



10 December 2020

Mr Sean Riordan
General Manager, Insurance, Water and Wireline Markets Infrastructure Regulation
Australian Competition and Consumer Commission
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2 Lonsdale Street
Melbourne Vic 3000
Email: sean.riordan@accc.gov.au

Copy To:

Mr Darren Kearney
Email: darren.kearney@accc.gov.au
Ms Ifa Rushdi
Email: ifa.rushdi@accc.gov.au

Dear Mr Riordan,

Request for upfront regulatory forbearance to defer the Managed Disconnection window for Wave 77b during the Christmas and New Year holiday period for 2020/21

We are writing to inform you that, after consulting with each other, Telstra and nbn co have formed a view that the Managed Disconnection activity in relation to Wave 77b should be deferred to take into account the reduced industry capacity during the Christmas and New Year holiday period. The Service Disconnection step was scheduled to conclude on 15 December 2020 and we would like to defer this to 3 February 2021. Accordingly we wish to implement this deferral with RSPs and request regulatory forbearance to Service Disconnection and surrounding activities as outlined in clause 5.1, 5.2, 5.3 and 5.4 of Required Measure 2 of the Migration Plan, specifically the window these activities are to be commenced and completed. For clarity, the arrangement will also provide additional time for end-customers to submit orders and receive protection under the In Train Order (ITO) arrangements.

Wave 77b was an additional wave that was created as a result of arrangements set in place to manage impacts triggered COVID-19, it was scheduled in between two existing waves and its Managed Disconnection phase coincided near the end of 2020 and shortly before the holiday break. Telstra and nbn co have been monitoring the progress of premises migration for this wave and based on the most recent number of remaining active services, we now conclude there is a reasonable argument to maintain service continuity for these remaining services. Telstra and nbn co consider it would be in the interest of both customers and industry that Service Disconnection is deferred until after the Christmas and New Year holiday break.

We have adopted similar arrangements in previous years to minimise the risk of impacted customers facing extended periods of no service during this period.

The proposed arrangements are set out below:

Disconnection Wave	Milestone	Current	Revised
Wave 77b (Disconnection Date 23 October 2020)	Service Disconnection (DD+30 to DD+35)	Commence 8 Dec 2020 Conclude 15 Dec 2020	Commence 27 Jan 2021 Conclude 3 Feb 2021



Next Steps

We have placed a temporary hold to the Service Disconnection phase which currently is required to be completed by 15 December 2020. Upon the ACCC's decision, in the event forbearance is granted, Telstra will update wholesale customers and our retail business units of the new milestones. In the event forbearance is not granted, we acknowledge this places Telstra at risk of not being able to complete Service Disconnection by the 15 December 2020 and accordingly we will capture this as non-compliance to the Migration Plan.

Should you have any queries about this matter please contact Steven Kuluveovski (03 8694 5609 or steven.kuluveovski@team.telstra.com).

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Iain Little'.

Iain Little
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