
**Undertaking in favour of the
Commerce Commission under
Schedule 3A of the
Telecommunications Act 2001**

Telecom New Zealand Limited (Telecom)

Commerce Commission (Commission)

Date: 12 January 2009

Date:

PARTIES

Telecom New Zealand Limited (*Telecom*)

in favour of:

Commerce Commission being a Crown entity established by section 8 of the Commerce Act 1986 (the *Commission*)

BACKGROUND

- A The Commission has decided to commence an investigation under Schedule 3 of the Telecommunications Act 2001 (the *Act*) into whether certain mobile termination access services should become designated or specified services under Schedule 1 of the Act.
- B Telecom gives this undertaking pursuant to Schedule 3A of the Act.

BY THIS UNDERTAKING Telecom declares as follows:

1 Interpretation

Unless the context indicates otherwise, the following terms have the following meaning in this undertaking:

- 1.1 *Access Seeker* means the service provider who provides a properly completed and executed Deed of Acceptance in the form set out in Appendix B of Annexure 1;
- 1.2 *Annexure 1* means Annexure 1 (comprising the Mobile Termination Terms) of this undertaking;
- 1.3 *undertaking* means this undertaking given pursuant to Schedule 3A of the Act, and includes Annexure 1, which shall be read as and form part of this undertaking.

2 Period this undertaking is in effect

This undertaking takes legal effect immediately after it is registered by the Commission under clause 6 of Schedule 3A of the Act and continues until its expiry in accordance with the Act.

3 Terms and conditions

Telecom undertakes to the Commission that, during the period that this undertaking has legal effect, it will provide the Services (as set out in Schedule 3

of Annexure 1) at the prices and on the terms and conditions and within the time periods specified in Annexure 1 to any Access Seeker.

4 **Notices**

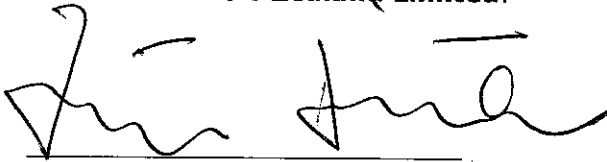
Any communication to Telecom in respect of this undertaking should be made in writing to:

Attention: Group General Counsel

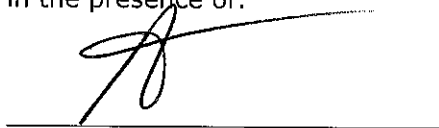
Address: Telecom New Zealand Limited
Level 15, Telecom House
8 Hereford Street
Auckland

Facsimile: 09 358 0798

Signed by **Tristan Murray Gilbertson** as authorised signatory
for **Telecom New Zealand Limited**:



in the presence of:



Name: VANESSA OAKLEY

Occupation: SOLICITOR

Address: 68-86 TERSVOIS QUAY
WELLINGTON