

1 Introduction

The Australian Competition and Consumer Commission (**ACCC**) is seeking feedback on Telstra's proposed variations to the Migration Plan.

On 10 September 2018, Telstra submitted proposed variations to the Migration Plan to the ACCC incorporating:

- amendments to Telstra's obligations relating to HFC Services together with a number of other proposed changes to the Migration Plan relating to fire alarm and lift phone services and In-Train Order (**ITO**) arrangements, which Telstra has previously received regulatory forbearance from the ACCC
- changes to migration arrangements for Special Services and Special Services Inputs (i.e. business services) that delay the commencement of any disconnection activity until at least 29 January and provide an ITO process to users that have placed an NBN order.

As an active participant in telecommunications markets in Australia, Vocus Group Limited (**Vocus**) is directly affected by, and has an interest in, the proposed variations to the Migration Plan.

Vocus welcomes the opportunity to provide a response to Telstra's proposed variations.

2 Overview

The Migration Plan outlines how Telstra will progressively migrate voice and broadband services from its copper and HFC networks to the NBN fixed line network as it is rolled out across Australia.

Vocus' response concerns only the proposed variations discussed in Part 2 of Telstra's submission, being the amendments related to the migration arrangements for Special Services and Special Services Inputs (**Special Services**).

- Vocus supports the extension of the ITO process to Special Services users that have placed an NBN order.
- Vocus does not support Telstra's proposed variation that would have the effect of delaying the commencement of disconnection activity for Special Services until 29 January 2019. (That is a delay of 51 business days).

3 Extension of ITO process to Special Services

Vocus supports Telstra's proposed variation to the Migration Plan to enable the introduction of ITO arrangements for those Special Services at premises that are seeking to migrate to solutions on NBN Co's network.

The introduction of an ITO process would appropriately encourage businesses to migrate their legacy services to products on NBN Co's network. The process provides an important safeguard for businesses who have placed an NBN order before the disconnection date, as they will have 170 business days to migrate before the disconnection of their legacy service. The ACCC's approval of this variation would both promote service continuity and provide a valuable incentive for businesses to raise a migration order.

Vocus does not support this ITO process for Special Services applying on a network agnostic basis. The ITO arrangements should only apply where there is a valid order to migrate to the NBN.

Applying the ITO process on a network agnostic basis would allow Telstra to unfairly maintain their considerable market share rather than stimulating competition and consumer choice.

4 Delay of commencement of disconnection activity for Special Services

Telstra's Migration Plan must comply with the Migration Plan Principlesⁱ. Vocus submits that delaying the commencement of disconnection activity for Special Services is not consistent with the general principle of ensuring the efficient and timely disconnection of carriage services from the separating network. Timely disconnection of these high-value services from the separating network is critical for both the efficient rollout of the NBN, as well as promoting competition and choice for consumers.

The extension of the ITO process to Special Services appropriately addresses the risk of businesses being without a working service.

Vocus recognises that it is not simple to migrate these Special Services and is investing considerable effort into its own migration-related activities. However, Telstra has had considerable time and resources to prepare for this disconnection activity, including to ensure that any disruptive impact to businesses is appropriately minimised. Indeed, Telstra's own message to enterprise customers is that it's "well positioned" to help Australian businesses deal with the impact flowing from the rollout of the nbn networkⁱⁱ.

Vocus is ready to work with both existing and new customers to help them through the transition to the NBN.

Please direct any questions regarding this submission to:

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Vocus Communications
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ⁱ Telecommunications (Migration Plan Principles) Determination 2015, [Migration Plan Principles](#)

ⁱⁱ Special Services and rollout of the nbn network, Telstra, accessed 25 September 2018, <https://www.telstra.com.au/business-enterprise/solutions/network-services/special-services>