

AUSTRALIAN COMPETITION AND CONSUMER COMMISSION

EXERCISE OF DELEGATED POWERS UNDER THE *COMPETITION AND CONSUMER ACT 2010*

As a member of the Australian Competition and Consumer Commission's (Commission) Communications Committee and in accordance with delegation instrument TP141 approved by the Commission on 16 February 2022, I have decided to extend, by written notice published on the Commission's website, the period for making a final access determination for the superfast broadband access service, by a further six-month period until 19 July 2023, pursuant to subsection 152BCK(3) of the *Competition and Consumer Act 2010*.

DATED this 26th day of October 2022



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Anna Brakey
Commissioner, Chair of the Communications Committee
Australian Competition and Consumer Commission

Notice under subsection 152BCK(3) of the Competition and Consumer Act 2010

Access determination inquiries are generally required to be completed within six months, pursuant to subsection 152BCK(2) of the Competition and Consumer Act 2010 (CCA). However, the ACCC can extend or further extend the duration of the inquiry by six months at a time, provided it publishes a notice on the website indicating why it has not been able to make a decision within that timeframe; pursuant to subsection 152BCK(3) of the CCA.

The ACCC has decided to extend the SBAS Final Access Determination inquiry by a period of six months from its current target completion date of 19 January 2023 in accordance with subsection 152BCK(3) of the CCA. This is due to the complexity of the regulatory issues that have been raised in the inquiry and the need to engage further with stakeholders about them. The ACCC intends to publish an exposure draft of the access determination instrument in 2023 before making a final decision. This will give stakeholders an opportunity to comment on the specific price & non-price terms that will apply.

Accordingly, the inquiry is now due to be completed on or prior to 19 July 2023.