



30 October 2009

Commerce Commission  
The Terrace  
Wellington  
By email: [telco@comcom.govt.nz](mailto:telco@comcom.govt.nz)

Dear Ross

**Consultation on the Non-discrimination and EOI obligations under the Telecom Separation Undertakings requirements with respect to the complaints concerning the Telecom Wholesale Loyalty offers**

Kordia thanks the Commission for the opportunity to provide comments on the Commission's consultation document on its draft decision on the complaints by Vodafone and Kordia that Telecom's recent Loyalty offers have breached both the non-discrimination and EOI provisions of the Undertakings.

Kordia welcomes the draft submission and fully supports it.

The Loyalty programme has generated much paperwork (submissions, the IOG decision, and the draft Commission decision). However, Telecom's obligations were always clear and straightforward. It has only been necessary to go into so much detail (such as the length of the Commission's draft report) to deal with Telecom's numerous but unsustainable arguments. That the loyalty offers should never have been made was always clear, and the breach of the clear wording and underlying policy has caused substantial damage to the market.

Yours sincerely,

Susie Stone  
GM Strategic Development

**KORDIA GROUP LIMITED**

Level 4 | Fidelity House | 81 Carlton Gore Road | Newmarket | Auckland 1023  
PO Box 2495 | Auckland 1140 | New Zealand  
T. +64 9 916 6400 | F. +64 9 916 6446 | W. [www.kordiasolutions.com](http://www.kordiasolutions.com)