

COMMERCE COMMISSION

Please refer to:  
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8 February 2008

David Kreider  
General Counsel  
Vodafone New Zealand Limited  
Private Bag 92161  
Auckland

CC: Richard York, Regulatory Manager  
Tom Chignell, General Manager Corporate Affairs

Dear Mr Kreider

**Mobile Co-location Standard Terms Determination: Notice for Standard Terms Proposal**

Further to the Mobile Co-location scoping workshop held in Wellington on 31 January 2008, I enclose a notice under section 30F of the Telecommunications Act 2001 (the 'Act') requiring Vodafone New Zealand Limited ('Vodafone') to submit a standard terms proposal for the specified service described as 'Co-location on cellular mobile transmission sites' in Part 3 of Schedule 1 of the Act (the 'Mobile Co-location Service').

The notice requires Vodafone to submit to the Commerce Commission ('Commission') a Standard Terms Proposal ('STP') for the Mobile Co-location Service by 5.00pm, Friday, 25 April 2008.

Please note that the proposal must be consistent with the scheme and purpose of the Act and, in particular, sections 30R, 30U-30ZD and 66.

In issuing this notice the Commission has considered the purpose in section 18 of the Act and other relevant matters, including the views expressed by the parties at the scoping workshop and the long term benefits to end-users of telecommunication services.

The Commission notes that Telecom currently has a high level of involvement in a number of other work streams and that standard terms determinations will benefit through a multitude of parties having the experience of producing a standard terms proposal.

In setting the timeframe for delivery of the STP, the Commission has sought to strike a suitable balance between the scope for possible industry agreement around terms of

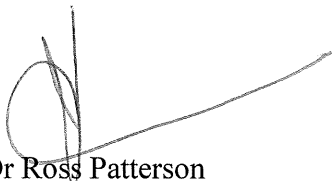
supply at the beginning of the process, and the importance of achieving early delivery to market of this critical service. The Commission also notes that several standard terms determinations are already in existence, along with the co-location code.<sup>1</sup>

The proposal should be submitted to the Commission by the date and time specified above. A soft copy of the proposal should be directly emailed to Bruce Officer at [bruce.officer@comcom.govt.nz](mailto:bruce.officer@comcom.govt.nz).

Please note that a Confidentiality Order has been issued for the Mobile Co-location Service. If Vodafone wishes to include any confidential information in the standard terms proposal it must seek protection for that information in accordance with the Confidentiality Order.

Should you have any queries in relation to these matters, please contact Bruce Officer on (04) 924 3674.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dr Ross Patterson', with a long horizontal flourish extending to the right.

Dr Ross Patterson  
Telecommunications Commissioner

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<sup>1</sup> Telecommunications Carriers' Forum, *Co-location of Radiocommunications Services Regulated under the Telecommunications Act 2001*, approved by the Commerce Commission 7 December 2006.