed on other providers of Layer 2 bitstream services over designated superfast telecommunications networks. As the focus of this discussion paper is a proposed licence condition on NBN Co, it will refer only to the obligations on NBN Co.

<sup>6</sup> CCA, s. 152AXC(1).

<sup>7</sup> ACCC, *Part XIC non-discrimination guidelines* (April 2012). The guidelines remain in operation, though in its response to the Vertigan Panel, the Government undertook to repeal the requirement on the ACCC to publish this guidance.

## **4 Information flows under the Definitive Agreements**

The Definitive Agreements contain numerous information flows from NBN Co to Telstra. Information is exchanged at many points throughout the rollout process, from the early planning and design stages through to the cutover of particular premises to the NBN and the commencement of supply of services.

At a broad level, the information disclosed could be categorised as ‘infrastructure information’ and ‘services information’. Infrastructure information includes information which goes to NBN Co’s use of Telstra’s facilities and which gives an insight into the progress of the NBN rollout. The rationale for the disclosure of this information is that NBN Co will, under the MTM approach, use existing infrastructure rather than build the network from scratch. Provision of infrastructure information between the parties also helps ensure a smooth transition from Telstra to NBN Co ownership, and to ensure continuity of service to live users.

Services information includes information related to connecting or switching over services at a particular customer’s premises as the premises are connected to the NBN. This includes, for instance, NBN Co giving notice to Telstra of activations in FTTN/FTTB areas, where the NBN service is provisioned using an in-use rather than vacant copper path. The provision of this information could assist Telstra to cease charging and billing for the services that were provided over the relevant copper paths in a more proactive manner than if Telstra were to await the customer’s cancellation request. That said, the provision of this information by NBN Co, and Telstra acting upon it, may have unintended consequences and the ACCC is not yet aware of industry agreement to this process being using to cancel services in FTTN/FTTB areas. This is discussed further below.

The Definitive Agreements also provide for NBN Co to notify Telstra of the identity of NBN Co access seeker supplying a particular premises (that is, the retail service provider who is acquiring the service from NBN Co in respect of the copper path). This information is of obvious commercial sensitivity to the NBN access seeker, but would not appear necessary for Telstra to receive to cease billing and charging for the service that has been supplied over the copper path. Issues around the disclosure of this information are discussed further below.

### **Schedule: Information flows from NBN Co to Telstra**

The Definitive Agreements include a large number of information flows from NBN Co to Telstra, in various formats and at various times, often subject to particular requirements. The form and timing of some information flows is yet to be determined, and for others may also change over time.

The schedule to this Discussion Paper has been prepared with input from NBN Co and Telstra and summarises some of the information flows under the Definitive Agreements. It contains a diagram setting out key information flows relating to

planning, design, construction and service migration. The schedule also includes a description of these and other information flows, including the nature of the information to be provided. This schedule has been developed over a period of time.

The schedule is intended to provide an indication of the key information that is provided under the Definitive Agreements and is not meant to be exhaustive. Some information flows are not within the scope of the current process: for instance information provided by Telstra to NBN Co, or which relate to ‘contract management’ matters between the parties (such as invoicing). Hence the schedule does not identify all of the information flows under the Definitive Agreements, and the diagram and the description are intended as high level summaries only. Understanding the key information flows from NBN Co to Telstra nonetheless may be of assistance to interested parties making submissions on what should be disclosed pursuant to the proposed licence condition.

## 5 Issues for discussion

The ACCC has identified a number of potential issues relevant to the development of the proposed licence condition. Some of the issues are inter-related, such as what information should be disclosed by NBN Co, how that information should be disclosed and in what level of detail. The discussion below seeks to highlight particular matters for consideration, and parties may wish to respond to these issues in their submissions.

### Objective of the proposed licence condition

The Department has stated that the over-arching object of the licence condition is to ensure symmetry between Telstra and all other retail service providers in respect of relevant NBN-rollout and related information. In the Department's view, this will ensure that Telstra does not have any actual or perceived information advantage by virtue of its role as the owner of copper and HFC networks being acquired by NBN Co.

#### *ACCC questions*

2. Do you agree with the overarching objective of the proposed licence condition?
3. Do you see any limitations or obstacles to achieving this objective via the proposed licence condition, and if so, how should they be addressed?

### Guiding principles for the proposed licence condition

The ACCC sees benefit in considering guiding principles for the proposed licence condition. It may not be possible for the proposed condition to specify and individually address every relevant information flow from NBN Co to Telstra. A large amount of disaggregated information is disclosed by NBN Co to Telstra, and information is disclosed at different points in time, and in different formats. The full suite of information to be disclosed has not yet been identified, and it is highly likely that the information requirements will change over time. For instance, the extent to which retail service providers will be involved in NBN construction activities, and therefore have access to NBN information, is not yet settled. To date, only Telstra has had such a role in respect of the FTTN trial construction activities, but there is potential for this to expand as other contracts are awarded.

Developing principles helps to ensure that the objective of the proposed licence condition is achieved where circumstances are changing or uncertain. Principles also provide guidance to NBN Co and to other stakeholders about what information should be made available – or what information can be expected to be made available.

The principles could be implemented in different ways. Principles could be incorporated into the drafting of the proposed licence condition, alongside the

specification of the information or types of information that should be disclosed. While this would provide additional guidance to NBN Co and other stakeholders, there may be uncertainty if the principles conflicted with specific obligations. The principles could alternatively be used as a guide for drafting specific reporting requirements in the proposed condition.

### **Developing principles**

Principles could be developed around the questions of:

- Why should information be disclosed?
- What information should be disclosed?
- When should the information be disclosed?
- To whom should the information be disclosed?

The rationale for NBN Co to report is reflected in the overarching objective of the proposed condition: ensuring symmetry in access to relevant information as between Telstra and other retail service providers. This objective of ‘ensuring symmetry’ may suggest a presumption that information made available to one retail service provider should be made available to all retail service providers. Likewise, it may suggest that if there are reasons why particular information should not be made available to all retail service providers, then that information should not be made available to one or a few retail service providers only.

The information NBN Co should disclose would be relevant information if it is likely to have a material bearing on retail service providers planning operations over the NBN, either generally, in a particular service area module, or to a particular premise. Some information would clearly be relevant, such as rollout forecasts. Other information is likely to be outside of scope, such as information about contract management between Telstra and NBN Co (for example, payments due or outstanding).

The timeliness and frequency of information disclosure are important. There is a tension though in that providing early notice of an activity may mean that the information is incomplete, less certain, or provided conditionally. On the other hand, highly accurate information may only be available once activities have occurred, and at that stage may be too late to be of use. Finding an appropriate balance is important, such as by identifying the appropriate times at which information should be disclosed, and allowing for revisions to information where circumstances change.

A number of parties will have an interest in information about the rollout of the NBN, and information should be available to all service providers who are intending to operate over the NBN, not just to confirmed NBN Co access seekers. This could include application service providers in addition to retail service providers.

### **Possible principles**

Appropriate principles could therefore include:

- any information about the NBN rollout that NBN Co makes available to one service provider should be made available to all service providers;
- Telstra will not obtain a competitive advantage by reason of its receipt of information from NBN Co;
- all relevant parties are to receive information from NBN Co about the NBN to place them in an equivalent position to plan for, and commence supplying, equivalent services over the NBN fixed line network generally, and in individual NBN service areas that comprise a part of the NBN fixed line network;
- information disclosed should be accurate and timely, such that information for each individual service area should be provided with sufficient notice so that each relevant person is in practical terms equally well placed to make use of that information;
- information disclosed should be in an appropriate format so that it is readily able to be interpreted by each relevant person;
- there should be no unnecessary restrictions on each relevant person gaining access to the information.

#### *ACCC questions*

4. What are appropriate underlying principles for the licence condition?
5. Should the licence condition incorporate principles for dealing with information flows?

## **Information to be disclosed**

The ACCC is interested to understand what information service providers would find most useful and important to receive to ensure symmetry in access to information. Related questions go to what level of detail NBN Co should disclose, and in what manner and form information should be provided.

### **Verbatim style reports**

The objective of ‘ensuring symmetry’ suggests that all service providers should have the opportunity to be equally well informed about the timing of NBN Co’s rollout by receiving the exact same data sets as are supplied to Telstra.

On the one hand, requiring this style of reporting would provide strong assurance that information of potential importance was being shared with all recipients. This is because the entirety of the data sets to be exchanged between NBN Co and Telstra would also be available to others.

On the other hand, this could potentially entail high volume and high frequency disclosures, including of ad hoc operational matters, such as requests by NBN Co to Telstra to remediate particular duct sections. For this style of reporting to be of value, recipients would likely need to invest in secure IT systems and interfaces, as well as in developing expertise to interpret the data. Further, some data sets, while of strong value to an infrastructure provider to NBN Co, may be of lesser value to recipients in their capacity as a service provider over the NBN.

Consequently, demand for verbatim access to the relevant data sets could depend on the nature and perceived importance of each dataset to the recipient, and whether they were willing to make the necessary investments to make use of that information.

This view could differ between datasets, and could also be influenced by what other reports would otherwise be available to recipients. Provision of verbatim style reports would also highlight that the information disclosed is not static, and that there is a need for current, timely provision of information to service providers regardless of the method of disclosure.

### **Management and operational style reports**

Another way in which symmetry could be achieved is for NBN Co to report to recipients the subset of information that is contained in, or which Telstra could derive from, the full reports to be provided to Telstra that was of relevance to providing services over the NBN.

Under this approach, NBN Co would populate reporting templates that contain the information that is of relevance to the management and operations staff of the recipient organisations to ensure that there could be no information advantage to Telstra in respect of matters relevant to their NBN planning and operations.

In the ACCC's view, there is likely to be a need for these styles of reports, as it is unlikely to be feasible for all recipients to make the necessary investments in order for them to rely upon verbatim style reporting.

For instance, under this approach NBN Co would provide recipients with management information including matters such as NBN Co forecasts of construction completion dates and ready for service dates in each service area module, and relevant metrics and milestones that would demonstrate NBN Co's progress towards realising those forecasts. If this were done in appropriate terms, then these reports would appear capable of militating against Telstra gaining preferential insight into NBN Co construction progress from more granular reports it receives as infrastructure provider.

Similarly, NBN Co could provide operations staff of recipient organisations with reports on specific matters of relevance to their NBN planning and operations. For example, as retail service providers are responsible for managing their customers' migration to the NBN where those customers have not already migrated in the lead up to the disconnection date for their region, a retail service provider might have an interest in understanding from NBN Co which of its customers have already lodged an NBN order (which may be with another service provider).

To implement this approach, it would be necessary to identify in some detail the particular types of information that would likely be available to Telstra as a consequence of the reports that it will receive, and which would assist other service providers in their NBN operations, including NBN product development, procurement, marketing, and backhaul or other network decisions.

### **Information to disclose**

With this in mind, specific information that could be disclosed by way of management or operational reports could include:

#### *Construction and other ready for service (RFS) information*

This information could include NBN Co's forecast RFS date and construction milestones, as well as metrics that track NBN Co's progress towards meeting the RFS date.

Relevant construction milestones could include the key stages that must be passed before a service area is brought into service, such as: design documents finalised; construction orders issued; works completed; network handover accepted by NBN Co; etc. Relevant metrics could include: premises passed; premises at service level 2; any other metric relevant to a decision to declare a region as RFS.

Exception reports or alerts notifying parties of problems that are likely to delay RFS could also be included (specifying, for instance, the nature of problem and the likely impact on timing).

#### *Technology choice information*

As part of its involvement in the planning and design process for the MTM NBN, Telstra will receive early notification of the likely technology mix for a given rollout region. The particular mix may however change between the initial indicative plans and the final design documents to be used for construction. The ACCC seeks views on what lead time parties would require when being informed of the technology mix for a region, including the merits of receiving notice of initial plans that are subject to change, and of receiving finalised design documents at a later stage.

#### *Service-related information*

Some end users will choose to acquire NBN services with a provider other than their current provider, and under existing arrangements the incumbent retail service provider would only learn of the churn after the activation of the NBN service (which could be some time after the order was placed). The ACCC seeks views on whether retail service providers would benefit from knowing which of its customers have lodged an NBN migration order. This could allow retail service providers to focus on those of its customers who have not lodged a migration order as the managed disconnection date approaches.

Should this information be disclosed by NBN Co however, further considerations arise. These include whether the information is provided directly to retail service providers, or to Telstra in the first instance for relay to service providers. Given the potential

sensitivity of the information, there may also be a need for restrictions on its use, such as a prohibition on the retail service provider marketing to churned customers to win them back. There would also be the issue of the timing of any such reports, e.g., should any such report be generated one month from the disconnection date or at some other time.

NBN Co has noted that, as part of the process for transitioning services from the PSTN to the FTTN network, NBN Co will disclose to Telstra some information about retail service providers. This includes the identity of the ‘gaining’ service provider at particular premises; that is, the retail service provider who will supply services to the particular end-user location. NBN Co has stated that this information will be supplied in the form of an eligible party identification (EPID) code. According to NBN Co, the purpose of providing this information to Telstra is to facilitate the disconnection of wholesale services provided over the PSTN.<sup>8</sup>

The ACCC also seeks views on whether there is a legitimate need for the ‘losing’ retail service provider to be supplied with the identity of the ‘gaining’ service provider, particularly as this information is competitively sensitive. The availability of this information could also give larger retail service providers greater visibility of the market post-migration than is available to smaller players or entrants.

#### *Forecast and actual line quality*

Telstra’s access to detailed design information in conjunction with historical information about line quality could provide it with an advantage in forecasting potential NBN line quality in particular locations. NBN Co making information on forecast and (once known) actual line quality available to all retail service providers could assist them in accurately forecasting available line speeds at point of sale, and in managing consumer expectations once the service is activated and performance becomes apparent.

The ACCC seeks views on what information regarding individual premises NBN Co should make available to service providers.

#### *Points of interconnect (POI) related information*

In addition to information currently reported by NBN Co to access seekers regarding the POIs, this could include information about the co-location space available for interconnection purposes, and any queuing issues that are anticipated in RSPs gaining access to that co-location space.

#### ***ACCC questions***

- 6. What information about the NBN rollout do service providers require? What is the rationale for making this information available?**

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<sup>8</sup> NBN Co, *Customer Discussion Paper: Fibre-to-the-Node Offer* (9 February 2015), p. 6.

7. What information should NBN Co disclose to all service providers regarding the NBN rollout? What is the rationale for making this information available?
8. In what circumstances or for which of the identified datasets would it be necessary or appropriate for NBN Co to disclose verbatim information in order to achieve information symmetry?
9. For each identified dataset, what management or operational reports should NBN Co make available to achieve information symmetry?
10. What lead time is necessary for being informed of the technology mix for a region? What are the relative merits of receiving early notice of plans that may be subject to change and of receiving finalised design documents at a later stage?
11. What information should NBN Co make available regarding individual premises? What is the rationale for making this information available?
12. Would retail service providers benefit from knowing which of its customers have lodge an NBN migration order?

### **Limiting information flows**

While the focus of the proposed licence condition is on the disclosure by NBN Co of relevant information about the rollout, the ACCC also seeks views on whether the goal of ‘ensuring symmetry’ could also be achieved via NBN Co *not* disclosing certain information to any service provider.

There may be some information provided by NBN Co to Telstra where it is not necessary or appropriate for it to be made available to all service providers in the same way. There may also be information that may not appropriately be provided to any single service provider, and should therefore not be provided to service providers at all. The proposed licence condition could therefore ‘ensure symmetry’ by restricting NBN Co from disclosing this information to particular service providers or to all service providers.

As noted, NBN Co intends to disclose to Telstra, in its capacity as ‘losing’ network access provider, a daily feed of NBN activations in FTTN/B areas that includes the identity of the gaining service provider (that is, the NBN access seeker).

One means to provide information symmetry could be for NBN Co to provide this information to all service providers, although such an approach would appear problematic given the commercial sensitivity of the information, and the potential to disclose personal data of the end user beyond what is reasonably necessary to meet the end-user’s requirements.

A more practicable means by which to achieve information symmetry in this case could be for NBN Co to withhold certain of this information, such as the gaining service provider information, from Telstra so that no service provider receives it. If so, the

proposed carrier licence condition could contain a provision that prevents the supply of this information to Telstra as a losing network access provider.

Alternatively, NBN Co is subject to the standard access obligations (SAOs) under Part XIC of the CCA, and an ancillary obligation about the use and disclosure of commercially sensitive retail service provider information it receives in the course of fulfilling its SAOs. Under these obligations, where an access seeker gives notice that its ordering information is being provided to NBN Co on a confidential basis and is not to be used for other purposes, NBN Co is restricted from sharing that information.<sup>9</sup> For instance, in these circumstances NBN Co could be restricted in providing the information to Telstra. The ACCC notes however that NBN Co has recently proposed amendments to its wholesale broadband agreement to permit it to disclose this information to Telstra.<sup>10</sup>

The ACCC seeks views on whether there should be restrictions on NBN Co supplying commercially sensitive information of its customers to a losing network service provider, and if so whether and how this could be addressed in the proposed carrier licence condition.

#### ***ACCC questions***

- 13.** Where end-user churn occurs in the transition to the NBN, is there a legitimate need for the ‘losing’ retail service provider to be supplied with the identity of the ‘gaining’ service provider?
- 14.** In the interests of ‘ensuring symmetry’ in the disclosure of information, could the proposed licence condition restrict NBN Co from disclosing information? If so, what information should be prohibited from disclosure?
- 15.** Should there be restrictions on NBN Co supplying commercially sensitive information of its customers to a losing network service provider? If so, how would this be address in the proposed licence condition?
- 16.** Would retail service providers be likely to exercise their rights under Part XIC to prevent NBN Co disclosing information to certain recipients (for instance, Telstra)?

## **Manner and form of disclosure**

The preceding discussion has highlighted that different information may be made available in different forms, such as management style reports and verbatim reports. In general, the manner and form of the disclosure could depend on the nature of the

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<sup>9</sup> See section 152AYA of the CCA.

<sup>10</sup> NBN Co, *Customer Discussion Paper: Fibre-to-the-Node Offer* (9 February 2015), p. 6.

information to be disclosed. Some information could be disclosed in a written report, with appropriate commentary highlighting important developments. Other information could be made available as data files (for example, Microsoft Excel spreadsheets or open Geospatial Consortium GML/XML format to a specific schema), which could be used by service providers as inputs into their own processes. Another option could be for NBN Co to hold regular briefings to provide relevant parties with an opportunity to ask questions and engage directly with NBN Co staff. In some cases it may be appropriate for NBN Co to simply publish the information. Differing forms of disclosure will also have differing cost implications for NBN Co.

The ACCC has a preference that information disclosed by NBN Co is made publicly available (subject to any confidentiality restrictions). Also, the manner and form of the disclosure should assist service providers to make use of the information. As noted earlier, for some service providers this could mean making information available as raw data, in a spreadsheet or other format that can be integrated into a service provider's own system. For other service providers to make use of this information there may need to be a management-style report that accompanies and explains the data.

#### *ACCC questions*

17. What should be the form of disclosure of information by NBN Co? What information should be disclosed as, for instance, data, reports or as briefings?
18. Should the form in which information is disclosed be left to NBN Co to decide, but subject to a guiding principle that the format be readily accessible to the target recipients?

## **Level of detail**

In considering what information NBN Co should make available, a related question goes to the level of detail NBN Co should provide. Even taking into account that different information could be provided in different forms, and that this would entail different levels of detail (for instance, summary reports versus raw data), determining the right level of detail remains important.

Information that is too general could be unhelpful, as it could lack relevant details about NBN Co's progress, and be of only limited assistance to service providers planning NBN-related activities. It may also be unhelpful if NBN Co were to disclose too much detail about the rollout; information at a very granular level may be difficult to interpret and not usefully convey NBN Co's overall progress to all potential recipients. Disclosure of differing levels of detail is also likely to have different cost implications for NBN Co and recipients, or implications for third parties. As discussed above, an appropriate balance in respect of at least some of the relevant datasets may be for the disclosure of management and operational reports.

***ACCC questions***

- 19.** What level of detail should NBN Co be required to disclose? What information should be disclosed in greater detail, and what information could be disclosed in summary?
- 20.** In what circumstances should NBN Co make explanatory statements about the information it discloses?

## **Recipients of the information**

NBN Co's non-discrimination obligation under the CCA applies to prevent NBN Co discriminating between 'access seekers'. The term 'access seekers' has a particular meaning within the CCA and may not necessarily capture all service providers with a commercial interest in the NBN rollout (for instance, application service providers or downstream retail service providers). In particular, parties who are prospective access seekers but have not yet entered into an arrangement with NBN Co may not fall within the ambit of the CCA. Retail service providers who are prospective access seekers are however likely to have a legitimate interest in information about the NBN rollout.

The ACCC notes that NBN Co currently provides rollout plans in its secure NBN Co access seeker notification portal. However, this information may not be accessible to all parties with a potential interest in NBN Co rollout plans who do not have access to the portal. Providing wider access to this portal may be necessary to ensure all relevant parties have access to information, although this expansion may entail cost to NBN Co.

The ACCC also seeks views on whether and what pre-conditions should be imposed on parties prior to obtaining information from NBN Co. Such restrictions typically involve ensuring that information is only used for a permitted purpose, or preserving the confidentiality of information. An example is that parties may be prohibited from using any information about services that have migrated for the purpose of winning back customers or other marketing activities.

If conditions were to be imposed, there would be a question as to how this could best be achieved through the proposed licence condition. Under one approach, this could be implemented by a requirement that the recipient have entered into a binding agreement with NBN Co that contained specified limitations on how the information could be used. It would then be for NBN Co to enforce that contract should the recipient subsequently act contrary to it.

***ACCC questions***

- 21.** To whom should NBN Co disclose the information?
- 22.** Should any requirements or pre-conditions be placed on parties seeking to access the information?

23. Specifically, in respect of vertically integrated service providers, should restrictions be imposed to limit access to information to the retail arm and prevent disclosure to the infrastructure arm?

## **Timeliness of disclosure and maintaining currency over time**

As noted, the timeliness of the provision of information to service providers is important. NBN Co should supply information in a timely manner to enable service providers to make use of it. It may not however be possible for NBN Co to provide information to service providers contemporaneously with providing that information to Telstra. There may also be time involved in compiling and preparing information for release, such as via the management style reports referred to above. It may therefore be appropriate that information is provided to service providers with sufficient notice so that they are in practical terms equally well placed to make use of it.

The ACCC seeks views on what would be an appropriate timeframe for disclosure of information. Too short a timeframe, where too little notice is provided to enable parties to use the information, could compromise competition outcomes and contribute to poor experiences for consumers migrating to the NBN. Too long a timeframe could also be problematic, potentially delaying NBN Co from commencing operations in a particular region. Information could possibly be released on different timeframes, such that important information is not delayed pending the preparation of a particular report.

The frequency of disclosure is also relevant. It may be the case that different types of information can be disclosed at different frequencies: some could be disclosed at longer intervals (quarterly, biannually), whereas other information – such as progress updates – may appropriately be provided at shorter intervals (fortnightly, monthly).

It is highly likely that the information disclosed by NBN Co to Telstra will change over time. The Definitive Agreements state that Telstra and NBN Co are yet to agree on the nature and scope of some disclosures. Imposing a static licence condition that addresses information flows at a particular time is therefore unlikely to be an effective approach over the longer term.

It may be possible for the proposed licence condition to be amended over time in response to changing circumstances. While this may address changes as they occur, it may impose an additional administrative impost on NBN Co and the Government. An alternative is to design the proposed licence condition taking into account the need for it to remain applicable in changing circumstances. As noted earlier, one approach is to incorporate general principles.

An alternate approach could be for the proposed licence condition to include an obligation on NBN Co to notify that existing information flows are to be varied or augmented (for example, that an additional data set is to be provided to Telstra or additional data added to an existing data set), and propose necessary changes to the

reporting to achieve symmetry. The Minister would retain the ability to accept, or vary, the NBN Co proposal.

***ACCC questions***

24. How should the licence condition ensure that information is provided in a timely fashion?
25. How frequently should information be disclosed? What types of information should be disclosed more frequently (weekly, fortnightly, monthly), and what information should be disclosed at longer intervals (quarterly, biannually, annually)?
26. How should the proposed licence condition deal with changes to the information that should be disclosed? For instance, should the proposed licence condition incorporate guiding principles that enable the condition to adapt to future changes, or include a notification obligation?

## **Compliance monitoring and enforcement**

The Minister for Communications, the Australian Communications and Media Authority (ACMA) and the ACCC all have the power to enforce a breach of a carrier licence condition. The Minister, the ACMA or the ACCC may institute proceedings in the Federal Court for the recovery of a pecuniary penalty of up to \$10 million for each contravention.

The ACCC notes that where a regulatory requirement is dependent on the internal actions of a large service provider, the success of that measure is tied to the effectiveness of the internal compliance measures that the provider can implement. The ACCC seeks views on whether any requirements should be imposed in this regard, and what they should entail, including any cost implications. Such requirements could include a reporting obligation on NBN Co to notify any of the parties with power to enforce a licence condition that NBN Co has identified non-compliance, and to notify the steps NBN Co is taking to rectify the situation.

***ACCC question***

27. What should be done to ensure compliance with the proposed licence condition and to facilitate compliance monitoring and enforcement by the relevant agencies?

# Schedule: Information flows under the Definitive Agreements

## 1. Description of key information flows

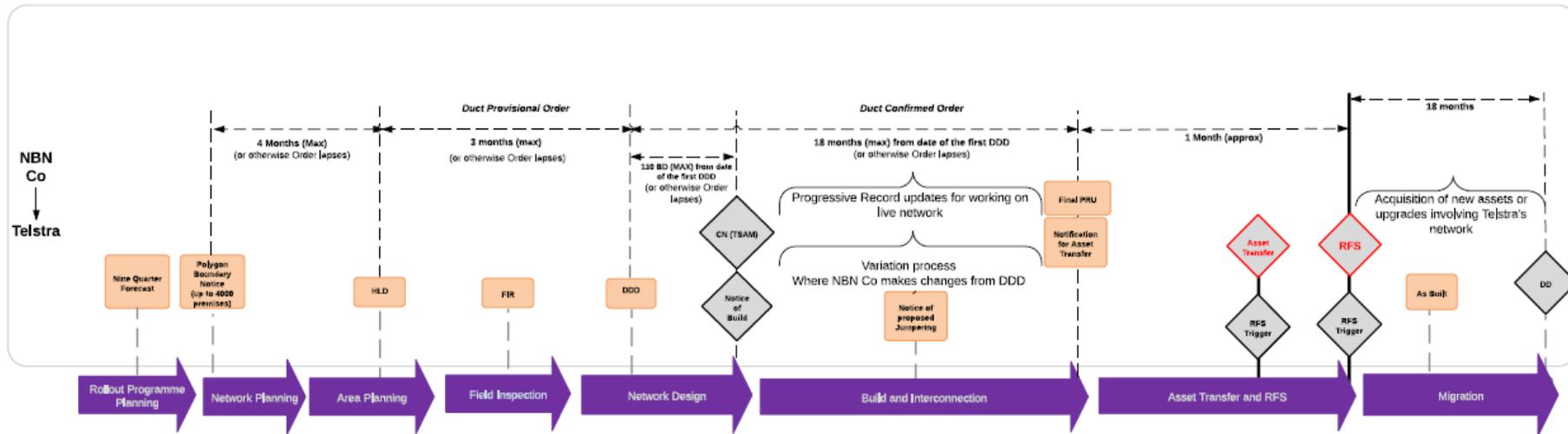
Info. Flow Ref	Information Type	Description	Timing of Information Flow	Once off/ ongoing
1.	Nine quarter forecast	NBN Co provides Telstra with a rolling nine quarter forecast. This forecast to include: <ul style="list-style-type: none"> <li>- the number and approximate geographic boundaries of the Serving Area Module (SAM);</li> <li>- expected number of premises in the Fixed Line Footprint;</li> <li>- expected design commencement and construction completion dates.</li> </ul>	Quarterly	Ongoing
2.	Address Listing (Initial notification of proposed fixed line footprint list)	NBN Co provides Telstra with the proposed Fixed Line Footprint list for each Rollout Region once NBN Co has completed its detailed design process for that Rollout Region. This will show which Premises are in the proposed Fixed Line Footprint in a Rollout Region, subject to an address-matching process with Telstra.  This is required for disconnection activities - this address sharing and matching is to support this activity only.	No less than 3 or 6 months prior to ready for service (RFS) for the rollout region (depending on size and kind of rollout region)	Ongoing
3.	Address Listing (Query and Resolution of issues)	To complete the address matching process, NBN Co and Telstra exchange a series of enquiries and responses in relation to the data provided under Info Flow Ref #2.  If Telstra raises a query about a Premises listed by NBN Co under Info Flow Ref #1, NBN Co responds to resolve any issues raised with the address listing data, for the purpose of improving data quality.  This is required for disconnection activities - this address sharing and matching is to support this activity only.	Ad hoc	Ongoing
4.	Address Listing (Change to existing footprint)	NBN Co notifies Telstra of a change to a Rollout Region in the Fixed Line Footprint.	Ad hoc	Ongoing
5.	High Level Design documents for service area for local network and associated passive infrastructure	NBN Co provides High Level Design (HLD) (including any ad hoc variations or supplements to such documents, from time to time) to Telstra.  The HLD contains the indicative boundary points and downstream assets that NBN Co will be taking over from Telstra. It will also indicate the technology that NBN Co could be using at the street level, including the location of nodes.	Approximately 1-2 times per SAM construction (pre-RFS)	Ongoing
6.	Field inspection of local network and associated passive	NBN Co provides Field Inspection Reports (FIR) to Telstra.  Refers to the Field Inspection, a field walk out and review of the condition of the infrastructure for design assistance and remediation purposes.	Approximately 1-2 times per SAM construction (pre-RFS)	Ongoing

Info. Flow Ref	Information Type	Description	Timing of Information Flow	Once off/ ongoing
	infrastructure	FIR only includes information in relation to ducts and associated duct infrastructure. FIR can be provided separately, or along with the Detailed Design Documents.		
7.	Detailed Design Documents for service area for local network and associated passive infrastructure	<p>NBN Co provides Detailed Design Documents (DDD) (including any ad hoc variations or supplements to such documents, from time to time) to Telstra.</p> <p>The DDD is the fully constructible design of a Service Area Module (SAM); that is, a full representation of design in NBN Co's system including identifying Pre Asset Transfer Activities NBN Co will perform on the live network. The DDD includes the SAM boundary and distribution of access technology within the SAM, including proposed node locations.</p>	Approximately 1-2 times per SAM construction (pre-RFS)	Ongoing
8.	Progressive Records Update	<p>NBN Co will provide Telstra with regular Progressive Record Updates in regards to agreed live network Construction Activities completed in the SAM.</p> <p>This process will help Telstra facilitate management of related customer impacts and coordination between parties in relation to working on the live network.</p>	<p>(A) NBN Co must notify Telstra of the agreed construction activities being completed within 2 Business Days after the completion of the works; and</p> <p>(B) NBN Co must provide As-Built Drawings and logical information for work completed during any 2 week period, within 10 Business Days of the end of that 2 week period.</p>	Ongoing
9.	NBN 'As-Built' for local network and associated passive infrastructure	<p>At the end of the construction phase within a SAM, NBN Co provides Telstra with the As-Built Drawings. The As-Built Drawings show NBN Co's construction activities within a SAM following the completion of construction activities.</p> <p>This is not purely a physical issue because Telstra also requires information on what NBN Co has done with regards to the logical rearrangement of services. Information includes:</p> <ul style="list-style-type: none"> <li>- Distribution of access technologies in the SAM</li> <li>- Location of nodes</li> <li>- Technology type per premises.</li> </ul> <p>Telstra needs to be aware of what is in its network as it affects shared infrastructure.</p> <p>Telstra requires the As-Built Drawings because it not only affects Telstra's operations on its own network, but also, because it is shared infrastructure and it is available to third parties.</p>	End of construction phase for each SAM	Once off (for each SAM)

<b>Info. Flow Ref</b>	<b>Information Type</b>	<b>Description</b>	<b>Timing of Information Flow</b>	<b>Once off/ ongoing</b>
10.	<b>Query LIC pull through capability</b>	If NBN Co intends to undertake pull-through activities in relation to a Lead-in Conduit (LIC), NBN Co must provide Telstra with NBN Location ID for that premises for the purpose of ascertaining from Telstra if any Cable in that LIC is a non-removable existing cable.	Ad hoc	Ongoing
11.	<b>Raise Network Assurance Ticket on infrastructure licenced from Telstra</b>	NBN Co submits a fault ticket on licensed ducts, racks or dark fibre and Telstra notifies status of the restoration.	Ad hoc	Ongoing
12.	<b>Notify In-Train Orders</b>	NBN Co at the Disconnection Date for a Rollout Region notifies Telstra of any Premises where NBN Co has accepted an order before the Disconnection Date (in-train order), which do not need to be disconnected by the Disconnection Date.	Disconnection Date of each rollout region	Once-off for a rollout region. (Post RFS)
13.	<b>Polygon Boundary Notice</b>	NBN Co requests Regional Planning Information by providing a Polygon Boundary Notice which is indicative boundaries of the planned SAM (which must not be for an area exceeding 4,000 Premises unless Telstra otherwise agrees).	Ideally once per SAM.	Ongoing
14.	<b>Notify NBN Rollout (fixed line rollout) and Forecasts</b>	Notifications of Overall Rollout Plan and updates thereto. Notifications of Acquired Network Rollout Regions, forecasted Disconnection Commencement Dates for Acquired Network Rollout Regions, updates to forecasted Disconnection Commencement Dates for Acquired Network Rollout Regions and notification of actual Disconnection Commencement Dates for Acquired Network Rollout Regions. Notifications of forecasted Region Ready For Service Dates for Rollout Regions, and updates thereto.	Overall Rollout Plan updated annually.  Other information provided at specified periods.	Ongoing
15.	<b>Regional Operating Baseline (ROB)</b>	NBN Co to provide Telstra with a forecast of Rollout Regions in which NBN Co nominates Telstra to remediate duct sections.	Annual	Ongoing
16.	<b>TSAM Duct Remediation (including Remediation and Installation Works Plan)</b>	NBN Co to provide Telstra with a plan for duct remediation and installation works in SAMS other than those in which Telstra will conduct remediation works.	Ad hoc	Ongoing
17.	<b>Query HFC lead-in Infrastructure at NBN location</b>	This information is applicable to HFC only.  Before RFS, where Telstra receives an order for a Pay-TV or Broadband service, Telstra may query NBN Co systems to check for any NBN Co built lead-in within the existing Telstra HFC Footprint (NBL). Telstra has the option to acquire that lead-in from NBN Co to provide the requested service pre-RFS.	Ad hoc	Pre-RFS
18.	<b>MAC Migration request</b>	This information flow relates solely to HFC.  Where NBN Co receives a NEBS (NBN Ethernet Broadband Service) order from anyone requesting a NEBS HFC service, that order will have a MAC address associated with it. The MAC address is the unique identifier that appears on a device (e.g. modem) and is used to authenticate a modem onto the HFC network. The MAC	Ad hoc	Ongoing (Post RFS)

Info. Flow Ref	Information Type	Description	Timing of Information Flow	Once off/ ongoing
		<p>address of itself only identifies the device, and provides no information on service type, location or customer.</p> <p>As the HFC network is shared spectrum and both Telstra and NBN Co cable modem termination systems (CMTSs) will be connected in parallel, a modem will attempt to connect to both the NBN Co and the Telstra CMTS. To avoid an NBN NEBS service (modem) incorrectly connecting to the Telstra CMTS it must be positively rejected. This will be achieved by creating and managing a “blacklist” of MAC addresses that NBN Co provides to Telstra.</p>		
19.	<b>Planned change impacting licensed copper/HFC infrastructure</b>	NBN Co will provide information on planned changes where those changes will impact components of the transferred network on which Telstra continues to operate exchange based services under transitional or exempted agreements. For example, if NBN Co moves a pillar, Telstra will need to know this as it will impact customer services that utilise the impacted components of the network.	Ad hoc	Ongoing (Post RFS)
20.	<b>Notify Licensed Infrastructure Incident</b>	<p>This relates to incidents that occur on the parts of the transferred network on which Telstra continues to provide services. The requirement to notify exists until all services within a SAM are migrated.</p> <p>When NBN Co is informed or becomes aware of an infrastructure incident (such as a cable cut), it will provide this information to Telstra so that Telstra has a record to support assurance, billing and customer relationship functions. This information exchange will include a description of fault, expected restoration date and time. It is anticipated that NBN Co would also provide similar information to its RSPs with respect to NBN services.</p>	Ad hoc	Ongoing (Post RFS)
21.	<b>Copper path transition details</b>	<p>This information flow relates to a daily feed from NBN Co to Telstra in relation to the copper sub loop licences.</p> <p>Where Telstra has a licence to use the copper sub loops, and NBN Co receives an order from another RSP to say it has fully migrated and no longer requires any copper services, this allows Telstra to update its records (e.g. discontinue services and billing arrangements for Telstra Wholesale Customers).</p> <p>Without this transaction Telstra would not be aware of the change of status (migration) of this customer and would continue to bill the Wholesale Customer as records would indicate an active service.</p> <p>The post-migration information flow that happens is ongoing and reflects the transfer of the copper sub-loop from Telstra as a licenced user to NBN Co as the provider of the NBN Service.</p>	Daily	Ongoing (Post RFS)
22.	<b>Ready for Service Delay Event</b>	<p>In the event of a ‘Region Ready for Service Delay Event’, NBN Co must promptly notify Telstra in writing no later than 1 Business Day prior to the forecasted Region Ready for Service Date.</p> <p>At the same time, NBN Co must submit a rectification plan setting out a proposed solution to the Event.</p>	Ad hoc	Ongoing

## 2. Diagram of information flows



BD – Business Days  
 CN – Commencement Notice is a notice to Telstra to commence Remediation in a TSAM  
 TSAM – SAM where Telstra has the obligation to undertake Remediation,  
 DD – Disconnection Date  
 DDD – Detailed Design Document  
 FIR – Field Inspection Report  
 HLD – High Level Design  
 PRU – Progressive Records Update  
 RFS – Ready for Service  
 SAM – Serving Area Module



