



**Australian
Competition &
Consumer
Commission**

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28 May 2012

Ms Caroline Lovell
Principal, Regulatory Affairs
NBN Co Limited

By email: CarolineLovell@nbnco.com.au

Dear Ms Lovell

**NBN Co Limited Applications for authorisation A91290 – A91292
- draft determination**

The Australian Competition and Consumer Commission (the ACCC) has issued a draft determination in respect of the applications for authorisation lodged by NBN Co Limited on 23 January 2012.

Draft determination

A copy of the ACCC's draft determination is attached, including a summary of its reasons. For the reasons set out in its draft determination, the ACCC proposes to grant authorisation for 20 years. The ACCC's assessment is set out in Chapter 3 on pages 11 to 51.

Next steps

Once the ACCC issues a draft determination, the Applicants or any interested party may request that the ACCC convene a 'pre-decision conference'. A pre-decision conference provides the opportunity for interested parties to 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 **12 June 2012**.

Alternatively, you are invited to make a written submission in response to the ACCC's draft determination. Submissions should be lodged by **13 June 2012**.

The ACCC will consider any submissions it receives, including any oral submissions made should a pre-decision conference be called, and will then release a final determination in relation to these applications.

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.

23 January 2012	Lodgement of application and supporting submission.
28 May 2012	Draft determination.
May/June 2012	Public consultation on draft determination including any conference if called.
July 2012	Final determination.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter please do not hesitate to contact Susan Philp on 02 6243 1347.

Yours sincerely



Dr Richard Chadwick
General Manager
Adjudication Branch