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Our ref: AA1000483  
Contact officer: Jaime Martin  
Contact phone: (03) 9290 1477

5 August 2020

***Sent by email***

Dear interested party

**NBN Co & Ors - COVID-19 application for authorisation AA1000483 —  
draft determination**

The Australian Competition and Consumer Commission (**ACCC**) has issued a draft determination in respect of the application for authorisation lodged by NBN Co and members of the Special Working Group on 30 March 2020.

For the reasons set out in its draft determination, the ACCC proposes to grant conditional authorisation until 31 January 2021. The proposed authorisation is conditional upon identical reporting obligations, as contained in the replacement interim authorisation of 23 July 2020.

A copy of the ACCC's draft determination is enclosed, and also available on the ACCC's [Authorisations Public Register](#).

**Next steps**

Once the ACCC issues a draft determination, the Applicants or any interested party may make a written submission and/or request that the ACCC convene a 'pre-decision conference'.

**Making a submission**

If you wish to make a submission in response to the ACCC's draft determination, please lodge your submission by **Friday, 21 August 2020**.

In particular, we invite submissions on the appropriate length of authorisation.

Submissions should be emailed to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au) with the subject "AA1000483 – NBN Co & Ors – submission".

If you prefer to make an oral submission, please contact myself or Jaime Martin via the details at the end of this letter.

The ACCC will consider any submissions it receives, including any oral submissions made at a pre-decision conference (should one be called - see below), and will then release a final determination in relation to this application.

Submissions will be placed on the ACCC's public register subject to any request for exclusion. Please see the ACCC's publication [Guidelines for excluding information from the public register](#).

### Optional pre-decision conference

In some cases the applicant or an interested party requests that the ACCC convene a pre-decision conference in relation to its draft determination. If a conference is called it will be open to the applicant and interested parties to attend and make oral submissions in relation to the draft determination. Conferences are conducted informally and while legal or professional advisers are able to attend they are not entitled to participate in the discussion.

If you wish the ACCC to hold a pre-decision conference in relation to the draft determination you must notify the ACCC in writing by **Wednesday, 19 August 2020** by email to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

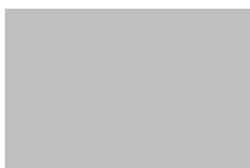
### Timetable

The ACCC will continue to progress its assessment of the application in a timely manner. An updated indicative timetable is set out below for your information.

<b>30 March 2020</b>	Lodgement of application, including request for interim authorisation
<b>31 March 2020</b>	Interim decision
<b>16 April 2020</b>	Public consultation process begins
<b>22 May 2020</b>	Closing date for submissions on the substantive application for authorisation from interested parties
<b>June 2020</b>	Applicant responds to issues raised in the public consultation process
<b>23 July 2020</b>	Replacement interim authorisation decision
<b>5 August 2020</b>	Draft determination
<b>August 2020</b>	Public consultation on draft determination
<b>September 2020</b>	Final determination

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please contact myself on (03) 9910 9493 or Jaime Martin (03) 9290 1477, or by email to [adjudication@acc.gov.au](mailto:adjudication@acc.gov.au).

Yours sincerely



Kai Fu  
Director  
Adjudication