



COMMERCE COMMISSION

Please refer to:
1080464_1

18 October 2010

To all Interested Parties to the Resale Services Investigation

Resale Services Conference - Administrative arrangements

This letter outlines the arrangements for the Commission's upcoming conference for the resale services schedule 3 investigation (Resale Services Investigation).

Venue and timing

The Resale Services Conference will be held on **Wednesday 27 October 2010** from **9.30am – 2.00pm** at:

New Zealand Institute of Chartered Accountants
Wellington Conference Centre
Level 7, Tower Building
50 Customhouse Quay
Wellington

Tea and coffee will be provided from 9.30am and there will be a brief lunch break.

Background

On 26 August 2010, the Commission released its draft Report (Draft Report) on whether the Resale Services should be omitted from Schedule 1 of the Telecommunications Act 2001 (or if not omitted, amended in some form). The Draft Report sets out the Commission's preliminary views with regards to the four resale service descriptions in the Act.

Submissions on the Draft Report, and cross submissions, have been received¹ and the Conference is the next step in consultation for preparation of the Commission's Final Report for the Resale Services Investigation.

The Conference will allow the Commission to consult on the Draft Report and ask questions on particular aspects of submissions and cross-submissions. It will also provide interested parties with an opportunity to provide an overview of their position, by presenting opening and closing

¹ These can be found on the Commission's website at: <http://www.comcom.govt.nz/resale-services-investigation/>

statements. The Commission is currently finalising the agenda for the Conference which will identify the key issues that it wishes to discuss.

Procedure for presenting statements

Oral statements will be made from a central table. Parties are not required to provide a statement of issues or written submissions at the conference. Parties may not raise new matters and discussion will be limited to clarification of those issues that have been raised in submissions and cross-submissions.

Each issue will be introduced by the Commission. Members of the Commission and staff will question the parties.

The parties may only ask questions of the Commission for the purpose of clarifying a question. No party will have the right to cross-examine any other party during the proceedings. If necessary, closed sessions will be arranged where confidential information is to be discussed.

All parties are required to provide 20 copies (for attendees) of any document produced during the Conference, which clarifies their position on matters raised in their submissions and cross-submissions. Following the Conference, an electronic version of the document must also be produced (pdf format preferred) for publishing on the Commission's website.

A computer and data projector will be available for use by parties making statements. If you wish to use the projector, can you please forward a copy of your presentation to Rebekah Henderson before 5pm on Tuesday 26 October 2010.

Other arrangements

The Commission requests that parties identify prior to the Conference any experts they wish to have present. This notification should identify the basis of the expert's qualifications to provide expert comment on a particular issue, in line with the Code of Conduct for expert witnesses (attached).

The agenda for the conference will be circulated on Thursday 21 October 2010, once parties have informed the Commission of whether they want to present an opening and/or closing statement.

As is normal procedure, the Conference will be recorded. A stenographer will also provide a transcript of the conference. Copies of the transcript will be made available on the Commission's website.

All mobile phones must be turned off during the proceedings.

If you wish to present an opening and/or closing statement at the Conference, please provide the names of the presenters to Rebekah Henderson (rebekah.henderson@comcom.govt.nz) by **5pm on Wednesday 20 October**. Please also provide the names of those people who will attend the

Conference from your organisation (including any nominated experts) who wish to participate in the discussion on the relevant issues.

Should you have any queries, please contact Rebekah Henderson on (04) 924 3711.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Tom Forster', with a long horizontal stroke extending to the right.

Tom Forster
Manager Telecommunications Operations
Regulation Branch
Commerce Commission

Encl: Code of conduct for expert witnesses