



# Review of the National Broadband Network Services in Operation Record Keeping Rules

Further Consultation Paper  
October 2017



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# 1 Introduction

## 1.1 Purpose

The purpose of this consultation paper is to seek views from stakeholders on the Australian Competition and Consumer Commission's (ACCC) proposed variations to the National Broadband Network Services in Operation Record Keeping Rules (NBN SIO RKR).

## 1.2 Reasons for consultation

In June 2017 the ACCC consulted with stakeholders on a proposed extension and variations to the NBN SIO RKR record keeping and reporting requirements. After considering submissions from stakeholders the ACCC decided to extend the RKR for a further three years. The ACCC is also proposing to vary the CVC reporting requirements and make other minor changes to account for the Multi Technology Mix (MTM) services. This paper seeks views from stakeholders about the proposed variations.

## 1.3 Submission process

Submissions should be provided by **5.00pm on Tuesday 31 October 2017**.

### *Submission of commercial-in-confidence material*

All submissions will be considered by the ACCC as public submissions and will be posted on the ACCC website. Interested parties wishing to submit commercial-in-confidence material to the ACCC should submit both a public version and commercial-in-confidence version of their submission. The ACCC has issued a guideline setting out the process parties should follow when submitting confidential information to communications inquiries commenced by the ACCC. The guideline is available on the ACCC website at:

<http://www.accc.gov.au/publications/communications-inquiries-submitting-confidential-material>

### *Contact officer and submission lodgement details*

Inquiries in the first instance should be directed to Grahame O'Leary at (02) 9230 3832.

Please email submissions to:

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## 2 The NBN Services in Operation RKR

### 2.1 Regulatory framework

The ACCC's performance of its statutory functions, including the operation of Part XIB and Part XIC of the CCA is supported by the ACCC receiving timely and reliable industry information. Specifically, information is required to assess and monitor the state of competition in telecommunications markets and how competitive dynamics are changing over time, as well as the efficient use of and investment in telecommunications infrastructure.

Under section 151BU of the CCA, the ACCC can make record keeping rules (RKR) that require one or more specified carriers to keep and retain records and give reports to the ACCC consisting of information contained in those records. Sections 151BUA, 151BUB and 151BUC of the CCA give the ACCC the power to disclose, or to require carriers or carriage service providers to disclose reports, or extracts of reports, prepared in accordance with an RKR.

### 2.2 Background

In September 2014, the ACCC issued the NBN SIO RKR to NBN Co requiring it to keep and report information relating to its wholesale products including Access Virtual Circuits (AVC) and Connectivity Virtual Circuits (CVC) supplied to access seekers.

The NBN SIO RKR allows the ACCC to monitor the development of competition over the NBN and assess the factors that may affect the long-term interest of end-users (LTIE), particularly residential broadband consumers. In addition, the information supplied by NBN Co under the NBN SIO RKR may be used in other ACCC regulatory processes.

The NBN SIO RKR requires NBN Co to keep records and report on:

- the total number of AVCs by traffic class, speed tier, point of interconnect (POI), POI location and access seeker for each access technology
- the total number and amount of CVC acquired by each access seeker by POI, POI location, and traffic class, and
- average CVC utilisation by traffic class for each access seeker at a POI for various periods.

The ACCC extended the operation of the NBN SIO RKR on 18 September 2017 for a further three years.

The current NBN SIO RKR incorporating the extension is available on the [ACCC website](#).

### 3 Matters for consultation

The ACCC may vary an RKR to incorporate additional requirements that are relevant to one of the matters specified under sub-section 151BU(4), including information relevant to its regulatory functions under Parts XIB and XIC.

#### 3.1 Updates to account for the MTM

The NBN SIO RKR was initially drafted with reference to three access technologies - fibre, wireless and interim satellite. The introduction of the MTM and long-term satellite required the ACCC to extend the RKR to cover these new technologies. The ACCC provided written notice to NBN Co extending the RKR on:

- 12 February 2015 to cover the commercial launch of NBN Co's Fibre-to-the-Building (FTTB) network access services
- 20 October 2015 to cover the commercial launch of NBN Co's Fibre-to-the-Node (FTTN) network access services, and
- 4 July 2016 to cover the commercial launch of NBN Co's Satellite network and Hybrid Fibre Coaxial (HFC) network access services.

The ACCC proposes to vary the RKR instrument to account for these extensions by removing reference to specific technologies in Rules 6, 7 and 8 and including all services under Rule 6 which will refer to Existing Network Access Services. The six service definitions reflect the terminologies used by NBN Co in its documentation.

#### 3.2 More detailed reporting requirements

In its consultation paper published in June 2017, the ACCC sought views as to whether additional information should be included in the NBN SIO RKR. Specifically it sought views on:

- (a) *AVCs per CVC link* - whether to vary the RKR to require NBN Co to report on the number of AVCs per CVC link at each POI.
- (b) *CVC capacity* - whether to include an additional requirement for NBN Co to report information that would provide the ACCC with visibility of access seeker traffic management behaviour (such as identifying when utilisation by an access seeker exceeds a certain capacity for a CVC link over a particular period).
- (c) *Reporting period/frequency* - whether more frequent reports (for example monthly) by NBN Co would provide a more detailed snapshot of competition over the NBN.

##### **ACCC views**

- (a) *AVCs per CVC link*

Having considered submissions received in response to the consultation paper, the ACCC does not propose to proceed with the proposed variation. The RKR requires NBN Co to keep a large amount of information on the number and type of NBN services acquired by wholesale access seekers. It also requires NBN to provide reports on the number of services by access technology, geographic region, speed tier and traffic class for each access seeker

at each POI. In addition, RSPs manage the allocation of AVCs in a dynamic manner according to their own customer profiles and the number of AVCs per CVC link is capped by NBN Co. For these reasons, we consider that reporting extra information about the number of AVCs per CVC link at each POI will not provide the ACCC with additional insight on the services being provided at each POI and is not necessary at this time.

*(b) CVC capacity*

The ACCC also sought views regarding a new requirement for NBN Co to report more detailed CVC utilisation information. Specifically the ACCC proposed that information, identifying when utilisation by an access seeker exceeded a certain capacity for a CVC link, be recorded and reported under the RKR.

The ACCC considered that this would provide visibility of access seeker traffic management behaviour. Assessing NBN traffic management behaviour is linked to a range of issues including end-user broadband experience (e.g. congestion). However, some submissions indicated that assessing whether an arbitrary CVC utilisation threshold (for example, 95 per cent) had been exceeded would not provide the ACCC with useful insight.

NBN Co submitted that there is no specific utilisation threshold that would be relevant or meaningful in every context. NBN Co considered that the interaction between the CVC capacity, the traffic profile and the nature of an RSP's retail product offerings are also highly relevant to whether CVC is being appropriately dimensioned.

Comms Alliance and Optus argued that the 95 per cent utilisation threshold suggested in the consultation paper was arbitrary and not directly related to download speed. Optus submitted that such a measure could not be used to compare the download speeds experienced by the end users in the busy hours.

Telstra considered that the reporting would not provide the information that the ACCC is seeking and that an alternative means of monitoring network performance would be more appropriate. It argued that RSPs manage traffic and network configuration on a dynamic basis in a range of different ways and that a set threshold would ignore other key factors that influence speed outcomes such as CVC capacity and the mix of different speed tiers sold by an RSP.

Telstra considered that the public disclosure of this information could also cause confusion. Telstra also suggested that the ACCC extend the reporting requirements to the NBN Co 'side' of the network between the POI and the end user to estimate NBN Co's performance in supplying network elements to an RSP.

New Street Research, ACCAN and the CCC noted that CVC provisioning and utilisation are important measures and that they should continue to be collected and reported.

The ACCC considers that reporting further detail about CVC utilisation rates of access seekers by NBN Co will provide a better understanding of the way access seekers are provisioning services to end users and may provide an insight into consumer experiences on the NBN. However, instead of introducing a new record keeping requirement on NBN Co relating to a CVC utilisation threshold, the ACCC considers that NBN Co should report more granular utilisation data on both a daily and, during the peak period, an hourly basis. This would enable the ACCC to:

- review CVC utilisation by each seeker on a daily basis across the reporting period rather than just obtaining an average across that period
- compare CVC utilisation data across access seekers, and
- monitor whether access seekers are sufficiently provisioning enough CVC to meet demand.

This will enable the ACCC to better monitor and understand how access seekers are provisioning their networks over the NBN and would allow the ACCC to compare and contrast similar RSPs. We consider that more granular information about utilisation of CVC data would also complement information obtained under the Broadband Performance Monitoring and Reporting (BPMR) program.

Proposed changes to the CVC reporting requirements are set out in section 3.3 below.

*(c) Reporting periods/frequency*

The ACCC also consulted on whether more frequent reports would enable the ACCC to more closely monitor changes to AVC - CVC utilisation and the impact of CVC pricing changes on the provisioning behaviour of access seekers (such as the recent introduction of discounts to CVC pricing by NBN Co on 1 June 2017).

NBN Co noted that the current quarterly reports are already onerous and that it had devoted considerable resources in establishing a framework and processes to report in accordance with the RKR. It also considered that monthly reporting would not provide additional insights compared the current quarterly data.

ACCAN and the CCC both supported a move to more frequent reporting on a monthly basis. The CCC noted heightened public concerns about the NBN user experience and the growing demand for action to address problems with the NBN.

The ACCC is cognisant of the regulatory burden imposed on regulated entities and considers that the current quarterly frequency of reporting remains appropriate at this time.

### 3.3 Proposed CVC utilisation reporting requirement

*Current CVC reporting requirements*

The NBN SIO RKR currently requires NBN Co to keep records of CVC utilisation data at regular intervals throughout each day and make a record of the average utilisation on a daily basis. The ACCC understands that NBN Co records CVC utilisation at 15 minute increments for TC2 and TC4 and half-hourly for TC1. The ACCC also understands that NBN Co makes this CVC utilisation data available to its wholesale customers in these increments.

However, the CVC utilisation reported to the ACCC every quarter is averaged over the entire reporting period (i.e. usually 90 or 91 days). The ACCC has found that the utility of such reporting is limited by its aggregate nature, which averages hundreds of thousands of data for each CVC link.

### 3.4 Proposed variation

In order to report CVC records in more detail, the format of Attachment A of the NBN SIO RKR is proposed to be amended to include additional columns for:

- the CVC capacity acquired for each day (TC1, TC2 and TC4)
- the average CVC utilisation for each day (TC1, TC2 and TC4), and
- the average CVC utilisation for
  - 7pm-10pm for each day for TC1, or
  - 9am-5pm for each day for TC2, or
  - each hour of the peak period (7pm-10pm) for each day for TC4.

The above information will be required for each CVC link acquired by each access seeker at each POI.

### 3.5 Timing of CVC capacity reporting

The current NBN SIO RKR requires NBN to report a time-weighted average of CVC capacity, which allows the ACCC to examine situations where CVC capacity is changed during the reporting period. However, this information will not be required with daily CVC reporting. The ACCC is therefore proposing that the CVC capacity reported for each day is the CVC capacity at the end of that day in order to record changes to CVC capacity.

### 3.6 Additional reporting requirement

Rule 21(a) of the NBN SIO RKR currently allows the ACCC to modify the information reported by NBN Co. However, s151BU(2B)(a) of the CCA provides for the preparation of reports as and when required by the ACCC. The ACCC considers that it would provide certainty if an additional Rule that would require NBN Co to provide reports as and when required will provide the ACCC with further flexibility to require reports on specific situations.

For example, if the ACCC was interested in information relevant to a particular POI or a particular access seeker, this Rule would allow the ACCC to request a report that included additional information relating to that POI or access seeker.

## 4 Conclusion

The ACCC considers that updating the definitions and structure of the NBN SIO RKR, requiring more detailed information in relation to CVC utilisation and providing for the reports as and when required will assist the ACCC to monitor the development of competition over the NBN and enable it to perform its regulatory functions under Parts XIB and XIC.

A marked-up version of NBN SIO RKR instrument that shows the proposed variations is at **Attachment A**. After considering submissions from stakeholders, the ACCC will make a decision on whether to vary the NBN SIO RKR. Following the finalisation of the RKR variation the ACCC will consult with NBN Co regarding the Disclosure Direction for a period of 28 days as required under s151BUC(6) of the CCA.



**Questions on which the ACCC seeks views:**

1. Is the proposal to vary the NBN SIO RKR to account for MTM technologies sufficient or is additional information required?
2. Should the ACCC vary the CVC related reporting requirements so daily and more detailed peak period CVC utilisation data are reported?
3. Should more detailed peak period reporting apply for all traffic classes, or only TC4?
4. For the peak period reporting, would reporting of 30 minute or 60 minute periods be sufficient? Should the ACCC consider other reporting requirements during peak periods?
5. Is the peak period of 7pm to 10pm appropriate for TC4? Should a wider period be reported?
6. What CVC utilisation peak hours do access seekers currently experience with residential NBN broadband services? Is this likely to change?
7. Should CVC capacity be reported as at the end of a day? Or at another time?

**NBN Services in Operation**  
**Record Keeping and Reporting Rules**

**Section 151BU**

*Competition and Consumer Act 2010*

## Australian Competition and Consumer Commission

August 2014

### TITLE

- (1) These rules made by the Australian Competition and Consumer Commission (ACCC) pursuant to section 151BU of the *Competition and Consumer Act 2010* (CCA) may be referred to as the NBN Services in Operation Record Keeping and Reporting Rules (Rules).

### COMMENCEMENT AND EXPIRY

- (2) These Rules shall take effect from 1 October 2014 and expire on 30 September 2020.

### APPLICATION

- (3) These Rules apply to NBN Co Limited (ACN 136 533 741) (NBN Co).

### INTERPRETATION

- (4) The following terms have the meaning set out in this clause.
  - (a) ‘**Access Seeker**’ has the same meaning as in section 152AG of the CCA.
  - (b) ‘**ACCC**’ means the Australian Competition and Consumer Commission.
  - (c) ‘**AVC**’ means access virtual circuit as defined in an applicable Standard Form of Access Agreement.
  - (d) ‘**CCA**’ means the *Competition and Consumer Act 2010* (Cth).
  - (e) ‘**CVC**’ means connectivity virtual circuit as defined in an applicable Standard Form of Access Agreement.
  - (f) ‘**Existing Network Access Services**’ means [FTTB](#), [FTTN](#), [FTTP](#), [HFC](#), [Satellite access services](#), ~~[Interim Satellite access services](#)~~ and Wireless access services.
  - ~~(g)(f)~~ ~~‘**FTTP**’ means the fibre to the premises network used by NBN Co to supply the product defined as the NBN Co Ethernet Bitstream Service over Fibre in an applicable Standard Form of Access Agreement.~~
  - (g) ‘**FTTB**’ means the NBN Co FTTB Network.
  - (h) ‘**FTTN**’ means the NBN Co FTTN Network.
  - (i) ‘**FTTP**’ means the NBN Co Fibre Network.

~~(h)~~(j) **'HFC'** means the NBN Co HFC Network. ~~'Interim Satellite'~~ means the interim satellite network used by NBN Co to supply the product defined as the NBN Co Interim Satellite Service in an applicable Standard Form of Access Agreement.

~~(i)~~(k) **'New Network Access Service'** means a service supplied by NBN Co over a customer access network which is not an Existing Network Access Service and is not a network access service subject to any other record keeping rule made by the ACCC.

~~(j)~~(l) **'POI'** means point of interconnection as defined in an applicable Standard Form of Access Agreement.

~~(k)~~(m) **'Product Component'** and **'Product Feature'** have, in respect of a network access service the same meanings as in the applicable Standard Form of Access Agreement for the network access service.

~~(l)~~(n) **'Reporting Date'** means the last day of a calendar quarter (i.e. 31 March, 30 June, 30 September, 31 December).

~~(m)~~(o) **'Rule'** means the *NBN Co Services in Operation Record Keeping and Reporting Rule*.

(p) **'Satellite'** mean the NBN Co Satellite Network.

~~(n)~~(q) **'Service in Operation' or 'SIO'** refers to an active telecommunications service being supplied by NBN Co to an Access Seeker.

~~(o)~~(r) **'Standard Form of Access Agreement'** refers to NBN Co's standard forms of access agreement, published on its website, that relate to the supply of the relevant products and services to Access Seekers.

~~(p)~~(s) **'TC-1'** means AVC traffic class 1 and CVC traffic class 1 (as applicable) as defined in an applicable Standard Form of Access Agreement.

~~(q)~~(t) **'TC-2'** means AVC traffic class 2 and CVC traffic class 2 (as applicable) as defined in an applicable Standard Form of Access Agreement.

~~(r)~~(u) **'TC-4'** means AVC traffic class 4 and CVC traffic class 4 (as applicable) as defined in an applicable Standard Form of Access Agreement.

~~(s)~~(v) **'Wireless'** means the NBN Co Wireless Network- means the fixed wireless network used by NBN Co to supply the product defined as the NBN Co Ethernet Bitstream Service over Wireless in an applicable Standard Form of Access Agreement.

(5) Unless the contrary intention appears, an expression used in these Rules that is also used in the CCA has the same meaning in these Rules as it does in the CCA.

## RECORD KEEPING RULES

### Record keeping rules for ~~FTTP-Existing Network a~~Access sServices

- (6) For each POI at which it offers ~~Existing Network Access Services~~~~FTTP access services~~, NBN Co must establish and maintain an electronic record containing the following information:
- (a) The name of the POI.
  - (b) The state or territory in which the POI is located.
  - (c) The name of each Access Seeker being provided with ~~Existing Network Access FTTP access~~~~S~~services at the POI.
  - (d) The total number of ~~FTTP access service~~ AVCs supplied in TC-1 ~~for each Existing Network Access Service type~~, grouped by data transfer rate 'tier' as specified in NBN Co's applicable Standard Form of Access Agreement, for each Access Seeker at the POI.
  - (e) The total number of ~~FTTP access service~~ AVCs supplied in TC-2 ~~for each Existing Network Access Service type~~, grouped by data transfer rate 'tier' as specified in NBN Co's applicable Standard Form of Access Agreement, for each Access Seeker at the POI.
  - (f) The total number of ~~FTTP access service~~ AVCs supplied in TC-4 ~~for each Existing Network Access Service type~~, grouped by data transfer rate 'tier' as specified in NBN Co's applicable Standard Form of Access Agreement, for each Access Seeker at the POI.

### ~~Record keeping rules for Wireless access services~~

- ~~(7) For each POI at which it offers Wireless access services, NBN Co must establish and maintain an electronic record containing the following information:~~
- ~~(a) The name of the POI.~~
  - ~~(b) The state or territory in which the POI is located.~~
  - ~~(c) The name of each Access Seeker being provided with Wireless access services at the POI.~~
  - ~~(d) The total number of Wireless access service AVCs supplied in TC 1, grouped by data transfer rate 'tier' as specified in NBN Co's applicable Standard Form of Access Agreement, for each Access Seeker at the POI.~~
  - ~~(e) The total number of Wireless access service AVCs supplied in TC 4, grouped by data transfer rate 'tier' as specified in NBN Co's applicable Standard Form of Access Agreement, for each Access Seeker at the POI.~~

### ~~Record keeping rules for Interim Satellite access services~~

- ~~(7) [Deleted]~~

(8) ~~[Deleted]~~

- ~~(8) For each POI at which it offers Interim Satellite access services, NBN Co must establish and maintain an electronic record containing the following information:~~
- ~~(a) The name of the POI.~~
  - ~~(b) The state or territory in which the POI is located.~~
  - ~~(c) The name of each Access Seeker being provided with Interim Satellite access services at the POI.~~
  - ~~(d) The total number of Interim Satellite access service AVCs supplied in TC-1, grouped by data transfer rate 'tier' as specified in NBN Co's applicable Standard Form of Access Agreement, for each Access Seeker at the POI.~~
  - ~~(e) The total number of Interim Satellite access service AVCs supplied in TC-4, grouped by data transfer rate 'tier' as specified in NBN Co's applicable Standard Form of Access Agreement, for each Access Seeker at the POI.~~

#### **Record keeping rules for CVCs**

- (9) For each POI, NBN Co must establish and maintain an electronic record containing the following information:
- (a) The name of the POI.
  - (b) The state or territory in which the POI is located.
  - (c) The name of each Access Seeker being provided with CVC services in connection with Existing Network Access Services at the POI.
  - (d) The contracted CVC TC-1 capacity in Mbps for Existing Network Access Services for each Access Seeker at the POI.
  - (e) The contracted CVC TC-2 capacity in Mbps for Existing Network Access Services for each Access Seeker at the POI.
  - (f) The contracted CVC TC-4 capacity in Mbps for Existing Network Access Services for each Access Seeker at the POI.
  - (g) The average utilisation in Mbps for contracted CVC TC-1 capacity for Existing Network Access Services between 7:00pm and 10:00pm daily for each Access Seeker at the POI.
  - (h) The average utilisation in Mbps for contracted CVC TC-2 capacity for Existing Network Access Services between 9:00am and 5:00pm daily for each Access Seeker at the POI.
  - (i) The average utilisation in Mbps for contracted CVC TC-4 capacity for Existing Network Access Services between 7:00pm and 10:00pm daily for each Access Seeker at the POI.
  - (j) The average utilisation in Mbps for contracted CVC TC-1 capacity for Existing Network Access Services for each Access Seeker at the POI.

- (k) The average utilisation in Mbps for contracted CVC TC-2 capacity for Existing Network Access Services for each Access Seeker at the POI.
  - (l) The average utilisation in Mbps for contracted CVC TC-4 capacity for Existing Network Access Services for each Access Seeker at the POI.
- (10) If NBN Co supplies an Access Seeker with multiple CVCs at a given POI, NBN Co must establish and maintain a separate record as required under Rules 9(d) to (l) for each CVC.
- (11) The obligation to record CVC utilisation under Rules 9(d) to (l) and 10 is satisfied by NBN Co measuring CVC utilisation at regular intervals throughout each day and making a record of the average utilisation on a daily basis.

**Record keeping rules for New Network Access Services or Product Components/Features**

- (12) The ACCC may, by providing written notice to NBN Co, request NBN Co to establish and maintain an electronic record that relates to any New Network Access Service, or any Product Component or Product Feature which is not currently the subject of these Rules, provided that NBN Co has published a Standard Form of Access Agreement on its website that relates to the New Network Access Service or the Product Component or Product Feature.
- (13) Subject to Rule 14 and 15, NBN Co must, within 90 calendar days of receiving the written notice provided under Rule 12:
- (a) Establish and maintain an electronic record containing information about the New Network Access Service, Product Component or Product Feature which is equivalent to that required by Rules 6 to 11.
  - (b) Comply with the reporting requirements in Rules 17 to 20 in respect of the New Network Access Service, Product Component or Product Feature.
- (14) NBN Co can provide written notice to the ACCC which specifies the information it can reasonably provide to the ACCC in respect of the New Network Access Service, Product Component or Product Feature, as the case may be, and, or, the time by which it can provide the information.
- (15) Should NBN Co provide a written notice to the ACCC under Rule 14, then its obligations pursuant to Rule 13 are taken to be varied in accordance with the terms of the notice.

Guidance note: this is not intended to limit the ACCC's power to make other record keeping rules for New Network Access Services or for Product Components or Product Features which are not currently the subject of these Rules.

**Duration for which records must be kept**

- (16) A record made under Rules 6 to 15 must be kept by NBN Co for 12 months from the date on which the record is made.

## REPORTING REQUIREMENTS

- (17) For each calendar quarter, NBN Co must provide the ACCC with a report containing the information required by Rules 6 to 15 of these Rules as at the Reporting Date.
- (18) Notwithstanding Rule 17, NBN Co is not required to provide reports containing the information required by:
- (a) Rule 8 from the first calendar quarter after NBN Co no longer supplies Interim Satellite access services under any Standard Form of Access Agreement.
  - (b) Rules 6 to 15 of these Rules to the extent that it supplies the relevant services on a non-commercial trial basis.
  - ~~(c) Rules 9(g) to (l) until the first calendar quarter after NBN Co advises the ACCC that it is capable of providing such reports, which must occur no later than 30 June 2015.~~
- (19) A report under Rule 17 must be:
- (a) provided to the ACCC within 28 calendar days of the Reporting Date.
  - (b) prepared and submitted for Existing Network Access Services electronically in Microsoft Excel in the format prescribed by the ACCC and annexed at **Attachment A**.
  - (c) prepared and submitted for New Network Access Services as a consolidation with the report for Existing Network Access Services if practical and otherwise electronically in Microsoft Excel in a format substantially similar to the format prescribed by the ACCC and annexed at **Attachment A**.
- (20) The report specified under Rule 17 must be provided to the ACCC by email or by another mode of delivery approved in writing by the ACCC. Reports provided by email must be sent to both of the following addresses:
- (a) rkrinbox@acc.gov.au
  - (b) [Comms.Admin@acc.gov.au](mailto:Comms.Admin@acc.gov.au)
- (21) The ACCC:
- (a) may amend the format referred to in Rule 19(b) and (c).
  - (b) must provide NBN Co with adequate notice of any such amendment.
- (22) [NBN Co must prepare any other report containing the information required by Rules 6 to 15 of these Rules as and when required by the ACCC.](#)





[One table for Satellite and one table for all other Existing Network Access Services per group of access technologies e.g. (1) FTTP and wireless and (2) interim satellite. One row for each individual CVC. One entry per day for the average daily utilisation plus one entry per day for the average utilisation for the TC1 or TC2 busy period (in 7-8pm column) or one entry for the average utilisation of each hour of the TC4 busy period.]

State	POI name	Access-seeker	CVC-Traffic-Class	Contracted capacity (Mbps)	Avg-contracted capacity (Mbps)*	Avg-utilisation (Mbps) ‡	Avg-utilisation during Traffic-Class peak-period*§
-	-	-		-		-	-
-	-	-		-		-	-
-	-	-		-		-	-
-	-	-		-		-	-

				<u>State</u>
				<u>POI name</u>
				<u>Access seeker</u>
				<u>CVC Traffic Class</u>
				<u>Contracted capacity* (Mbps) (Day1)</u>
				<u>Avg. utilisation (Mbps) (Day 1)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day 1, 7pm to 8pm)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day 1, 8pm to 9pm)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day 1, 9pm to 10pm)</u>
				<u>Contracted capacity* (Mbps) (Day 2)</u>
				<u>Avg. utilisation (Mbps) (Day 2)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day 2, 7pm to 8pm)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day 2, 8pm to 9pm)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day 2, 9pm to 10pm)</u>
				<u>Contracted capacity* (Mbps) (Day n)</u>
				<u>Avg. utilisation (Mbps) (Day n)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day n, 7pm to 8pm)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day n, 8pm to 9pm)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day n, 9pm to 10pm)</u>
				<u>Contracted capacity* (Mbps) (Day last)</u>
				<u>Avg. utilisation (Mbps) (Day last)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day last, 7pm to 8pm)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day last, 8pm to 9pm)</u>
				<u>Avg. utilisation during Traffic Class peak period (Day last, 9pm to 10pm)</u>

\*Where the contracted capacity for CVC has changed during the reporting period during a day, the contracted capacity will be the capacity at the end of the day. a time-weighted average will be presented in respect to the Avg. contracted capacity, Avg. utilisation and Avg. utilisation during Traffic Class peak period. Avg. contracted capacity will only be reported once Avg. utilisation and Avg. utilisation during Traffic Class peak period are reported (in accordance with Rule 18(e)).