

3 August 2017

Mr Robert Wright  
General Manager  
Water and Wireline Markets  
Australian Competition and Consumer Commission  
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360 Elizabeth Street  
Melbourne VIC 3000  
**Email: robert.wright@acc.gov.au**

Copy to:

Mr Hudan Nuch  
Director (A/g)  
Insurance, Water and Wireline Markets Branch  
Australian Competition and Consumer Commission  
**Email: hudan.nuch@acc.gov.au**

Dear Mr Wright,

### **Forbearance regarding disconnection deferral arrangements for Commonwealth High Security sites**

As the ACCC is aware, there have been significant difficulties in making a limited number of Commonwealth High Security (**HS**) sites serviceable by the **nbn**<sup>™</sup> network, due to the specific sensitive nature of those sites and the connected services and access requirements for staff and equipment.

Accordingly, in order to allow us to afford additional service continuity protection to the relevant services at these HS sites, we are requesting forbearance from the ACCC in respect of our disconnection obligations in the Migration Plan in relation to our proposal to defer the disconnection of copper based services supplied to certain HS sites as required by clause 14 and schedule 3 of the Migration Plan. Under these bespoke arrangements, nbn co. will be afforded a limited additional period of time to make the relevant HS sites serviceable before disconnection takes effect, on the basis that the site is migrated as soon as it is available. The arrangements will be applied without regard to whether Telstra Retail or Telstra Wholesale customers supply services to the impacted HS sites.

Telstra and nbn co. will review the arrangements within 12 months, to determine whether they need to continue, and will advise the ACCC of any decisions made.

Subject to the ACCC granting forbearance in respect of the proposed arrangements, Telstra will confidentially share with the ACCC the number of sites that have received an extension under these arrangements on an annual basis in line with our annual compliance report submitted at the end of September.

Please do not hesitate to contact Kim Hilton-Cowie on (02) 9866 2001 if you would like to discuss our approach to this issue or if you have any concerns with this proposal.

Yours sincerely



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