

## Variation instrument

### COMPETITION AND CONSUMER ACT 2010

#### Variation of Interim Access Determination No. 1 of 2021 for Superfast Broadband Access Service made under section 152BCG of the *Competition and Consumer Act 2010* by the Australian Competition and Consumer Commission

#### 1. Title

This Determination may be cited as:

Interim Access (Variation) Determination No. 1 of 2021 (SBAS)

#### 2. Commencement

This Determination comes into effect on 1 January 2023

#### 3. Variation

Interim Access Determination No. 1 of 2021 (SBAS) is hereby varied as set out below:

Clause 3.2 is varied as follows:

Unless sooner revoked, this IAD expires the day immediately before the day on which a final access determination relating to the SBAS comes into force (as declared by the ACCC under section 152BCF(10) of the *Competition and Consumer Act 2010* (Cth) on 26 October 2022).

Schedule 1 - Interpretation and definitions is varied to add the following definitions:

**Demerged Telstra company** has the meaning given by section 581J of the *Telecommunications Act 1997*

**Telstra Provider** means a demerged Telstra Company that is required to comply with any or all of the standard access obligations as defined in the *Competition and Consumer Act 2010* in respect of the relevant declared service

The following definition in Schedule 1 - Interpretation and definitions is varied as follows:

**Structural Separation Undertaking** means:

(a) an undertaking given by Telstra Corporation Limited under subsection 577A(1) of the *Telecommunications Act 1997* (Cth) which came into force in accordance with section 577AB, and any amendment to that undertaking which comes into force in accordance with subsection 577B(6); and

(b) a migration plan approved by the ACCC under Subdivision B of Division 2 of Part 33 of the *Telecommunications Act 1997* (Cth) which, pursuant to subsection

577BE(5), formed part of the undertaking referred to in paragraph (a), and any amendment to that plan which is approved by the ACCC in accordance with section 577BF, and includes all binding schedules, annexures and attachments to such documents

Clause 2.2 of Schedule 2 – Price is amended as follows:

In the case of a Telstra Provider and the products specified in clause 4.3(a) the following charges apply for the duration of this IAD:

<b>Charge component</b>	<b>Interim price</b>
Port Zone 1 per month	\$13.01
Port Zone 2/3 per month	\$18.15
Aggregation per Mbps/month	\$29.27

DATED: 21<sup>st</sup> December 2022