

Competition and Consumer Act 2010

Notice of extension of decision making period for making an access determination under subsection 152BCK(3)

1. Pursuant to subsection 152BCK(3) of the *Competition and Consumer Act 2010*, the Australian Competition and Consumer Commission (ACCC) extends the period for making a final access determination in relation to the Domestic Transmission Capacity Service (DTCS) to 23 May 2016.
2. The ACCC has been unable to make a final access determination within the decision making period as previously extended due to the need to undertake further regression modelling and analysis in order to make a decision on:
 - the treatment of additional data provided by Optus in relation to a joint venture agreement between Optus and VHA, and
 - the pricing of low capacity transmission services provided over short distances.
3. The ACCC considers that the further extension of the decision making period will be necessary for the ACCC to:
 - a. ensure appropriate time for industry consultation on the matters stated above
 - b. consider submissions from stakeholders, and
 - c. allow sufficient time for the ACCC to make a final access determination.

Note 1: The ACCC commenced a public inquiry into making an access determination in relation to the DTCS on 23 May 2014.

Note 2: On 27 October 2014 the ACCC extended the period for making an access determination for the DTCS by 6 months, to 23 May 2015.

Note 3: On 20 May 2015 the ACCC further extended the period for making an access determination for the DTCS by 6 months, to 23 November 2015.

Dated this 5th day of November 2015



Rodney Graham Sims

Chairman

Australian Competition and Consumer Commission