

COMMERCE COMMISSION

Please refer to:

13.1/10583
800076_1.doc

10 March 2009

To Interested Parties

Mobile Co-location Standard Terms Determination – Draft Clarification

The Commerce Commission ('**Commission**') invites submissions on the attached draft clarification of the Mobile Co-location Standard Terms Determination ('**STD**'). The draft clarification decision contains the Commission's preliminary view on amendments proposed by Telecom, Vodafone, NZ Communications and Woosh ('**the Parties**') in relation to Rooftop Sites.

A copy of the Parties' request for amendments to the Mobile Co-location STD is available on the Commission's website at:

<http://www.comcom.govt.nz/IndustryRegulation/Telecommunications/StandardTermsDeterminations/MobileColocationserviceStandardTermsDet/DecisionsList.aspx>

Under section 58(1) of the Telecommunications Act 2001 ('**the Act**'), the Commission may amend a determination for the purpose of making a clarification if:

- at any time the Commission, on its own initiative or on the application of any person, considers that a determination requires clarification; and
- no appeal is pending in respect of the determination.

Under section 19(c) of the Act, the Commission is required to make the decision that the Commission considers best gives, or is likely to best give, effect to the purpose set out in section 18.

The Commission has previously requested that interested parties, including the TCF, provide submissions on other clarifications, and wishes to do so again in this case. Accordingly, the Commission invites the TCF to provide a joint submission for any interested parties to the Commission on:

- the attached draft clarification of the Mobile Co-location STD; and
- any additional areas for clarification.

Interested parties are also invited to provide submissions if they do not wish to provide a joint submission through the TCF.

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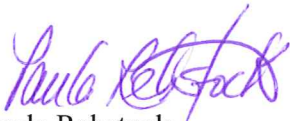
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Submissions should be sent to Matthew Bailey at matthew.bailey@comcom.govt.nz. The closing date for submissions is 5PM on Tuesday 24 March 2009.

Should you have any queries in relation to this matter, please contact Matthew Bailey on (04) 924 3656 or by email at the address listed above.

Yours sincerely



Paula Rebstock
Chair
Commerce Commission