

TRADE PRACTICES ACT 1974**Australian Competition Tribunal****Order under paragraph 152AW(1)(b)
exempting Telstra from standard access obligations in respect of the LCS****1. Title**

This Order may be cited as the Tribunal's 2009 LCS Individual Exemption Order.

2. Nature of Order

- 2.1 This order operates to vary Individual Exemption Orders No 1 and No 3 of 2008 made by the Commission on or about 22 August 2008 in "Telstra's local carriage service and wholesale line rental exemption applications – final decision and class exemption".
- 2.2 A copy of this Order, marked up to show each variation to the Commission's orders, is on the Tribunal's file and available for inspection.

3. Commencement and Expiry

- 3.1 This Order comes into effect on the date this Order is made.
- 3.2 This Order will expire:
- (a) five years after the date of the making of this Order; or
 - (b) upon the revocation of either the LCS Declaration or the ULLS Declaration, whichever first occurs.



4. Interpretation

Unless the contrary intention appears, in this Order a word or a phrase has the meaning given to it in the Act, the *Telecommunications Act 1997* (Cth) or the LCS Declaration.

Act means the *Trade Practices Act 1974* (Cth).

Aggregate Market Share means in respect of each Attachment A ESA the ULLS-based competitors' aggregated share of SIOs, expressed as a percentage, using the following formula:

$$(\text{ULLS} + \text{ULLS Spare Capacity} + \text{WLR SIOs}) \div (\text{Total SIOs})$$

Where:

ULLS in relation to an Attachment A ESA means the number of "Total ULLS" reported in compliance with the CAN RKR.

ULLS Spare Capacity in relation to an Attachment A ESA means a number to be ascertained in accordance with this Order.

WLR SIOs in relation to an Attachment A ESA means a number to be ascertained in accordance with this Order.

Total SIOs in relation to an Attachment A ESA means the sum of "SIO POTS Only", "SIO (POTS + xDSL)", "Telstra xDSL no POTS" and "Total ULLS" as reported in compliance with the CAN RKR.

If there is a change to the CAN RKR so that Telstra is no longer required to provide any of the data required to calculate Aggregate Market Share, then Telstra



must, within 28 Business days after each Ascertainment Date, provide that data to the Commission by way of a statutory declaration sworn by its proper officer.

Ascertainment Date means the six month anniversary of the Practical Commencement Date and each six months thereafter. Where the Ascertainment Date would otherwise fall on a Saturday, on a Sunday or on a day which is a national public holiday in Australia, the Ascertainment Date is the next Business day.

Attachment A ESA means an ESA which is listed in Attachment A to this Order.

Bundled Fixed Voice and Broadband Service means a fixed voice service provided together with a broadband service to an end-user both of which are supplied by means of Telstra's metallic-based public switched telephone network.

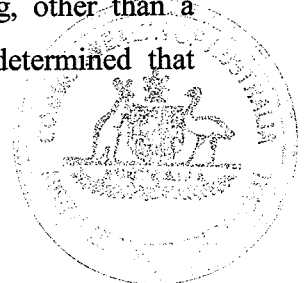
Business day means a day that is not a Saturday, a Sunday or a national public holiday in Australia.

CAN RKR means the Telstra Customer Access Network Record Keeping and Reporting Rules as in force on the date of the making of this Order.

Capped Exchange means an Exchange Building which Telstra has determined is not available for access by an access seeker for any reason, including an Exchange Building listed by Telstra in the TEBA Capped List as 'MDF capped', 'Racks capped' or 'Racks and MDF capped'.

Commencement Date means the date on which this Order comes into effect in accordance with clause 3.1.

Constructively Capped Exchange means an Exchange Building, other than a Capped Exchange, in respect of which the Commission has determined that



Telstra requires as a condition of access that the access seeker undertake works at its own cost which are out-of-the-ordinary works.

Deemed Capacity means, with respect to an Attachment A ESA, a number to be calculated in accordance with the following formula:

$$0.75 \times (\text{ULLS} \div \text{Number of ULLS-based competitors})$$

Where:

ULLS in relation to that Attachment A ESA means the number of “Total ULLS” reported in compliance with the most recent CAN RKR.

Number of ULLS-based competitors means the number of ULLS-based competitors in that Attachment A ESA.

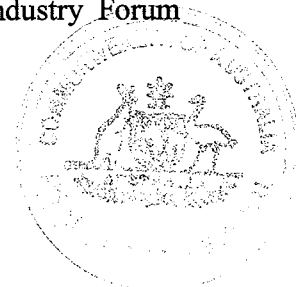
If there is a change to the CAN RKR so that Telstra is no longer required to provide any of the data required to calculate Deemed Capacity, then Telstra must, within 28 Business days after each Ascertainment Date, provide that data to the Commission by way of a statutory declaration sworn by its proper officer.

DSLAM means a digital subscriber line access multiplexer, a multi-service access node or other equipment capable of supplying a service via the ULLS.

DSLAM Capacity means, with respect to an ULLS-based competitor, its aggregate number of Spare Ports in an Attachment A ESA.

end-user means an end-user of carriage services or other services supplied by means of carriage services, not a supplier of those services.

Exchange Service Area (ESA) has the meaning given to the expression “Exchange Serving Area” by the Australian Communications Industry Forum Limited Code, ACIF C559:2006, Part 1.



Exchange Building means a telecommunications exchange building owned, operated or controlled by Telstra.

Exemption means the exemption specified in clause 5 of this Order.

Exemption ESA means an Attachment A ESA with:

- (a) three or more ULLS-based competitors;
- (b) an Aggregate Market Share equal to or greater than 30%; and
- (c) ULLS Spare Capacity equal to or greater than 40% of the aggregate number of WLR SIOs in that ESA.

Subject to clauses 6.3, 6.5 and 6.6, once an ESA meets the requirements of an Exemption ESA, it will remain an Exemption ESA whether or not it subsequently meets the requirements of an Exemption ESA.

Exemption ESA List means the list of Exemption ESAs published on the Commission's website pursuant to clause 6.1 of this Order.

First Queued Access Seeker means, in respect of an Attachment A ESA, the Queued Access Seeker that lodged its PSR for an Exchange Building within the ESA first in respect of that ESA.

Joint Completion Inspection (JCI) means an inspection of an Exchange Building by representatives of Telstra and an access seeker conducted following the completion of construction works in that Exchange Building by the access seeker.

LCS means the Local Carriage Service declared by the Commission under section 152AL(3) of the Act pursuant to the LCS Declaration.



LCS Declaration means the declaration made by the Commission under section 152AL(3) of the Act in respect of the LCS with effect from 1 August 2006 and published in the *Commonwealth of Australia Gazette* No. GN 31 of 9 August 2006, as varied or extended.

LSS means the Line Sharing Service declared by the Commission under section 152AL(3) of the Act pursuant to the LSS Declaration.

LSS Declaration means the declaration made by the Commission under section 152AL(3) of the Act in respect of the LSS, the extension of which became effective on 29 October 2007 and was published in the *Commonwealth of Australia Gazette* No. S214 of 29 October 2007, as varied or extended.

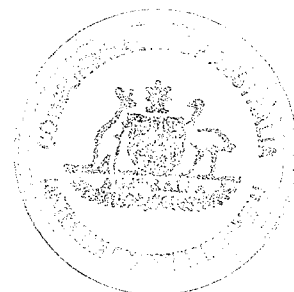
MDF means Main Distribution Frame.

Minimum Characteristics means the following characteristics of a Prescribed LSS to ULLS Migration Process:

- (a) any period in which an end-user is unable to receive a broadband service by means of the copper pair servicing the end-user's Standard Telephone Service by reason of that migration is no longer than three (3) hours or such other period determined by the Commission in an access arbitration; and
- (b) end-user involvement in the process (including without limitation the making of a telephone call or correspondence by the end-user to Telstra) is not required.

Potentially Capped Exchange means a Telstra Exchange Building which Telstra has determined may be unavailable for access by an access seeker for any reason including an Exchange Building listed in the TEBA Capped List as 'Potential'.

Practical Commencement Date means the first Reporting Date following the Commencement Date.

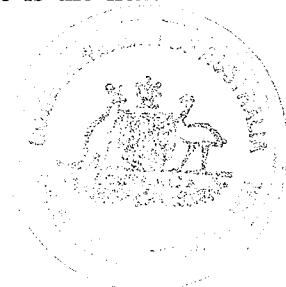


Preliminary Study Request (PSR) means a request by an access seeker to Telstra for access to an Exchange Building.

Prescribed LSS to ULLS Migration Process means one or other of the following:

- (a) a process established by Telstra for the migration by Telstra, at the request of an access seeker, of an end-user from the LSS to the ULLS in an Attachment A ESA, the terms of which are agreed with the access seeker; or
- (b) a process developed by Telstra for the migration by Telstra, at the request of an access seeker, of end-users from LSS to ULLS in Attachment A ESAs the terms of which are approved to the reasonable satisfaction of the Commission in accordance with the following procedure: Telstra must notify the Commission, if it develops a LSS to ULLS migration process, such notice to: (i) be in writing; (ii) be addressed to the Group General Manager, Communications Group (or such other person as notified by the Commission); (iii) include certification by an officer of Telstra that its LSS to ULLS migration process satisfies the Minimum Characteristics; (iv) detail each aspect of the LSS to ULLS migration process (including without limitation details of how the LSS to ULLS migration will be engineered, timeframes within which the LSS to ULLS migration will take place and details of any administrative processes to be undertaken in conjunction with the LSS to ULLS migration); (v) be in a form appropriate for publication by the Commission on its website; and (vi) not contain any confidential information; or
- (c) a process established by Telstra for the migration by Telstra, at the request of an access seeker, of an end-user from the LSS to the ULLS in an Attachment A ESA, the terms of which are determined by the Commission (subject to all rights of review and appeal being exhausted) in an access arbitration under Part XIC of the Act, provided that: (i) the reasonable legal costs of any access seeker who participates in the arbitration process are paid by Telstra; and (ii) the LSS to ULLS migration process satisfies the Minimum Characteristics.

Publishing Date means a date three months after the Ascertainment Date. Where the Publishing Date would otherwise fall on a Saturday, on a Sunday or on a day which is a national public holiday in Australia, the Publishing Date is the next Business day.



Queued Access Seeker means, in respect of an Attachment A ESA, an access seeker, including a First Queued Access Seeker, who before the Practical Commencement Date submitted a PSR in respect of an Exchange Building within the ESA that:

- (a) is under consideration by Telstra; or
- (b) has not been rejected by Telstra; or
- (c) has not been withdrawn by the access seeker; and
- (d) has not passed a JCI in relation to the PSR.

Reporting Date means the last day of each calendar quarter, i.e. 31 March, 30 June, 30 September, and 31 December.

SIO means service in operation.

Spare Ports means the ports actually installed on a DSLAM that are not in use but are capable of providing a service via the ULLS.

Standard Telephone Service has the meaning given by section 6 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999* (Cth).

TEBA Capped List means the document published by Telstra that lists each Exchange Building that Telstra regards as a Capped Exchange or a Potentially Capped Exchange.

Telstra means Telstra Corporation Limited (ACN 051 775 556).

ULLS means the Unconditioned Local Loop Service declared by the Commission under section 152AL(3) of the Act pursuant to the ULLS Declaration.



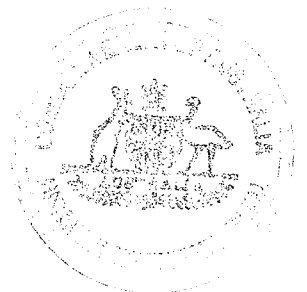
ULLS-based competitor means an access seeker using the ULLS in an Attachment A ESA to supply a service to an end-user in the ESA. For the avoidance of doubt, Telstra is not an access seeker.

ULLS Declaration means the declaration made by the Commission under section 152AL(3) of the Act in respect of the ULLS with effect from 1 August 2006 and published in the *Commonwealth of Australia Gazette* No. GN 31 of 9 August 2006, as varied or extended.

ULLS Spare Capacity means, in respect of an Attachment A ESA that has not been listed on an Exemption ESA List, a number equal to the aggregate DSLAM Capacity of ULLS-based competitors in each Attachment A ESA, as at the Ascertainment Date, determined in accordance with the following procedure:

- (a) if within 28 Business days after each Ascertainment Date, an ULLS-based competitor gives to the Commission a statutory declaration sworn by its proper officer which verifies the following information, as at the relevant Ascertainment Date, in the format specified in Attachment B to this Order, in respect of every Attachment A ESA that has not been listed on an Exemption ESA List and in which it has a DSLAM installed: (i) the number of DSLAMs installed in each such ESA; and (ii) its DSLAM Capacity for each such ESA, its DSLAM Capacity will be as stated in the statutory declaration; and
- (b) if an ULLS-based competitor does not give to the Commission a statutory declaration in accordance with, and within the time set out in, preceding clause (a), the ULLS-based competitor's DSLAM Capacity for each Attachment A ESA in which it has installed a DSLAM will be the Deemed Capacity.

WLR means the Line Rental Service (also known as Wholesale Line Rental) declared by the Commission under section 152AL(3) of the Act pursuant to the WLR Declaration.



WLR Declaration means the declaration made by the Commission under section 152AL(3) of the Act in respect of the WLR with effect from 1 August 2006 and published in the *Commonwealth of Australia Gazette* No. GN 31 of 9 August 2006, as varied or extended.

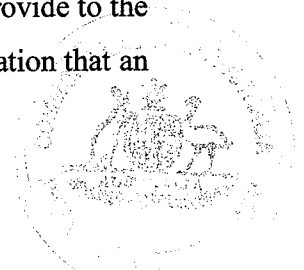
WLR SIOs in relation to an Attachment A ESA means the number of the ULLS-based competitors' WLR services in operation in that Attachment A ESA which must be reported by Telstra to the Commission, in the format specified in Attachment C and verified by a statutory declaration sworn by its proper officer, which attests to the accuracy and completeness of that information, within 28 Business days after each Ascertainment Date.

5. Exemption

Subject to the conditions and limitations specified in clause 6, Telstra is exempt from any standard access obligation in respect of the supply of the LCS within an Exemption ESA.

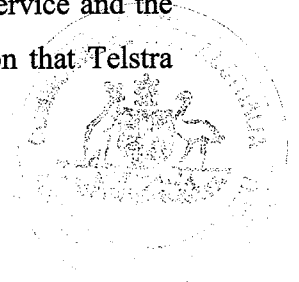
6. Conditions and Limitations

- 6.1 The Exemption does not have effect with respect to an ESA until the Commission:
 - (a) makes the necessary calculations to determine which ESAs are Exemption ESAs as at each Ascertainment Date; and
 - (b) publishes on its website a list of those Exemption ESAs by the following Publishing Date.
- 6.2 The Exemption does not have effect with respect to an ESA until 6 months after the Publishing Date by which the Commission is to publish the Exemption ESA List on which that ESA first appears.
- 6.3 The Exemption does not have effect with respect to the supply by Telstra of the LCS to a Queued Access Seeker in an Exemption ESA.
- 6.4 The Exemption is subject to the condition that Telstra is required to provide to the Commission within three Business days of Telstra making a determination that an



Exchange Building within an Attachment A ESA is a Capped Exchange or Potentially Capped Exchange, written notice of its determination which notice shall:

- (a) specify the Attachment A ESA, the Exchange Building and whether it has become a Capped Exchange or Potentially Capped Exchange and the date on which it became such an exchange;
 - (b) provide an explanation of why it made the determination;
 - (c) be in a form appropriate for publication by the Commission on its website; and
 - (d) not contain any confidential information.
- 6.5 The Exemption does not have effect within an Exemption ESA from the date on which an Exchange Building within the Exemption ESA first becomes a Capped Exchange, Potentially Capped Exchange or a Constructively Capped Exchange.
- 6.6 The Exemption does not have effect within an Exemption ESA from the date on which Telstra ceases to supply the ULLS in the ESA whether to itself or to another person. For the purposes of this limitation, Telstra is deemed to have ceased to supply the ULLS if it ceases to be an access provider of the ULLS in the ESA.
- 6.7 The Exemption does not have effect with respect to the supply by Telstra of the LCS to an access seeker under an agreement which is in force as at the Practical Commencement Date for so long as that agreement remains in force.
- 6.8 The Exemption does not have effect in relation to, and only to, the supply by Telstra of the LCS to an access seeker in respect of an end-user who, immediately prior to the Practical Commencement Date, was supplied with a Bundled Fixed Voice and Broadband Service by the access seeker using the LSS, the WLR service and the LCS supplied by Telstra until the date that a Prescribed LSS to ULLS Migration Process is established.
- 6.9 In so far as the Exemption has effect as a result of the application of clause 6.8 of this Order in relation to an end-user supplied with a Bundled Fixed Voice and Broadband Service by an access seeker using the LSS, the WLR service and the LCS supplied by Telstra, the Exemption is subject to the condition that Telstra

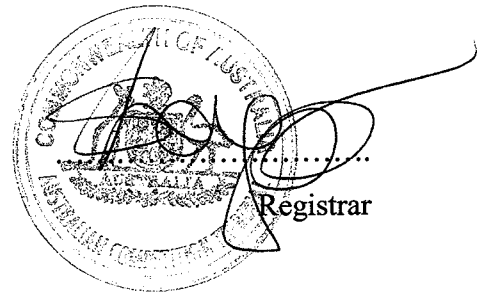


complies with the Prescribed LSS to ULLS Migration Process established for that access seeker.

7. Reporting Format

Where applicable, information that is provided to the Commission under this Order must be provided in the reporting format specified in Attachments B or C.

Dated: 24 August 2009



Registrar

Attachment A

ESA NAME	ESA CODE	STATE
Acacia Ridge	AARE	QLD
Avoca Beach	ABCH	NSW
Albany Creek	ABCK	QLD
Albion	ABON	QLD
Ascot	ACOT	QLD
Albury	ALBY	NSW
Alexandra Hills	ALXH	QLD
Aspley	APLY	QLD
Applecross	APPX	WA
Armadale	ARMD	WA
Ascot	ASCT	VIC
Ashfield	ASHF	NSW
Ashmore	ASHM	QLD
Ascot	ASOT	WA
Attadale	ATTA	WA
Avalon Beach	AVAL	NSW
Balaclava	BALC	VIC
Balgowlah	BALG	NSW
Balmain	BALM	NSW
Bankstown	BANK	NSW
Bateman	BATA	WA
Baulkham Hills	BAUL	NSW
Bayswater	BAYR	VIC
Burns	BBCH	WA
Bundaberg	BBEG	QLD
Beechboro	BCHS	WA
Broadmeadows	BDWS	VIC
Beenleigh	BEEL	QLD
Belgrave	BELG	VIC
Belmont	BELM	VIC
Belmont	BELT	NSW
Bendigo	BEND	VIC
Brighton	BGON	VIC
Brooklyn	BKLN	VIC
Blackwood	BKWD	SA
Blacktown	BLAC	NSW
Blakehurst	BLAK	NSW
Blackburn	BLBN	VIC
Belconnen	BLCN	ACT
Balcatta	BLCT	WA
Ballajura	BLJA	WA



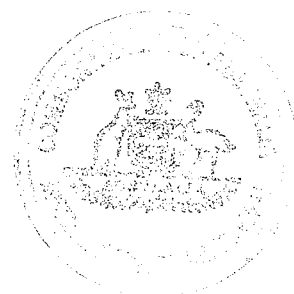
ESA NAME	ESA CODE	STATE
Boolaroo	BLRO	NSW
Bulimba	BMBA	QLD
Bundall	BNDL	QLD
Bondi	BOND	NSW
Botany	BOTA	NSW
Box Hill	BOXL	VIC
Ballarat	BRAT	VIC
Brighton	BRIH	SA
Brunswick	BRUK	VIC
Bassendean	BSDN	WA
Bathurst	BTST	TAS
Burwood	BURD	NSW
Burleigh Heads	BURL	QLD
Caboolture	CABO	QLD
Campsie	CAMP	NSW
Cannington	CANN	WA
Carlingford	CARL	NSW
Carramar	CARR	NSW
Castle Hill	CAST	NSW
Caulfield	CAUL	VIC
Coburg	CBRG	VIC
Campbelltown	CBTN	NSW
Coffs Harbour	CFSH	NSW
Chatswood	CHAT	NSW
Chermside	CHDE	QLD
Charlestown	CHLS	NSW
Chapel Hill	CHPL	QLD
Clayton	CLAY	VIC
Cleveland	CLVL	QLD
Coromandel Valley	CLVY	SA
Camberwell	CMLL	VIC
Canning Vale	CNVL	WA
Concord	CONC	NSW
Coogee	COOG	NSW
Corio	CORI	VIC
Capalaba	CPBA	QLD
Camp Hill	CPHL	QLD
Coorparoo	CPRO	QLD
Craigieburn	CRBN	VIC
Canterbury	CRBY	VIC
Crace	CRCF	ACT
Cardiff	CRDF	NSW
Cremorne	CREM	NSW
Currambine	CRMS	WA
Croydon	CROH	VIC



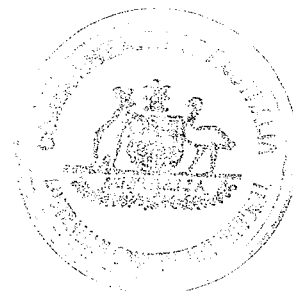
ESA NAME	ESA CODE	STATE
Cronulla	CRON	NSW
Cairns	CRSX	QLD
Croydon	CRYD	SA
Chelsea	CSEA	VIC
Cheltenham	CTAM	VIC
Cottesloe	CTOE	WA
Carlton	CTON	VIC
Civic	CVIC	ACT
Collingwood	CWOD	VIC
City Beach	CYTB	WA
Davey	DAEY	TAS
Dandenong	DAND	VIC
Dandenong North	DANN	VIC
Doubleview	DBLV	WA
Dee Why	DEEW	NSW
Deakin	DKIN	ACT
Doncaster East	DNCT	VIC
Doncaster	DONC	VIC
Darra	DRRA	QLD
Drummoyne	DRUM	NSW
Darwin	DRWN	NT
Dural	DURA	NSW
East	EAST	NSW
Edgecliff	EDGE	NSW
Edwardstown	EDWN	SA
Elsternwick	ELSK	VIC
Eltham	ELTM	VIC
Eight Mile Plains	EMPS	QLD
Endeavour Hills	ENDS	VIC
Engadine	ENGA	NSW
Everton Park	ENPK	QLD
Epping	EPPG	VIC
Epping	EPPI	NSW
Edensor Park	ERPK	NSW
Erskine Park	ESPK	NSW
Eastwood	EWOO	NSW
Elizabeth	EZBH	SA
Ferny Hills	FHLS	QLD
Five Dock	FIVE	NSW
Fremantle	FMTL	WA
Frenchs Forest	FREN	NSW
Forrestfield	FRFD	WA
Frankston	FRTN	VIC
Footscray	FSRY	VIC
Flemington	FTON	VIC



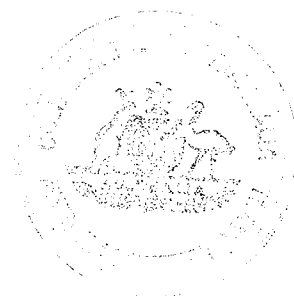
ESA NAME	ESA CODE	STATE
Greensborough	GBRH	VIC
Geelong	GEEM	VIC
Girrawheen	GIRR	WA
Glebe	GLEB	NSW
Glenelg	GLLG	SA
Golden Grove	GNGE	SA
Glenroy	GNNY	VIC
Gosnells	GOSN	WA
Gepps Cross	GPCS	SA
Granville	GRAN	NSW
Greenmount	GRMT	WA
Gosford	GSFD	NSW
Glenunga	GUGA	SA
Gulliver	GULL	QLD
Hamilton	HAMN	NSW
Hamersley	HAMS	WA
Harbord	HARB	NSW
Hawthorn	HAWN	VIC
Heidelberg	HDBG	VIC
Highett	HGTT	VIC
Hilton	HILN	WA
Henley Beach	HNLY	SA
Holsworthy	HOLS	NSW
Homebush	HOME	NSW
Hornsby	HORN	NSW
Hampstead	HPSD	SA
Hartwell	HTLL	VIC
Hunters Hill	HUHL	NSW
Hurstville	HURS	NSW
Inala	IALA	QLD
Ingleburn	INGL	NSW
Ipswich	IPSW	QLD
Joondalup	JDLP	WA
Jandakot	JKOT	WA
Jamboree Heights	JREE	QLD
Jandakot South	JTSX	WA
Karingal	KALG	VIC
Kambah	KBAH	ACT
Kewdale	KEDL	WA
Kellyville	KELL	NSW
Kelmscott	KELM	WA
Kensington	KENS	NSW
Kew	KEWE	VIC
Kangaroo Flat	KGRO	VIC
Killara	KILL	NSW



ESA NAME	ESA CODE	STATE
Kingsgrove	KING	NSW
Kallangur	KLGR	QLD
Kogarah	KOGA	NSW
Kingsley	KSLY	WA
Kooyong	KYNG	VIC
Lakemba	LAKE	NSW
Lane Cove	LANE	NSW
Lavington	LAVN	NSW
Lutwyche	LCHE	QLD
Landsdale	LDLE	WA
Lesmurdie	LESM	WA
Lidcombe	LIDC	NSW
Lindfield	LIND	NSW
Lismore	LISM	NSW
Liverpool	LIVE	NSW
Loganholme	LNHE	QLD
Lanyon	LNYN	ACT
Lonsdale	LSDE	SA
Lyndhurst	LYNH	VIC
Maddington	MADD	WA
Maitland	MAIT	NSW
Malvern	MALV	VIC
Manly	MANL	NSW
Maroubra	MARO	NSW
Mascot	MASC	NSW
Matrville	MATR	NSW
Mayfield	MAYF	NSW
Maylands	MAYM	WA
Mitchelton	MCHN	QLD
Modbury	MDBY	SA
Midland	MDLD	WA
Maida Vale	MDLE	WA
Medina	MDNA	WA
Menai	MENA	NSW
Mount Gravatt	MGAT	QLD
Mount Hawthorn	MHAW	WA
Mildura	MILD	VIC
Miller	MILL	NSW
Minto	MINT	NSW
Miranda	MIRA	NSW
Mitcham	MITM	VIC
Mackay	MKAY	QLD
Melba	MLBA	ACT
Morley	MLEY	WA
Moreland	MLND	VIC
Mordialloc	MLOC	VIC



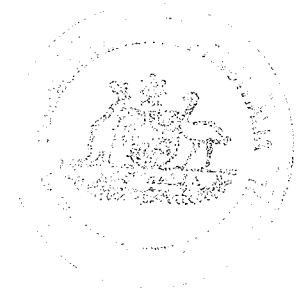
ESA NAME	ESA CODE	STATE
Mullaloo	MLOO	WA
Mindarie	MNDE	WA
Manuka	MNKA	ACT
Manning	MNNG	WA
Monash	MNSH	ACT
Moolap	MOLP	VIC
Mona Vale	MONA	NSW
Mosman	MOSM	NSW
Merrimac	MRAC	QLD
Mount Eliza	MTEA	VIC
Mawson	MWSN	ACT
Maroochydore	MYDE	QLD
North Adelaide	NALE	SA
Narre Warren	NAWN	VIC
Northbridge	NBRI	NSW
Northcote	NCOE	VIC
Nundah	NDAH	QLD
Nudgee	NDGE	QLD
Nedlands	NDLN	WA
Nerang	NERG	QLD
North Essendon	NESS	VIC
Newtown	NEWT	NSW
North Geelong	NGLG	VIC
New Lambton	NLTN	NSW
North Melbourne	NMEL	VIC
Newmarket	NMKT	QLD
Noosa Heads	NOOS	QLD
North Parramatta	NPAR	NSW
Newport	NPRT	VIC
Narangba	NRBA	QLD
Norwood	NRWD	SA
North Ryde	NRYP	NSW
North Sydney	NSYD	NSW
New Farm	NWFM	QLD
Oakleigh	OAKL	VIC
Orange	ORGF	NSW
Ormond	ORMD	VIC
Parramatta	PARR	NSW
Paddington	PDTN	QLD
Peakhurst	PEAK	NSW
Pendle Hill	PEND	NSW
Pennant Hills	PENN	NSW
Petersham	PETE	NSW
Petrie	PETR	QLD
Port Kembla	PKEM	NSW
Port Melbourne	PMEL	VIC



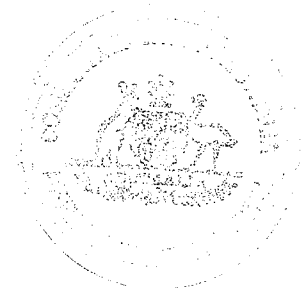
ESA NAME	ESA CODE	STATE
Palmyra	PMYA	WA
Penrith	PNTH	NSW
Paradise	PRDS	SA
Prospect	PROT	SA
Preston	PRTN	VIC
Port Adelaide	PTAD	SA
Pymble	PYMB	NSW
Quinns Rocks	QINS	WA
Quakers Hill	QUAK	NSW
Ramsgate	RAMS	NSW
Randwick	RAND	NSW
Robina	RBNA	QLD
Richmond	RCMD	VIC
Redcliffe	REDC	QLD
Redfern	REDF	NSW
Reynella	RELA	SA
Revesby	REVE	NSW
Riverton	RIVT	WA
Rockingham	RKHM	WA
Rockdale	ROCK	NSW
Rooty Hill	ROOT	NSW
Rose Bay	ROSE	NSW
Reservoir	RSVR	VIC
Rothwell	RTWL	QLD
Ringwood	RWOD	VIC
Rydalmere	RYDA	NSW
Ryde	RYDE	NSW
Salisbury	SALA	SA
St Albans	SALB	VIC
Scarborough	SCBH	WA
Scullin	SCLN	ACT
Scoresby	SCOY	VIC
Seaford	SEAF	VIC
Seaford	SEFD	SA
Sefton	SEFT	NSW
Semaphore	SEMC	SA
Seven Hills	SEVE	NSW
Shalvey	SHAL	NSW
Shepparton	SHPN	VIC
Silverwater	SILV	NSW
Slacks Creek	SLAC	QLD
South Melbourne	SMEL	VIC
South Morang	SMRN	VIC
Sandringham	SNDM	VIC
South Oakleigh	SOAK	VIC
Southport	SOPT	QLD



ESA NAME	ESA CODE	STATE
South Brisbane	SOTH	QLD
Springvale	SPLE	VIC
Strathpine	SPNE	QLD
Sebastopol	SPOL	VIC
Spearwood	SPRD	WA
South Perth	SPTH	WA
Saratoga	SRTA	NSW
Sherwood	SRWD	QLD
Salisbury	SSBY	QLD
South Strathfield	SSTR	NSW
Stirling	STIC	SA
St John	STJN	TAS
St Kilda	STKA	VIC
St Leonards	STLE	NSW
St Marys	STMA	NSW
St Marys	STMF	SA
St Peters	STPE	SA
Subiaco	SUBT	WA
Surfers Paradise	SURF	QLD
Sutherland	SUTH	NSW
Sunnybank	SYBK	QLD
South Yarra	SYRA	VIC
Tamworth	TAMH	NSW
Tingalpa	TGPA	QLD
The Gap	THGP	QLD
Thomastown	THTN	VIC
Tullamarine	TMNE	VIC
Thornbury	TNBY	VIC
Tarneit	TNIT	VIC
Townsville	TNSF	QLD
Toowoomba	TOBF	QLD
Toorak	TRAK	VIC
Toronto	TRTO	NSW
Tuart Hill	TUTT	WA
Toowong	TWOG	QLD
Tally Ho	TYHO	VIC
Undercliffe	UNDE	NSW
Unley	UNLY	SA
Vaucluse	VAUC	NSW
Victoria Park	VICP	WA
Valley	VLLY	QLD
Wacol	WACL	QLD
Wagga Wagga	WAGA	NSW
Wahroonga	WAHR	NSW
Wanneroo	WANO	WA
Waverley	WAVE	NSW



ESA NAME	ESA CODE	STATE
Woodville	WDVL	SA
Wendouree	WEND	VIC
Wellington Point	WEPN	QLD
West Adelaide	WESA	SA
Wetherill Park	WETH	NSW
Whyalla Jenkins	WHJS	SA
Wheelers Hill	WHLL	VIC
Willoughby	WILL	NSW
Windsor	WIRC	VIC
Wollongong	WLGG	NSW
Wembley	WMBY	WA
Woolloongabba	WOBB	QLD
Wolfe	WOLF	NSW
Woy Woy	WOYY	NSW
Warilla	WRLA	NSW
Wantirna	WRNA	VIC
Waterford	WTFD	QLD
Wynnum	WYNM	QLD
Yeronga	YRGA	QLD
Zillmere	ZMRE	QLD



Attachment B - Spare Capacity Reporting Information

1 Information provided by an ULLS-based competitor under paragraph (a) of the ULLS Spare Capacity definition in clause 4 of this Order must:

- (a) be current as at the relevant Ascertainment Date;
- (b) be provided to the Commission within 28 business days after the relevant Ascertainment Date;
- (c) be prepared and submitted in Microsoft Excel format using the template at Table 1: Spare Capacity Reporting Template;
- (d) be provided to the Commission on CD-ROM, either:

- (i) by post:

- to the attention of:
 - Group General Manager
 - Communications Group
 - ACCC
 - PO Box 520
 - Melbourne 3001 Victoria;

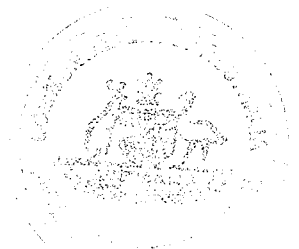
or

- (ii) by hand delivery:

- to the attention of:
 - Group General Manager
 - Communications Group
 - ACCC
 - 360 Elizabeth Street
 - Melbourne.

and be accompanied by the original of a statutory declaration, made under the *Statutory Declarations Act 1959* (Cth) and sworn by its proper officer, attesting to the accuracy and completeness of the information; and

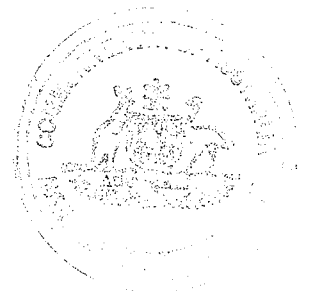
- (d) also be provided to the Commission electronically by email addressed to CommsExemptions@acc.gov.au.



- 2 The formats referred to in 1(b), (c)(i), (c)(ii) and (d) may be amended by the Group General Manager of the Communications Group from time to time. The Commission shall provide notice of any such amendment on its website.
- 3 Unless otherwise defined in the Order the column headings have the same meaning as in the CAN RKR.

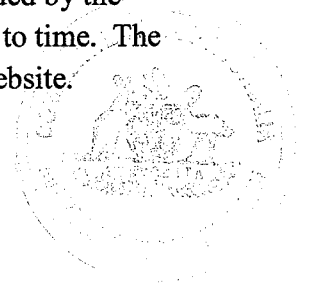
Table 1: Spare Capacity Reporting Template

ESA Code	Number of DSLAMs installed	DSLAM Capacity



Attachment C - Telstra Reporting Information

- 1 Information required to be provided by Telstra under this Order in order to calculate Aggregate Market Share or Deemed Capacity, must:
- (a) be current as at the relevant Ascertainment Date;
 - (b) be provided to the Commission within 28 business days after the relevant Ascertainment Date;
 - (c) be prepared and submitted in Microsoft Excel format using the template at Table 1: Telstra Reporting Template;
 - (d) be provided to the Commission on CD-ROM, either:
 - (i) by post:
 - to the attention of:
 - Group General Manager
 - Communications Group
 - ACCC
 - PO Box 520
 - Melbourne 3001 Victoria;
 - or
 - (ii) by hand delivery:
 - to the attention of:
 - Group General Manager
 - Communications Group
 - ACCC
 - 360 Elizabeth Street
 - Melbourne.
- and be accompanied by the original of a statutory declaration, made under the *Statutory Declarations Act 1959* (Cth) and sworn by its proper officer, attesting to the accuracy and completeness of the information; and
- (d) also be provided to the Commission electronically by email addressed to CommsExemptions@acc.gov.au.
- 2 The formats referred to in 1(b), (c)(i), (c)(ii) and (d) may be amended by the Group General Manager of the Communications Group from time to time. The Commission shall provide notice of any such amendment on its website.



- 3 Unless otherwise defined in the Order the column headings have the same meaning as in the CAN RKR.

Table 1: Telstra Reporting Template

ESA Code	WLR SIO

