

TRISTAN GILBERTSON
Group General Counsel



10 November 2009

Dr Ross Patterson
Telecommunications Commissioner
Commerce Commission
L 6, Vector Building
44 The Terrace
P O Box 2351
WELLINGTON

By Email: ross.patterson@comcom.govt.nz

Dear Ross

Paul Reynolds has asked that I respond to your 6 November letter to him.

We have considered your comments carefully and have determined that the "misleading" statements about which you complain are, from Telecom's perspective, accurate, and will not be retracted.

In Telecom's view, as the matter is now subject to legal proceedings, it would be inappropriate for Telecom and the Commission to comment further in open correspondence or in the media.

Notwithstanding the foreshadowed proceeding, we appreciate your advice that the Commission now intends to provide guidance as to the non-discrimination and EOI obligations in Telecom's Separation Undertakings. Telecom looks forward to seeing your draft views.

Yours sincerely

Tristan Gilbertson
Group General Counsel