

Our reference
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18 October 2022

By email: [REDACTED]
Mr Joseph Reicher
Assistant Director
Australian Competition & Consumer Commission

Partner
Jodi Gray [REDACTED]
Email: [REDACTED]

Dear Joseph

TPG response to information request dated 30 September 2022

- 1 We refer to your email and information request dated 30 September 2022.
- 2 We act for TPG Telecom Limited (**TPG**).
- 3 TPG's responses to the ACCC's questions are set in **Annexure A**.
- 4 TPG requests that the information marked confidential (in green text) in Annexure A to this letter be excluded from the ACCC's public register. [REDACTED]

[REDACTED]

Yours faithfully
Corrs Chambers Westgarth

[REDACTED]

Jodi Gray
Partner

Annexure A – Response to ACCC request for information (RFI)

1 Introduction

TPG's responses to the ACCC's questions in its RFI dated 30 September 2022 are set out below. At the outset, however, TPG wishes to clarify that the number of 4G and 5G¹ FWA customers that use sites located in the 17% Regional Coverage Zone is [REDACTED]

[REDACTED]. In that response, TPG stated that it had approximately [REDACTED] 4G FWA customers in the 17% Regional Coverage Zone.

TPG considers that this [REDACTED] figure is not an accurate representation of the current FWA customers that may be affected by the Proposed Transaction. This is because:

[REDACTED]

To provide an accurate view of the number of FWA customers that use sites within the 17% Regional Coverage Zone (which will form part of the MOCN), TPG ran a usage sample for the 30 days prior on 16 October 2022. This indicated that there are only approximately [REDACTED] FWA customers that use sites located in the 17% Regional Coverage Zone. The other [REDACTED] customers in fact used sites that were not located in that zone and, hence, will not be impacted by the Proposed Transaction.

¹ TPG notes that its 5G FWA customers that rely on sites in the 17% Regional Coverage Zone may be impacted under the Proposed Transaction. TPG's 5G FWA customers represent less than [REDACTED] of the revised figure. For completeness, 5G FWA customers were also included in the previous [REDACTED] figure.

2 Response to ACCC RFI

2.1 Provide confirmation as to whether TPG's 4G FWA customers in the 17% Regional Coverage Zone will be provided an upgrade to 5G FWA as it becomes available.

For the handful of current FWA customers () that will be provided with an FWA service using the MOCN, TPG will work with those customers to offer them the best available product to meet their needs once 5G FWA becomes available in the MOCN. This will ultimately be the customer's choice and it could be that the customer chooses a 5G FWA service or an nbn service.

3 Provide confirmation as to whether TPG's 4G FWA customers will have to wait 6 months for access to 5G FWA, given that TPG must wait 6 months for access to the 5G sites pursuant to the Proposed Transaction.

As noted in the Application, Telstra does not need to make 5G available to TPG at a particular site in the 17% Regional Coverage Zone until 6 months after the site is activated for 5G for Telstra Comparison Customers

TPG confirms that it is required to wait 6 months to access 5G FWA through those 5G sites. However, TPG notes that some sites may already be 5G enabled at the time the Proposed Transaction is implemented and TPG would be able to obtain immediate access to those sites if they have been 5G activated for at least 6 months prior to implementation. In addition, TPG will still be offering 5G FWA under the Proposed Transaction years ahead of when it would otherwise have been able to.

4 Provide confirmation as to whether TPG's 4G FWA customers will be able to remain on 4G FWA during the 6-month wait period so that no customer is left without a service.

TPG confirms that its 4G FWA customers will be able to remain on 4G FWA, such that no customer will be left without a service.