

Competition and Consumer Act 2010

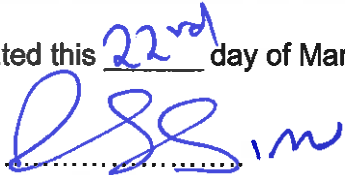
Notice of extension of decision making period for making an access determination under subsection 152BCK(3)

1. Pursuant to subsection 152BCK(3) of the Competition and Consumer Act 2010 (CCA), the Australian Competition and Consumer Commission (the Commission) extends the period for making a final access determination for the Local Bitstream Access Service (LBAS FAD) up until and including 28 July 2017.
2. The Commission has been unable to make the LBAS FAD within the decision making period as previously extended. This is because the Commission considers it appropriate to undertake a further targeted consultation on several modifications to the proposed pricing approach that is likely to be adopted in the final decision on the combined LBAS and Superfast Broadband Access Service (SBAS) FAD public inquiry.
3. On 29 July 2016 the Commission announced that it had declared a SBAS and commenced a public inquiry into making a final access determination for this service (SBAS FAD). The Commission also decided to combine the LBAS FAD inquiry with the SBAS FAD inquiry. On 9 January 2017, the Commission released a draft decision on the LBAS and SBAS FADs and has considered stakeholder submissions made in response.
4. The further extension of the inquiry will allow the Commission to undertake a further targeted consultation on both the LBAS FAD and the SBAS FAD, including through the release of an ACCC consultation paper, and consider material provided in response to that consultation. The Commission intends to make a final decision on the LBAS FAD and the SBAS FAD in the first half of 2017.

Note 1: The Commission commenced a public inquiry into making an access determination in relation to the LBAS on 7 April 2015.

Note 2: On 1 September 2016, the Commission extended the decision making period for making an LBAS access determination until 7 April 2017. To date, the Commission has made three full 6 month extensions to the LBAS FAD inquiry.

Dated this 22nd day of March 2017


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Rodney Graham Sims
Chairman
Australian Competition and Consumer Commission