

27th April 2022

Jaime Martin
Director A/g,
Competition Exemptions
Australian Consumer and Competition Commission

Via email: exemptions@accc.gov.au

Dear Ms Martin,

RE: Telstra Corporation Limited, Telstra Limited and NBN Co Limited application for authorisation AA1000607

ACCAN thanks the ACCC for the opportunity to contribute to its consultation on the application for authorisation from Telstra and NBN Co.

The Definitive Agreements work towards the Government's objective of structural reform in the telecommunications industry through a commercially viable open access, wholesale only National Broadband Network. The Amending Agreement ensures that the existing suite of long-term agreements between Telstra and NBN Co, initially set out in the Definitive Agreements, will continue to operate as intended in light of Telstra's restructure. The application for authorisation seeks to extend the Original Statutory Authorisation to include Telstra Corporation's related entities as a result of its restructure. Thus, authorisation will allow the relevant parties to engage in conduct which gives effect to the Amending Agreement without contravening the *Competition and Consumer Act 2010*.

Without the authorisation neither the Amending Agreement nor Telstra's Corporate Restructure will proceed, and the Definitive Agreements will remain in place. ACCAN does not oppose Telstra's Corporate Restructure. Furthermore, we do not consider there will be any public detriment resulting from extending the current rights and obligations to Telstra's related entities. Therefore, we do not oppose these parties engaging in conduct which gives effect to the Amending Agreement.

Should you wish to discuss this further, please do not hesitate to contact me.

Sincerely,

Megan Ward
Economic Adviser