



COMMERCE COMMISSION

Please refer to:

4.3/J7818  
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25 September 2006

Tom Chignell  
GM – Commercial Development  
Vodafone New Zealand Limited  
Private Bag 92161  
Auckland

Dear Tom

**Econet Complaint re Vodafone's Submission at the Review of Regulated Services Conference**

1. Thank you for your letter of 4 September responding to the complaints made by Econet that Vodafone had misled the Commission on the levels of co-location undertaken in New Zealand.
2. In carrying out its regulatory functions under the Telecommunications Act the Commission relies to a large extent on the information being provided by industry participants such as Vodafone. Accordingly, the Commission expects information to be carefully evaluated by parties before being used to support a submission.
3. The Commission did not place weight on the co-location information in question for the purposes of making its recommendations to the Minister in the context of the review of regulated services. In this instance, the Commission considered that the other information before it was sufficient to make a recommendation that regulation of the co-location service be extended for a further two year period.
4. Your letter suggests that Vodafone now considers that it has been able to co-locate 76% of its 3G sites on its 2G sites.
5. Please clarify whether Vodafone still contends that the difficulties with co-location tend to be compliance related given that Vodafone only fell 4% short of the target. Please provide Vodafone's response to this by Monday 2 October 2006.

Yours sincerely

Osmond Borthwick  
Manager  
Network Access