

5 January 2018

Mr Robert Wright  
General Manager, Insurance, Water and Wireline Markets Infrastructure Regulation  
Australian Competition and Consumer Commission  
Level 35, The Tower  
360 Elizabeth Street  
Melbourne Vic 3000  
**Email:** [robert.wright@accc.gov.au](mailto:robert.wright@accc.gov.au)

**Copy To:**

[ssu-migration@accc.gov.au](mailto:ssu-migration@accc.gov.au)

Mr Darren Kearney  
**Email:** [darren.kearney@accc.gov.au](mailto:darren.kearney@accc.gov.au)

Mr Sean Riordan  
**Email:** [sean.riordan@accc.gov.au](mailto:sean.riordan@accc.gov.au)

Mr Rod Middleton  
**Email:** [rod.middleton@accc.gov.au](mailto:rod.middleton@accc.gov.au)

Mr Hudan Nuch  
**Email:** [hudan.nuch@accc.gov.au](mailto:hudan.nuch@accc.gov.au)

Dear Mr Wright,

**ACCC Discussion Paper on Telstra's proposal to vary the Migration Plan to facilitate the rollout of Fibre to the Curb for the NBN**

Telstra welcomes the ACCC's Discussion Paper on our proposal to vary the Migration Plan (**Plan**) to facilitate NBN Co's rollout of Fibre to the Curb (**FTTC**) as an Access Technology. As advised in our supporting submission dated 6 October 2017, Telstra is required to make changes to the Plan to reflect NBN Co's adoption of the new FTTC Access Technology and the consequential variation to the Definitive Agreements between NBN Co and Telstra.

**Variation consistent with Migration Plan Principles**

As the ACCC has stated in its Discussion Paper, the ACCC's consideration of the proposed variation is limited to whether or not the Plan, as varied, complies with the *Telecommunications (Migration Plan Principles) Determination of 2015 (MPPs)*. Telstra maintains that the varied Plan remains compliant with the MPPs, for the reasons set out in our supporting submission and associated follow-up discussions with the ACCC.

In particular, as Telstra explained in its supporting submission, the existing disconnection processes for Copper Services during the Migration Window set out in clause 9 and 22 of the Plan, as well as in Schedule 1, have been updated to accommodate the deployment of FTTC as an Access Technology. Similar changes to these clauses were previously introduced in the variation to the Plan approved by the ACCC in June 2015 to accommodate

the introduction of the Access Technologies Fibre to the Node (**FTTN**) and Fibre to the Basement (**FTTB**).

In the same way as is currently the case for FTTN and FTTB, Schedule 1 to the Plan provides that during the Migration Window, once the NBN FTTC order has completed, NBN Co will add the service to its Daily Migration File (**DMF**), which in turn is sent by NBN Co to Telstra to enable disconnection to proceed. As is the case with the existing provisions of the Plan in respect of FTTN and FTTB, Telstra will rely upon the DMF for the purposes of undertaking its disconnections. For clarity, inclusion of a Premises within the DMF received from NBN Co is taken by Telstra to mean that, in the course of migrating the Premises, an NBN order involving or requiring the use by NBN Co of that Copper Line or Copper Sub-Loop at the Premises has been completed, and provides Telstra with the necessary authorisation to perform the disconnection.

#### Other matters related to the introduction by NBN Co of FTTC as an Access Technology

Telstra's responsibilities within the Plan (as set out in the MPPs) are primarily limited to the disconnection of legacy services on Telstra's Copper and HFC networks. The MPPs do not address aspects of the end-to-end migration process that are outside of Telstra's control, including any process related to connecting premises to the NBN.

While some of the concerns raised within the Discussion Paper are not within the scope of the MPPs or the Plan, Telstra supports an ongoing approach whereby NBN Co and the industry, including Telstra, continue to work together to resolve any outstanding matters associated with migration processes on the FTTC Access Technology to deliver a positive experience for end users in connecting and utilising their broadband and telephone services.

Telstra understands that there is still further work being undertaken by NBN Co and industry in order to minimise potential impediments to positive end-user experiences in association with processes related to FTTC activations. For example, regarding NBN Co's proposed time period for an FTTC order to automatically complete, and also in respect of NBN Co's proposed connection protocols at Premises for certain FTTC service classes. Telstra is actively engaging with NBN Co on these matters through established industry NBN Co / RSP channels. We support NBN Co's constructive engagement to date, and encourage a coordinated whole of industry approach to ensure a positive end-user FTTC experience.

#### Next Steps

Telstra looks forward the ACCC progressing with its decision whether to approve the varied Plan we submitted in October 2017. Please contact me if you have any questions in relation to this matter.

Yours sincerely



Kim Hilton Cowie  
General Manager Equivalence  
Corporate Affairs  
kim.hilton-cowie@team.telstra.com