***Competition and Consumer Act 2010***

**Notice of extension of decision making period pursuant to section 152CBG(9)**

1. Pursuant to section 152CBG(9) of the *Competition and Consumer Act 2010* (Act), the Australian Competition and Consumer Commission (ACCC) extends the period for making a final decision in respect of a proposed variation to the special access undertaking provided by NBN Co Limited (ACN 136 533 741) on 27 May 2016, by a further three months.
2. The ACCC has been unable to make a final decision on the proposed variation within the six-month period as previously extended, due to the complexity of the issues raised by stakeholders on the proposed variation.
3. The ACCC considers that the extension of the decision making period is necessary to:
	1. enable the ACCC to fully consider submissions from stakeholders, and
	2. allow the ACCC sufficient time to make its final decision as to whether to accept or reject the proposed variation to the special access undertaking.

Note 1: On 31 May 2016, the ACCC published NBN Co Limited’s proposed variation to the special access undertaking and supporting materials on its website and invited submissions on the variation by 26 August 2016.

Note 2: On 20 July 2016, the ACCC published its consultation paper in respect of the proposed variation to the undertaking.

Note 3: On 26 August 2016, the ACCC’s consultation period ended.

Note 4: On 14 February 2017, the ACCC provided NBN Co with a notice specifying that the ACCC’s decision making period has been extended by three months.

Note 5: On 28 March 2017, the ACCC published its draft decision to reject NBN Co’s proposed variation to the SAU.

Dated this \_\_\_\_\_\_\_\_\_\_ day of May 2017

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Rodney Graham Sims

Chairman

Australian Competition and Consumer Commission