



COMMERCE COMMISSION

**Draft Review of the Standard Terms Determination for the designated service
Telecom's unbundled copper local loop network backhaul (telephone exchange to
interconnection point)**

DECISION NO. 667

Draft review decision under section 30R of the Telecommunications Act 2001 (the 'Act') of
Decision 626

The Commission:

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Date of Review Decision:

18 March 2009

Background

1. The Commerce Commission (the ‘**Commission**’) is a body corporate established under the Commerce Act 1986 having its head office at Wellington. The Commission has various functions and powers under the Telecommunications Act 2001 (the ‘**Act**’).
2. On 27 June 2008, the Commission issued a standard terms determination (‘**STD**’) under section 30M of the Act in respect of the designated access service Telecom’s unbundled copper local loop network backhaul (telephone exchange to interconnect point) (‘**UCLL Backhaul**’), which is referred to as the “**UCLL Backhaul Service**”.¹
3. The conditions for the UCLL Backhaul Service require the Commission to identify the markets in which the UCLL Backhaul Service is supplied and to assess whether Telecom faces limited, or is likely to face lessened, competition in those markets (the competition assessment condition). For the purposes of the UCLL Backhaul STD, this involved the Commission assessing whether Telecom faced limited, or was likely to face lessened, competition in the markets for transmission capacity between Telecom’s local exchanges and access seeker’s nearest available points of interconnection. For the purposes of this assessment the Commission considered the wholesale markets for transmission capacity on each Primary Link² of the UCLL Backhaul Service and the wholesale markets for transmission capacity on each Secondary Link.³ Summaries of the UCLL Backhaul STD discussion on market definition and the application of the competition assessment are provided at paragraphs 9 to 15 below.
4. Under the UCLL Backhaul STD, the Commission indicated its intention to review the competition assessment used to determine which Primary and Secondary Links the regulated UCLL Backhaul Service would be available under the UCLL Backhaul STD. A summary of the UCLL Backhaul STD discussion on the matters that would be considered in the review is provided at paragraphs 18 below.

Commencement and scope of the review

5. On 28 October 2008 Commission staff requested information from industry regarding which Primary and Secondary Links industry considered should be assessed in both the first and subsequent section 30R reviews. The outcomes of this consultation process were announced on 19 December 2008.⁴

¹ Commerce Commission, *Standard Terms Determination for the designated service Telecom’s unbundled copper local loop network backhaul (telephone exchange to interconnect point)*, 27 June 2008 (‘**UCLL Backhaul STD**’).

² A Primary Link refers to that part of the UCLL Backhaul Service between Telecom’s local exchange in which the Access Seeker has co-located its equipment, and the Parent Point of Interconnection (“**POI**”) Site. A POI Site is a point in Telecom’s network at which the Access Seeker may interconnect for the purposes of the UCLL Backhaul Service.

³ A Secondary Link refers to that part of the UCLL Backhaul Service between the Parent POI Site and the Access Seeker’s Nearest Available Point of Interconnection (“**ASNAPOI**”) Handover Point. The ASNAPOI Handover Point means the Access Seeker’s side of the OFDF in the ASNAPOI.

⁴ Papers relating to the consultation over the scope of the Review are available at <http://www.comcom.govt.nz/IndustryRegulation/Telecommunications/StandardTermsDeterminations/UnbundleLocalLoopBackhaulService/DecisionsList.aspx#1044>.

6. On 15 January 2009, the Commission gave public notice of its decision to commence a review under section 30R of the UCLL Backhaul STD (**‘the Review’**).⁵ The scope of the Review, as notified, is confined to assessing on which parts of Telecom’s network that Telecom must supply the UCLL Backhaul Service in response to a request of an Access Seeker.

7. In particular, the notice stated that the Review would:

“review the application of condition (b) of the UCLL Backhaul Service in relation to:

- Primary and Secondary Links assessed in the UCLL Backhaul STD; and
- new Primary Links from the local exchanges that will be assessed for the first time as part of the review under section 30R.”

Jurisdiction

8. Under section 30R of the Act the Commission may review a STD at any time. Section 30R of the Act provides that:

- (1) The Commission may, on its own initiative, commence a review, at any time, of all or any of the terms specified in a standard terms determination.
- (2) The Commission may replace a standard terms determination or vary, add, or delete any of its terms, if it considers it necessary to do so after conducting a review.
- (3) In exercising the power conferred by subsection (2), the Commission may specify how and when a replacement standard terms determination, or a variation, addition, or deletion of terms specified in the determination, takes effect in relation to—
 - (a) the initial standard terms determination;
 - (b) any relevant residual terms determination.
- (4) The Commission may conduct a review in the manner, and within the time, that it thinks fit.
- (5) The Commission must—
 - (a) consult all parties to the determination on the review; and
 - (b) give public notice of the commencement of the review; and
 - (c) include in the public notice under paragraph (b) the closing date for submissions; and
 - (d) give public notice of the result of the review.

Summary of Decision 626

Market definition in Decision 626

9. In the UCLL Backhaul STD, the Commission applied the conditions set out in paragraph (b) of the UCLL Backhaul Service, which provides (**‘condition (b)’**):

- (b) either—

⁵ See press release announcing the commencement of the Review available at <http://www.comcom.govt.nz/MediaCentre/MediaReleases/200809/commercecommissioncommencesreviewo.aspx>.

- (i) Telecom faces limited, or is likely to face lessened, competition in a market for transmission capacity between Telecom's local telephone exchange (or equivalent facility) and the access seeker's nearest available point of interconnection; or
- (ii) Telecom does not face limited, or is not likely to face lessened, competition in a market for transmission capacity between Telecom's local telephone exchange (or equivalent facility) and the access seeker's nearest available point of interconnection, and the Commission has decided to require Telecom's unbundled copper local loop network backhaul (telephone exchange to interconnect point) to be wholesaled in that market.

10. The Commission considered a range of characteristics or dimensions in determining the market definition for the UCLL Backhaul Service, with a primary focus on the product and geographic dimensions of telecommunications services.⁶ The Commission concluded that:⁷

“For the purposes of this determination, the Commission considers that the markets that were defined in the draft are the markets in which the UCLL Backhaul Service is supplied:

- the wholesale markets for transmission capacity on each Primary Link of the UCLL Backhaul Service; and
- the wholesale markets for transmission capacity on each Secondary Link of the UCLL Backhaul Service.”

Application of competition assessment in Decision 626

11. Having determined the relevant markets, the Commission then applied the competition assessment required by condition (b) of the UCLL Backhaul Service to the wholesale markets for transmission capacity on each Primary Link of the UCLL Backhaul Service and the wholesale markets for transmission capacity on each Secondary Link of the UCLL Backhaul Service. In assessing the state of competition, the Commission considered the extent to which Telecom faced competitive constraints, either from existing competitors, potential entrants or countervailing power held by customers.

12. The Commission's conclusions were:

- a. based on an average build cost of \$150,000 per km, the Commission concluded that where a nearby fibre-based network with existing inter-city coverage is within 2 km of a Telecom exchange, that network is likely to exert a competitive constraint on Telecom and other backhaul providers that are directly connected to that exchange;
- b. for smaller networks with localised coverage, the Commission concluded that networks within a distance of 1 km from a Telecom local exchange network are likely to exert a competitive constraint on Telecom and other backhaul providers that are directly connected to that exchange;⁸
- c. the Commission concluded in general that Telecom did not face limited competition on Primary Links or Secondary Links where there is one other wholesale-only backhaul providers;

⁶ UCLL Backhaul STD, paras 73-113, pages 26-32.

⁷ UCLL Backhaul STD, para 114, pages 32-33.

⁸ The shorter distance used for localised networks is because the incremental revenues from being able to provide a UCLL backhaul service would likely be smaller, and hence the incremental investment that would be justified to reach the Telecom exchange in order to gain those revenues will be smaller.

- d. for Primary Links or Secondary Links where there is only Telecom or Telecom and one vertically-integrated competitor, the Commission concluded that Telecom faced limited competition. The Commission indicated, however, that it would review this conclusion, should evidence emerge that market outcomes on such routes are comparable to routes that are found not to be subject to limited competition; and
- e. the Commission concluded for those markets found to be markets in which Telecom did not face limited competition, Telecom was not likely to face lessened competition.
13. As a result of the above conclusions, the Commission determined that Telecom faced limited competition in the provision of transmission capacity on the 20 Primary Links of the UCLL Backhaul Service listed in Table One below⁹, out of the 57 Primary Links that the Commission has assessed in the competition assessment in the UCLL Backhaul STD. These 20 Primary Links are currently subject to the UCLL Backhaul Service. Appendix One contains a full list of the 57 Primary Links assessed in the UCLL Backhaul STD and the Commission's conclusions regarding the state of competition for each of these Primary Links.

Table 1: Primary Links are currently subject to the UCLL Backhaul Service

Local Exchange	Parent POI Site
Cambridge	Hamilton
Hastings	Napier
Havelock North	Napier
Hibiscus Coast	Torbay
Kaiapoi	Christchurch
Kamo	Whangarei
Kensington	Whangarei
Maungatapu	Tauranga
Memorial Ave	Riccarton
Mosgiel	Dunedin
Mount Maunganui	Tauranga
Mount Pleasant	Christchurch
Otumoetai	Tauranga
Papanui	Christchurch
Red Beach	Torbay
South Dunedin	Dunedin
St Albans	Christchurch
Taradale	Napier
Te Awamutu	Hamilton
Te Rapa	Hamilton

14. The Commission further determined that Telecom faced limited competition on the following Secondary Links¹⁰:

- a. Kerikeri-Whangarei;

⁹ See UCLL Backhaul STD, paras 182-185 and Table 2, pages 45-47, and UCLL Backhaul STD, Schedule 5 – UCLL Backhaul POI Site Related Information, Appendix B, page 3.

¹⁰ See UCLL Backhaul STD, paras 201-202 and Table 3, page 51, and UCLL Backhaul STD, Schedule 5 – UCLL Backhaul POI Site Related Information, Appendix B, pages 4-5.

- b. Whangarei-Glenfield;
- c. Whangarei-Torbay;
- d. Torbay-Glenfield;
- e. New Plymouth-Hamilton;
- f. New Plymouth-Palmerston North;
- g. New Plymouth-Porirua; and
- h. All South Island Secondary Links except Riccarton-Christchurch and Christchurch-Wellington.

15. These Secondary Links are currently subject to the UCLL Backhaul Service.

Intention to review competition assessment as indicated in Decision 626

16. The Commission also indicated in the UCLL Backhaul STD, that it intended to review the:¹¹

“... competition assessment for Primary and Secondary Links, to ensure that the regulated UCLL Backhaul Service is available only in areas where Telecom faces limited, or is likely to face lessened, competition.”

17. The timing of reviews of the competition assessment was signalled as being the following:¹²

“For the first year following the release of this STD, the Commission intends to review, under s30R of the Act, the competition assessment on a three monthly basis, acknowledging that these are emerging markets and that there are likely to be rapid changes to the state of competition in these markets. After the first year, the Commission intends to review the competition assessment on a six monthly basis, or more often at the Commission’s discretion or in response to a request from any party.”

18. The Commission indicated that the following information would be taken into account in reviews of the competition assessment:¹³

“Information that competition reviews will consider includes:

- which additional local exchanges have been unbundled;
- which additional local exchanges are planned to be unbundled within the next twelve months;
- where new competition has emerged on a link;
- whether changes in the nature of competition on a link have occurred eg evidence that vertically-integrated competitors are constraining Telecom in terms of pricing;
- any announcements of planned competition on a link; and
- whether any previously announced competition has eventuated.”

¹¹ UCLL Backhaul STD, para 203, page 51. Matters that the Commission intended to take into account in reviews of the competition assessment, and information that the reviews would consider, were also discussed in the UBA Backhaul STD, paras 204-208, pages 51-52.

¹² UCLL Backhaul STD, para 204, pages 51-52.

¹³ UCLL Backhaul STD, para 206, page 52.

19. This is the first review under section 30R of the application of the competition assessment in the UCLL Backhaul STD. While the Commission intended that reviews should occur on a three monthly basis, during the first year after the release of the UCLL Backhaul STD, this review has been delayed by consultation on the scope of the Review, as discussed in paragraphs 5 and 6 above.

Decision

Framework for Decision

20. The Commission's preliminary view is that the Review, and subsequent reviews under section 30R of the application of the competition assessment in the UCLL Backhaul STD, will generally follow the approach set out in the UCLL Backhaul STD and will generally be informed by the conclusions reached in the UCLL Backhaul STD, as summarised in paragraphs 12 to 14 above. The Commission's preliminary view is that is that the outcome of the section 30R review is likely to be confined to amendments to the:
- a. table of Primary Links in Appendix B of Schedule 5 to the UCLL Backhaul Terms; and
 - b. diagrams of Secondary Links in Appendix B of Schedule 5 to the UCLL Backhaul Terms.
21. The scope of the Review, as discussed in paragraph 7 above, includes reviewing the application of the competition assessment to all Links assessed in the UCLL Backhaul STD and new Primary Links from the local exchanges that will be assessed for the first time as part of the Review. These new Primary Links include all Primary Links associated with all unbundled or forecast to be unbundled exchanges, based on information provided by Chorus to the Commission under clause 8 of the UCLL Backhaul Service Description¹⁴, as well as a number of additional Primary Links selected by the Commission to preserve the confidential and commercially sensitive nature of information about future forecasted UCLL deployment. The Commission does not intend to reveal the status of these exchanges (ie unbundled, forecast to be unbundled or additional Primary Links selected by the Commission) during any part of the Review, due to the confidential and commercially sensitive nature of information about future forecasted UCLL deployment.
22. In order to inform the Review, Commission staff sought information from providers of commercial backhaul services and purchasers of commercial backhaul services, in relation to all Links to be assessed under the Review. Interested parties were also invited to provide any additional information that they considered relevant to the scope of the Review.¹⁵
23. Information was received from Chorus, Telecom (Wholesale), Vodafone, TelstraClear, FXNetworks, CityLink, Smartlinx3, Vector Communications, CountiesPower, Velocity Networks, Network Tasman and Christchurch City Networks. This information has informed the Commission's preliminary views in paragraphs 28, 29 and 31 below.

¹⁴ UCLL Backhaul STD, Schedule 1 - UCLL Backhaul Service Description, pages 6-7.

¹⁵ Papers relating to the information sought to inform the Review are available at <http://www.comcom.govt.nz/IndustryRegulation/Telecommunications/StandardTermsDeterminations/UnbundleLocalLoopBackhaulService/DecisionsList.aspx#1044>.

Threshold for whether smaller networks with localised coverage exert competitive constraints

24. In the STD, the Commission considered the extent to which competing fibre networks that are close to but not actually connected to the Telecom exchange could constrain Telecom's supply of the UCLL Backhaul Service from that exchange. The Commission took into account the likely incremental revenues that the competitor could earn from extending to the exchange (and supplying backhaul from that exchange), and the cost of incrementally extending an existing network. The Commission noted that the build costs vary significantly, and that such expansions will be undertaken on a case-by-case basis. For the purposes of the STD, the Commission used an average build cost of \$150,000 per km, and determined that competing localised networks that were within 1km of the Telecom exchange would be regarded as a 'near entrant'.
25. As a result of the information received to inform the Review, and in particular the significant variation in build costs, the Commission considers that some flexibility is required when assessing the likely competitive constraint of an alternative network that is close, but not connected to a Telecom exchange. This is because a 1 km network extension may not represent a significant incremental investment in some areas (where the build cost per km is relatively low), whereas it might be significant in other areas. Where the Commission has received actual build costs from alternative networks, the Commission has taken that information into account when assessing the competitive constraint exerted by that network on Telecom and other backhaul providers that are directly connected to that exchange.
26. The Commission has also had regard to whether an alternative fibre network operator that is within proximity of a Telecom exchange has expressed an intention to connect to, and hence supply backhaul services from, the exchange. An alternative network operator may be located close to an exchange, and yet may have no intention to enter the exchange and supply backhaul services, if for example it is instead focusing on other business opportunities and/or is constrained in terms of accessing funding. Such capital constraints may be particularly relevant given the current financial climate, and may not be adequately reflected in estimated build costs that need to be amortised over time.
27. The Commission has therefore placed some weight on the intentions of alternative networks in respect of connecting to a Telecom exchange to supply backhaul services from that exchange.
28. The Commission's preliminary view is that the competitive constraint posed by 'near entrant' networks should be considered on a local exchange by local exchange basis, based upon information about the proximity, the likely costs, and the intentions of the smaller networks to connect to specific local exchanges, in order to determine if the smaller network is likely to exert a competitive constraint.

Primary Links proposed to be available under the UCLL Backhaul Service

29. In the Review the Commission has applied the Framework above to 98 Primary Links.¹⁶ As a result, the Commissions' preliminary view is that:

¹⁶ The Commission initially sought information in relation to 100 Primary Links, however, understands that two Primary Links included in the information request (St Heliers Bay – Remuera and Otua – Papakura) relate to

- a. The following Primary Links, which have been assessed for the first time under the Review, are subject to limited competition and should be added to the list of Primary Links that are available under the UCLL Backhaul STD:¹⁷

Local Exchange	Parent POI	Local Exchange	Parent POI
Ashburton	Christchurch	Queenstown	Cromwell
Blenheim	Wellington	Tawa	Porirua
Brymer	Hamilton	Upper Moutere	Nelson
Bunnythorpe	Palmerston North	Waiatarua	Henderson
Eastbourne	Naenae	Waiiau Pa	Papakura
Fendalton	Riccarton	Waikanae	Porirua
Flagstaff	Hamilton	Waiuku	Papakura
Greenhithe	Torbay	Wanganui	Palmerston North
Khandallah	Wellington	Warkworth	Torbay
Lincoln	Riccarton	Whakatane	Tauranga
Marewa	Napier	Whatawhata	Hamilton
Matakana	Torbay	Whenuapai	Henderson
New Brighton	Christchurch	Whitford	Howick
Oamaru	Timaru	Woodend	Riccarton

- b. The following Primary Links, which have been assessed for the first time under the Review, are competitive and should not be available under the UCLL Backhaul STD:

Local Exchange	Parent POI	Local Exchange	Parent POI
Airedale Street	Auckland Central	Mayoral Drive	Auckland Central
Avonhead	Riccarton	Otahuhu	Papatoetoe
Hataitai	Wellington	Pukekohe	Papakura
Island Bay	Wellington	Tamaki	Remuera
Kelburn	Wellington	Tuakau	Papakura
Linwood	Christchurch	Wellington South	Wellington
Lower Hutt	Naenae		

- c. The following Primary Links, which were previously assessed under the UCLL Backhaul STD as being competitive, have now been assessed as being subject to

fibre cables to distribution cabinets, rather than Local Exchanges, and therefore can not be included in the UCLL Backhaul Service.

¹⁷ One of these Primary Links (Johnsonville-Wellington) was assessed under the UCLL Backhaul STD as being competitive, however, in light of information received during the Review, the Commission no longer considers that this Primary Link is competitive and this Primary Link has therefore been added to the list of Primary Links that are available under the UCLL Backhaul STD.

limited competition and should be added to the list of Primary Links that are available under the UCLL Backhaul STD:

Local Exchange	Parent POI
Johnsonville	Wellington
Melville	Hamilton
Petone	Naenae
Te Atatu	Henderson

- d. The following Primary Links, which were previously assessed under the UCLL Backhaul STD, are now competitive and should be removed from the list of Primary Links that are available under the UCLL Backhaul STD:

Local Exchange	Parent POI
Memorial Ave	Riccarton
Papanui	Christchurch
St Albans	Christchurch

- e. For the above Primary Links, where the Commission preliminary view is that the Primary Link is subject to limited competition, Telecom is unlikely to face lessened competition.

30. A complete list of the Primary Links assessed under the Review, and the Commission's preliminary views on their status, is attached as Schedule 2.

Secondary Links proposed to be available under the UCLL Backhaul Service

31. In the Review the Commission has applied the Framework above to all Secondary Links. As a result, the Commission's preliminary view is that the Torbay-Glenfield Secondary Links is now competitive and should be removed from the list of Secondary Links that are available under the UCLL Backhaul STD. The Commission's preliminary view is that no other changes have occurred to the state of competition in relation to Secondary Links.

32. Figures One and Two in Schedule 3 illustrate all Secondary Links, and the Commission's preliminary views on their status, as assessed under the Review.

Consultation questions:

33. Submissions on the Commission's draft review determination are sought from interested parties. The closing date for these submissions is 5pm on Friday 3 April 2009.
34. The Commission will then consider whether any further consultation processes are required, in light of submissions. At this time, the Commission intends to proceed directly to a final determination, unless any substantive issues arise in submissions, which it intends to release in mid April 2009.

35. The Commission invites submissions commenting on the approach the Commission has taken in reviewing the Primary and Secondary Links available under the UCLL

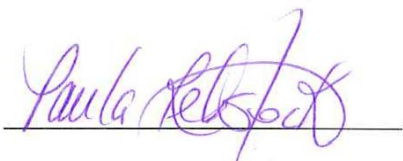
Backhaul STD. In particular, the Commission invites submissions on the Commission's preliminary views that the changes to the Primary Links in paragraph 29 and the change to the Secondary Links in paragraph 31 are appropriate as a result of the Review.

36. The above consultation question is not intended to limit the matters on which parties may make submissions. Parties may make submissions on any matters that they consider relevant to this draft review determination.

Confidentiality

37. The Commission has not released a confidentiality order under section 100 of the Commerce Act 1986 and section 15(i) of the Telecommunications Act 2001 for this review. Confidential information was received from interested parties in response to the Commission's request for information, discussed at paragraphs 22 and 23. The Commission did not consider that the underlying data required disclosure under a confidentiality order or in this draft review determination for the purposes of consulting fairly and reasonably on the Review. The Commission will reconsider whether a confidentiality order is necessary for the purposes of the Review in light of submissions received on this draft review determination.
38. Where parties wish to include confidential information in written submissions on the draft review determination, the material should be clearly marked as confidential, and preferably included in an appendix to the submission or enclosed in square brackets [] without any labels identifying the information as Commission Only Information (COI) or Restricted Information (RI), given that a confidentiality order is not in place. In addition to the confidential copy, submitters should provide the Commission with a public copy of such submissions, which is clearly marked as public, with the confidential material deleted or amended appropriately showing square brackets so it is suitable for release in both electronic and hard copy form.
39. It would also assist the Commission in processing any requests under the Official Information Act 1982 if the reasons for your request for confidentiality are clearly set out.

DATED at Wellington this 18th day of March 2009



Paula Rebstock
Chair
Commerce Commission

Schedule 1 - List of Primary Links considered under the UCLL Backhaul STD and Commission view on competition¹⁸

Local Exchange	Parent POI	Commission view on Competition
Albany	Torbay	not limited
Avondale	Mount Albert	not limited
Birkdale	Glenfield	not limited
Birkenhead	Glenfield	not limited
Blockhouse Bay	Mount Albert	not limited
Browns Bay	Torbay	not limited
Cambridge	Hamilton	limited
Claudelands	Hamilton	not limited
Courtenay Place	Wellington	not limited
Devonport	Glenfield	not limited
East Tamaki	Papatoetoe	not limited
Ellerslie	Remuera	not limited
Forrest Hill	Torbay	not limited
Frankton	Hamilton	not limited
Glendowie	Remuera	not limited
Glen Eden	Henderson	not limited
Hamilton East	Hamilton	not limited
Hastings	Napier	limited
Havelock North	Napier	limited
Hibiscus Coast	Torbay	limited
Johnsonville	Wellington	not limited
Kaiapoi	Christchurch	limited
Kamo	Whangarei	limited
Kensington	Whangarei	limited
Mangere	Papatoetoe	not limited
Manukau City	Papatoetoe	not limited
Manurewa	Papakura	not limited
Massey	Henderson	not limited
Maungatapu	Tauranga	limited
Melville	Hamilton	not limited
Memorial Ave	Riccarton	limited
Mosgiel	Dunedin	limited
Mount Eden	Auckland Central	not limited
Mount Maunganui	Tauranga	limited
Mount Pleasant	Christchurch	limited
Mount Roskill	Mount Albert	not limited
New Lynn	Mount Albert	not limited
Onehunga	Papatoetoe	not limited
Otara	Papatoetoe	not limited
Otumoetai	Tauranga	limited
Pakuranga	Howick	not limited
Papanui	Christchurch	limited

¹⁸ UCLL Backhaul STD, Appendix C, page 103. As discussed in paragraph 12.e) above, the Commission concluded for those markets found to be markets in which Telecom did not face limited competition, Telecom was not likely to face lessened competition.

Local Exchange	Parent POI	Commission view on Competition
Petone	Naenae	not limited
Ponsonby	Auckland Central	not limited
Red Beach	Torbay	limited
Richmond	Nelson	not limited
South Dunedin	Dunedin	limited
St Albans	Christchurch	limited
St Heliers	Remuera	not limited
Stoke	Nelson	not limited
Takapuna	Glenfield	not limited
Taradale	Napier	limited
Te Atatu	Henderson	not limited
Te Awamutu	Hamilton	limited
Te Rapa	Hamilton	limited
Three Kings	Mount Albert	not limited
Titirangi	Henderson	not limited

Schedule 2 - List of Primary Links assessed under the Review and the Commission's preliminary views on competition

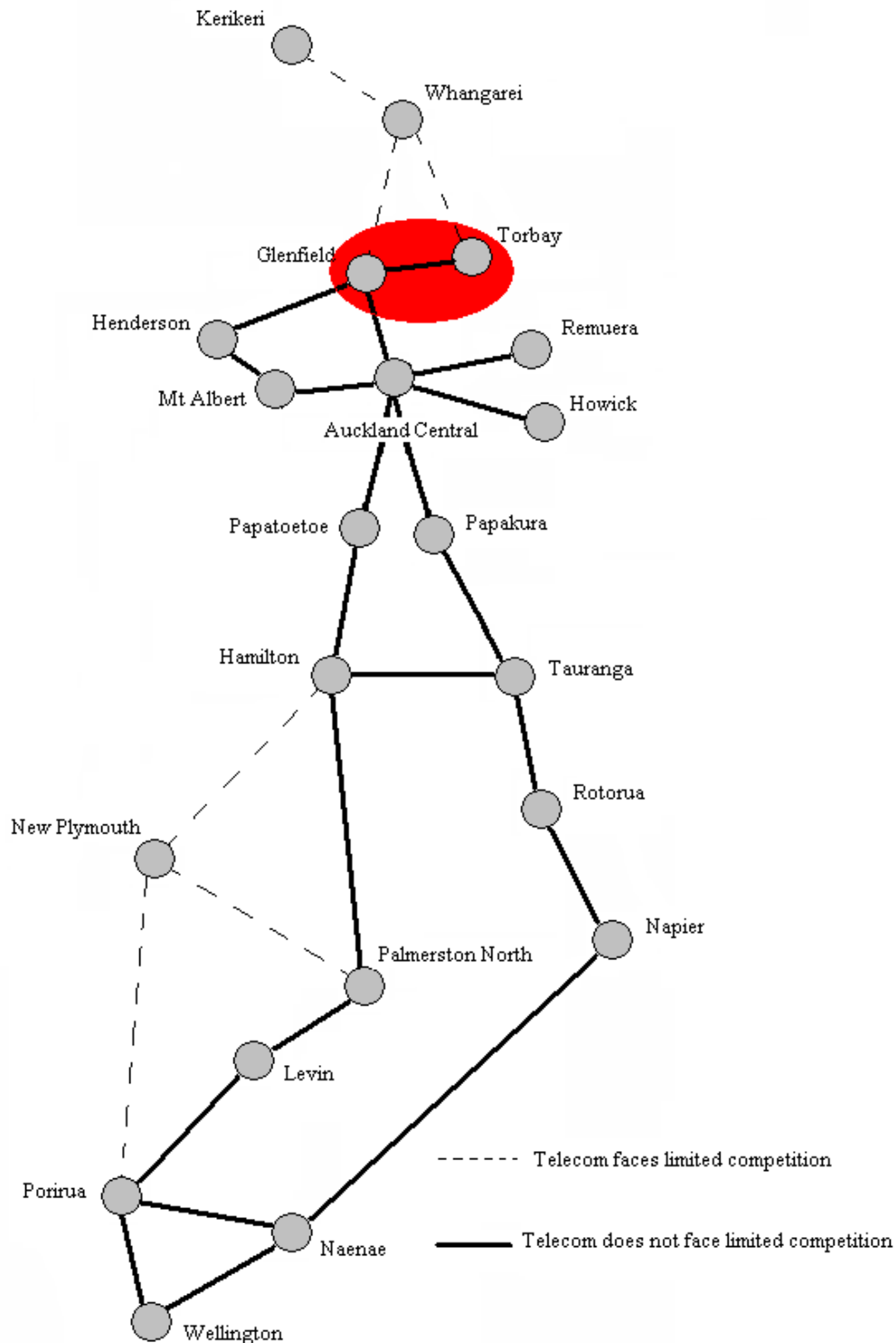
Local Exchange	Parent POI	Assessment of competition status
Airedale Street	Auckland Central	not limited
Albany	Torbay	not limited
Ashburton	Christchurch	limited
Avondale	Mt Albert	not limited
Avonhead	Riccarton	not limited
Birkdale	Glenfield	not limited
Birkenhead	Glenfield	not limited
Blenheim	Wellington	limited
Blockhouse Bay	Mt Albert	not limited
Browns Bay	Torbay	not limited
Brymer	Hamilton	limited
Bunnythorpe	Palmerston North	limited
Cambridge	Hamilton	limited
Claudelands	Hamilton	not limited
Courtenay Place	Wellington	not limited
Devonport	Glenfield	not limited
East Tamaki	Papatoetoe	not limited
Eastbourne	Naenae	limited
Ellerslie	Remuera	not limited
Fendalton	Riccarton	limited
Flagstaff	Hamilton	limited
Forrest Hill	Torbay	not limited
Frankton	Hamilton	not limited
Glen Eden	Henderson	not limited
Glendowie	Remuera	not limited
Greenhithe	Torbay	limited
Hamilton East	Hamilton	not limited
Hastings	Napier	limited
Hataitai	Wellington	not limited
Havelock North	Napier	limited
Hibiscus Coast	Torbay	limited
Island Bay	Wellington	not limited

Local Exchange	Parent POI	Assessment of competition status
Johnsonville	Wellington	limited
Kaiapoi	Christchurch	limited
Kamo	Whangarei	limited
Kelburn	Wellington	not limited
Kensington	Whangarei	limited
Khandallah	Wellington	limited
Lincoln	Riccarton	limited
Linwood	Christchurch	not limited
Lower Hutt	Naenae	not limited
Mangere	Papatoetoe	not limited
Manukau City	Papatoetoe	not limited
Manurewa	Papakura	not limited
Marewa	Napier	limited
Massey	Henderson	not limited
Matakana	Torbay	limited
Maungatapu	Tauranga	limited
Mayoral Drive	Auckland Central	not limited
Melville	Hamilton	not limited
Memorial Ave	Riccarton	not limited
Mosgiel	Dunedin	limited
Mount Eden	Airedale Street	not limited
Mount Manganui	Tauranga	limited
Mount Pleasant	Christchurch	limited
Mount Roskill	Mt Albert	not limited
New Brighton	Christchurch	limited
New Lynn	Mt Albert	not limited
Oamaru	Timaru	limited
Onehunga	Papatoetoe	not limited
Otahuhu	Papatoetoe	not limited
Otara	Papatoetoe	not limited
Otumoetai	Tauranga	limited
Pakuranga	Howick	not limited
Papanui	Christchurch	not limited
Petone	Naenae	limited

Local Exchange	Parent POI	Assessment of competition status
Ponsonby	Airedale Street	not limited
Pukekohe	Papakura	not limited
Queenstown	Cromwell	limited
Red Beach	Torbay	limited
Richmond	Nelson	not limited
South Dunedin	Dunedin	limited
St Albans	Christchurch	not limited
St Heliers	Remuera	not limited
Stoke	Nelson	not limited
Takapuna	Glenfield	not limited
Tamaki	Remuera	not limited
Taradale	Napier	limited
Tawa	Porirua	limited
Te Atatu	Henderson	limited
Te Awamutu	Hamilton	limited
Te Rapa	Hamilton	limited
Three Kings	Mt Albert	not limited
Titirangi	Henderson	not limited
Tuakau	Papakura	not limited
Upper Moutere	Nelson	limited
Waiatarua	Henderson	limited
Waiau Pa	Papakura	limited
Waikanae	Porirua	limited
Waiuku	Papakura	limited
Wanganui	Palmerston North	limited
Warkworth	Torbay	limited
Wellington South	Wellington	not limited
Whakatane	Tauranga	limited
Whatawhata	Hamilton	limited
Whenuapai	Henderson	limited
Whitford	Howick	limited
Woodend	Riccarton	limited

Schedule 3 – Diagrams showing Secondary Links that will be available under the UCLL Backhaul STD based on the Commission’s preliminary views on competition in this draft Review determination

North Island – note the Commission preliminary view is that for one additional Secondary Link (Torbay – Glenfield) there is now not limited competition and hence the UCLL Backhaul Services would no longer be available. This Secondary Link is shown by the red highlighting.



South Island – note the Commission’s preliminary view is that there has been no change to the Secondary Links that should be available under the UCLL Backhaul STD as a result of this review.

