

29 June 2009



Shane Kinley
Senior Analyst – Telecommunications Branch
Commerce Commission

By email:
shane.kinley@comcom.govt.nz

Dear Shane

MTAS – Confidentiality of the Vodafone/2degrees (NZ Communications) Interconnection Agreement

I refer to Bill McCabe's email to you of 8 October 2008 attaching the above Interconnection Agreement (**Agreement**), and your email to Bill of today.

Pursuant to clause 3 of the Order dated 6 November 2008 made by the Commission under section 100 of the Commerce Act 1986 (**Order**), we request additional protection for the Agreement over and above the protection given to Restricted Information, including that the Agreement not be disclosed to anyone outside the Commission without both Vodafone's and our prior written consent.

I certify pursuant to clause 9 of the Order, as 2degrees' Nominated Counsel, that in respect of the Agreement, I consider that:

1. protection of the Agreement as Relevant Information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information, namely Vodafone or 2degrees, and
2. the additional protection of the nature, extent and duration described above is necessary in order to avoid likely unreasonable prejudice to the commercial position of the person who supplied or who is the subject of the information, namely Vodafone or 2degrees.

Confidentiality is requested under section 100 of the Commerce Act 1986 via section 15(i) of the Act and under section 9(2)(b) of the Official Information Act 1982. 2degrees requests that it be notified of any request made to the Commission under the Official Information Act 1982 for release of the Agreement or any part of it, and that the Commission seeks 2degrees' views as to whether the information sought remains confidential and commercially sensitive, at the time such a request is being considered.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tim Matthews', written over a white background.

Tim Matthews
General Counsel
Two Degrees Mobile Limited