

Appendix 2

Consolidated list of wholesale services

Determination on those services that are Relevant Wholesale Services

Note: Note: (1) The following services have not been reproduced or described in this table:

(a) Withdrawn services
 (b) Additional services applied for and excluded from this Determination by the Commission;
 (c) Services withdrawn by TelstraClear

(2) Services withdrawn by TelstraClear on 12 February 2003 at the Wholesale conference and clarified in a letter to the Commission on 5 March 2003 are shaded

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
SECTION 1: TELEPHONE SERVICES					
Connection Services					
1.	Business Connection Services	“To obtain a connection to the Telecom Network customers are required to pay a connection fee. All fees include installation by Telecom of any jack points that might be required” (Telecom List of Charges (“TLOC”) Telephone Services 1.3)		Yes	By means of Telecom’s FTN Telecom has submitted that there are no business connection services on the customer’s side of the network demarcation point, and that the service is, therefore, offered by means of Telecom’s FTN. Determination The Commission determines that Business Connection Services is a Relevant Wholesale Service.
2.	Moving Premises	“When a business customer is moving premises they can choose one of two options” – (i) customer link or (ii) a discount (TLOC Telephone Services 1.4)	Service Description This service only applies where a customer with a Telecom NXX number moves premises and still has a Telecom NXX number. Under the heading “Moving premises”, there is either: (1) a discounted price for customerlink if the customer chooses to take customerlink. Telecom’s submissions regarding Customerlink apply equally in relation to the discount on Customerlink; (2) a discount on Business Connection Service. Telecom’s submissions apply equally in relation to the discount on Business Connection Service.	Not a service	The Commission notes that Moving Premises is not a discrete retail service, but different prices for two Telecom services: customerlink and business connection. As such, these price points will be included in the calculation of the retail price for those services.
3.	Temporary Connection	“Business customers who wish to have a connection to the PSTN for less than the minimum contract period of 1 month, must pay a Temporary Connection Fee” (TLOC Telephone Services 1.5)		Yes	By means of Telecom’s FTN Telecom has submitted that there are no business connection services on the customer’s side of the network demarcation point, and that the service is, therefore, offered by means of Telecom’s FTN. Determination The Commission determines that Temporary Connection is a Relevant Wholesale Service.
4.	Change of Number	“Business Customers who request a change of telephone number will be charged the following: Connection Fee” (TLOC Telephone Services 1.7)		Yes	Determination The Commission determines that Change of Number is a Relevant Wholesale Service.

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5.	Installation of Jackpoints - Business	“If a business customer required an additional extension or jack point to be installed, charges are as shown in the table..the charges also include installation by Telecom of any jack points that may be required” (TLOC Telephone Services 1.8)			Withdrawn
6.	Reconnection	“This charge applies to customers who have been disconnected, for example, due to non-payment of an account. A customer who requests reconnection of telephone customer will be charge a reconnection charge” (TLOC Telephone Services 1.9)		Yes	By means of Telecom’s FTN Telecom has submitted that there are no business connection services on the customer’s side of the network demarcation point, and that the service is, therefore, offered by means of Telecom’s FTN. Determination The Commission determines that Reconnection for business customers is a Relevant Wholesale Service. Residential Wholesale Determination The Commission will consider Reconnection for residential customers in the Residential Wholesale Determination.
Installation Charges					
7.	Service Visits	“Each visit to a customer’s premises to undertake installation work will incur a service visit fee. Multiple visits due to no fault of the customer will not be charged multiple visit fees” (TLOC Telephone Services 2.1)	By means of Telecom’s FTN This service is included only to the extent that undertaking the service involves performing activities on Telecom’s side of the network demarcation point. Service visits can occur where: (a) the line connection is installed or there is a faulty connection; (b) premises wiring or CPE is installed; and (c) there is a fault in premises wiring or CPE. For (a), the service involves performing activities on Telecom’s side of the network demarcation point. The service is offered by means of Telecom’s FTN. However, for (b) and (c), the service involves performing activities beyond the demarcation point on the customers side. Telecom does not consider that these services are by means of the FTN on any test. VATS Service visits under (b) and (c) are not VATS. The installation and servicing of wiring and CPE is necessary for the provision of the telecommunications services, and is a basic (not value-added) service.	Yes	Withdrawal TelstraClear withdrew Service Visits in respect of (b) CPE and premises wiring installation; and (c) fault in CPE or premises wiring. TelstraClear continues to seek a determination in respect of (a) the line connection. By means of Telecom’s FTN Telecom has submitted that (a) the line connection is offered by means of Telecom’s FTN. Determination The Commission determines that Service Visits for business customers in respect of (a) the line connection is a Relevant Wholesale Service. Residential Wholesale Determination The Commission will consider Service Visist for residential customers in the Residential Wholesale Application.
8.	Lead-in Installation	“Telecom owns the service lead up to the network demarcation point. All materials associated with the access (cable, pipes, terminations and the External Test Point for single-line customers) are not charged to the customer. All other materials, including additional poles after the first-in pole in the case of overhead lead-ins, and all labour associated with the installation of the lead-in, such as trenching, installing poles, etc, will be charged to the customer.” (TLOC Telephone Services 2.2)		Yes	By means of Telecom’s FTN Telecom has submitted that Telecom lead-in Installation will always be on Telecom’s side of the network demarcation point. Determination The Commission determines that Lead-in Installation for business customers is a Relevant Wholesale Service. Residential Wholesale Determination The Commission will consider Lead-in Installation for residential customers in the Residential Wholesale Application.

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9.	Change of Socket Types	“Changing the telephone socket from fixed wiring to a plug-in socket. Prices vary depending on whether more than one socket is changed at the same time and whether the customer supplies the socket.” (TLOC Telephone Services 2.4)			Withdrawn
10.	Connection of Telephone Lines to Customer PBXs		Connection of Telephone lines to Customer PBXs is included to the extent that undertaking the service involves performing activities on Telecom’s side of the demarcation point. However, the part of the service that is on Telecom’s FTN, is part of the Lead-In-Installation Service. Therefore, Telecom considers that this service is better considered as part of the Lead-In-Installation service.	Yes	Withdrawal TelstraClear has submitted that it is willing to undertake connection work on the customer’s side of the demarcation point. By means of Telecom’s FTN Any work involved in the connection of telephone lines to customer PBXs that falls on the network side of the demarcation point will be offered by means of the FTN. The Commission notes that Telecom has submitted that this work is synonymous with service 8, Lead-In- Installation. Determination Connection of telephone lines to customer PBXs is a Relevant Wholesale Service, excluding work on the customer’s side of the demarcation point.
11.	Extension of Service Beyond the Telecom PSTN area	“In providing the service to a customer, it may be necessary to extend the Telecom PSTN either beyond a serviced area, or some distance away from existing reticulation within a serviced area. Different criteria will apply, depending on whether the customer is residential or business...” (TLOC Telephone Services 2.7)	Residential Connections are excluded as they are now part of the Residential Wholesale Application. Every connection beyond the Telecom PSTN area is tailored to the customer’s needs and the price point for each such connection will be unique.	Yes	Determination Extension of Service Beyond the Telecom PSTN Area for business connections is a Relevant Wholesale Service. The Commission notes Telecom’s submission that the price point for each connection will be unique and that, consequently, it may not be possible for Telecom to provide a pricing structure for this service. TelstraClear has requested that the Commission determine a process for settling disputes if the parties are unable to agree commercially. The Commission determines that Telecom must offer to TelstraClear the price Telecom offers to its own customers less the retail minus avoided costs saved discount of 16%. Residential Wholesale Determination The Commission will consider Extension of Service Beyond the Telecom PSTN Area for residential customers in the Residential Wholesale Application.
PSTN Line Rental Charges					
12.	Monthly Business Line Rental	“Telecom’s standard line rental charges.” (TLOC Telephone Services 3.1)	Grandfathered services Business Metro Access, Business City Access and Business City Access II are no longer offered to new customers, but are supplied to existing customers.	Yes	Determination The Commission determines that Monthly Business Line Rental is a Relevant Wholesale Service. Grandfathered services If Business Metro Access, Business City Access and Business City Access II are grandfathered, they must be offered in accordance with the process determined for wholesaling grandfathered services. The Commission notes that TelstraClear has submitted that they are still offered to new customers. If the Commission has relied on a factual submission from Telecom that is incorrect, TelstraClear has a remedy under section 59(c) of the Act.
13.	60 Plus Phone Option	“60 Plus is for those aged 60 and over and features a monthly line rental with a per minute local call charge.” (TLOC Telephone Services 3.2.3)			At paragraph 103 of the Draft Wholesale Determination, the Commission noted that it intended to address this service in the context of the Residential Wholesale Application. Accordingly, the Commission has not made a determination in respect of 60 Plus.

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14.	Digital Voice Access	“Digital Voice Access is an access option, which enables a range of Telecom network services to be provided via a single 2 Mbit/s digital interface. The following network services can be provided over a single D V A access: standard business lines, direct dial in, and dedicated voice services – Metrolink and Tielines.” (TLOC Telephone Services 3.3)		Yes	Determination The Commission determines that Digital Voice Access is a Relevant Wholesale Service.
15.	2 Mbit Access Conversion	Conversion charges apply when an existing 2Mbit/s access used for Digital Voice Access is converted to another 2Mbit/s service, for example High Speed (Wideband) D D S (“DDS”) or Integrated Services Digital Network (“ISDN”) P V A (“PRA”). (TLOC Telephone Services 3.4)		Yes	Determination The Commission determines that 2 Mbit Access Conversion is a Relevant Wholesale Service.
Maintenance Services					
16.	Busy Line Verification	“This service is offered to customers who wish Telecom to check whether someone else’s line is busy or faulty” (TLOC Telephone Services 7.4)		Yes	Withdrawal TelstraClear withdrew for 9XX numbers. Determination The Commission determines that Busy Line Verification for business customers is a Relevant Wholesale Service. Residential Wholesale Determination The Commission will consider Busy Line Verification for residential customers in the Residential Wholesale Application.
Directory Listing					
17.	Restricted and Non-listed Numbers	“A ‘restricted’ number does not appear in the alphabetical directory and is not available from the Directory Assistance operator. A number (other than a “restricted” number) not listed in the alphabetical directory is available from Directory Assistance. It should be noted that “restricted” and not listed numbers will be disclosed to Emergency services, to other network operators, or when you make collect calls from your telephone Note: With a receptionist listing, the operator will enquire whether the customer wishes to take the call, before connecting the caller.” (TLOC Telephone Services 8.1)			Withdrawn

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	Directory Assistance				
18.	Directory Assistance	<p>“There is a charge for the provision of Directory Assistance to cover the cost of searching Telecom’s Directory Assistance database. Two numbers can be handled per charge and up to 10 numbers handled per call”</p> <p>“Telecom offers a multi-listing service where customers requiring greater than 10 numbers may fax lists of names and addresses to Directory Assistance, the operators search the directory database during off-peak period and fax the information back to the customer”</p> <p>(TLOC Telephone Services 9.1)</p>	<p>Price-capped Directory assistance and international directory assistance, to the extent they are telecommunications services under the TSO Deed and related letters between Telecom and the Crown, are price-capped services and accordingly outside the jurisdiction of this Determination.</p> <p>Retail service offered to end-users The retail service is provided to Telecom customers only (i.e. to customers with NXX numbers). The provision of directory assistance calls originating from 9XX numbers is not a retail service.</p>	Yes	<p>Price-capped services To the extent directory assistance is price-capped, it are not within the Application.</p> <p>Retail services offered to end-users The Commission accepts Telecom’s submission that the provision of Directory Assistance to calls originating from 9XX numbers are not retail services provided by Telecom and, therefore, not a Relevant Wholesale Service.</p> <p>By means of Telecom’s FTN Telecom has submitted the Directory Assistance is offered by means of its FTN.</p> <p>Determination The Commission determines that Directory Assistance for business customers is a Relevant Wholesale Service, excluding Directory Assistance to calls originating from 9XX numbers.</p>
19.	Direct Connect	<p>“This service allows the caller to connect to the number they have requested from Directory Assistance by pressing 1.”</p> <p>(TLOC Telephone Services 9.2)</p>	<p>Retail service offered to end-users The retail service is provided to Telecom customers only (i.e. to customers with NXX numbers).</p> <p>VATS Telecom accepts that Direct Connect is a service provided by means of a value-added service, and therefore within jurisdiction.</p>	Yes	<p>Retail service offered to end-users The Commission accepts Telecom’s submission that the provision of Direct Connect calls originating from 9XX numbers are not retail services provided by Telecom and, therefore, not a Relevant Wholesale Service.</p> <p>VATS The Commission determines that Direct Connect is a VATS associated with telecommunications services provided by the assets in (a) to (e) of clause 1 of Subpart 1 of Schedule 1 of the Act. From the perspective of the end-user, Direct Connect adds value and utility to the end-user’s existing telecommunications services (for example, the monthly line rental and calling services) because it offers the end-user the means of connecting to a number requested from Directory Assistance without having to dial the full number, and there is not a readily available substitute of comparable functionality. Direct Connect is also linked to the provision of, and adds value to, an existing telecommunications service that utilises some of the assets in (a) to (e); the phone line. Direct Connect is not a support service as it is not integral to the successful provisioning of a retail service.</p> <p>Determination The Commission determines that Direct Connect is a Relevant Wholesale Service, excluding Direct Connect calls originating from 9XX numbers.</p>
	Rental of Telephones				

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20.	Monthly Rental Telephone	"Charges apply to the rental of Telecom Rental Phones" (TLOC Telephone Services 10.1)	<p>Grandfathered service This service is supplied to existing customers, but not new customers and is therefore a grandfathered service.</p> <p>By means of Telecom's FTN The provision of CPE occurs beyond the demarcation point (on the customer's side) and is not therefore offered by means of Telecom's FTN.</p> <p>VATS Telecom does not consider that the CPE adds value or utility to the telecommunications service. There can be no telecommunications service without the CPE. The CPE is a basic service, not a value-added service. In the alternative, CPE is not a service provided by means of a VATS.</p>	No	<p>By means of Telecom's FTN Monthly Telephone Rental is not offered by means of Telecom's FTN.</p> <p>VATS The Commission determines that Monthly Telephone Rental is not a VATS associated with telecommunications services provided by the assets in (a) to (e) of clause 1 of Subpart 1 of Schedule 1 of the Act. From the perspective of the end-user, Monthly Telephone Rental offers the end-user an alternative means of provisioning a telephone. However, there are readily available substitutes with comparable functionality which the customer can purchase. Monthly Telephone Rental is not a support service because it is not customarily provided along with, and is not integral to the successful provisioning of, the phone line. Customers have the ability to and, the Commission understands generally do, purchase telephones.</p> <p>Determination The Commission determines that Monthly Telephone Rental is not a Relevant Wholesale Service.</p>

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Enhanced PSTN Services					
21.	Smartphone Services	<p>“The following Smartphone services are available from Telecom, subject to the capability of the customer’s local exchange:</p> <p>(1) Quick Dial – enables telephone numbers to be reduced to a 3-digit code for rapid dialling. Available for up to 20 different telephone numbers;</p> <p>(2) Call diversion (call forwarding) – immediate / no answer / group diversion / busy / multiple;</p> <p>(3) Remote Divert Service – this service is only available in conjunction with Call Diversion. This service enables a Call Diversion customer to control their Smartphone Call Diversion facility from another phone;</p> <p>(4) Call Restriction – standard call restriction / call restriction with directory access / international call restriction;</p> <p>(5) Call waiting;</p> <p>(6) 3 Way calls (Conference Calls);</p> <p>(7) Do not disturb;</p> <p>(8) Dual Telephone number – allows two telephone numbers on the same line. The first number can be put on to Call Diversion or Dot Not Disturb, but calls to the private line will still get through;</p> <p>(9) Hotline – automatically calls number when receiver lifted – either delayed or immediate; and</p> <p>(10) Reminder Call – a call is programmed to ring at a specific time.”</p> <p>(TLOC Telephone Services 11.1)</p>		Yes	<p>Determination The Commission determines that Smartphone Services for business customers is a Relevant Wholesale Service.</p> <p>Residential Wholesale Determination The Commission will consider Smartphone Services for residential customers in the Residential Wholesale Application.</p>
22.	Direct-Dial-In (“DDI”) Service	<p>“This service is available to customers with Private Automatic Branch Exchanges (PABX) to allow direct dialling into extension telephones from the PSTN. The DDI Service is designed for the traffic characteristics typical of calls to PABX extensions”.</p> <p>(TLOC Telephone Services 11.5)</p>		Yes	<p>Determination The Commission determines that Direct-Dial-In Service is a Relevant Wholesale Service.</p>
23.	Customerlink	<p>“This is a permanent redirection service which enables calls to the customer’s PSTN number to be redirected to another PSTN number, or to a mobile telephone. All call charges resulting from the call redirection are paid by the customer who has the Customerlink service and not the caller.</p> <p>There is no restriction on the type of connection to which calls are directed, e.g. business, residential, mobile, etc. However, for call charging purposes, all redirected calls are charged at the rates applicable to calls from a standard PSTN business connection.”</p> <p>(TLOC Telephone Services 11.6)</p>	<p>Service Description The retail service only enables calls to a Customerlink customer’s NXX number to be redirected. The call to the Customerlink customer’s NXX number and the redirected call are separate from the customerlink function, and are charged separately.</p> <p>By means of Telecom’s FTN The Customerlink function occurs only in the exchange and is therefore provided by means of Telecom’s FTN. As explained above, the actual call to the Customerlink customer’s NXX number and the redirected call are separate services. The question whether these calls are provided by means of Telecom’s FTN is dealt with under the “Telephone Call Services” section of this table.</p>	Yes	<p>By means of Telecom’s FTN Customerlink is offered by means of Telecom’s FTN.</p> <p>Determination The Commission determines that Customerlink is a Relevant Wholesale Service.</p>

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24.	Caller Display Service	<p>“Caller Display is a network service that presents calling party information to the called party. Special Caller Display CPE is connected to the line will record, display and process this information. Caller Display Service will only be available on analogue lines connected to Telecom’s NEAX 61E exchanges and their associated RLU’s and on ISDN PRA and BRA lines.</p> <p>(1) Residential Caller Display Service; (2) Business Caller Display Service; (3) Caller Display CPE; (4) Number withhold service; and (5) Automatic Number Withhold with Over-ride.” (TLOC Telephone Services 11.9)</p>	<p>Service Description What is described under the heading “Caller Display Service” in TLOC is actually a number of services: (a) Caller Display Services (Residential or Business); (b) Caller Display CPE; (c) Number Withheld Service.</p> <p>Grandfathered Monthly rental for RenTel Display telephone is not offered to new customers.</p> <p>By means of Telecom’s FTN (a) Caller Display Service and (c) Number Withheld are provided by means of the FTN. (b) Caller Display CPE is provided on the customer side of the demarcation point and is not provided by means of the FTN.</p> <p>VATS (b) Caller Display CPE is a basic (not a value-added) service. There can be no (a) Caller Display service (Business) without (b) Caller Display CPE. Further this service can be provided by other providers. In the alternative, Caller Display CPE is not provided by means of a VATS.</p>	Yes	<p>Service Description “Caller Display” includes: (a) Caller Display Services (Residential and Business); (b) Caller Display CPE; and (c) Number Withheld Service.</p> <p>By means of Telecom’s FTN Telecom has submitted that (a) Caller Display Services and (c) Number Withheld are provided by means of the FTN. The Commission determines that (b) Caller Display CPE is not offered by means of Telecom’s FTN.</p> <p>VATS The Commission determines that Caller Display CPE is not a VATS associated with telecommunications services provided by the assets in (a) to (e) of clause 1 of Subpart 1 of Schedule 1 of the Act. From the perspective of the end-user, the Caller Display CPE service offers the end-user an alternative means of provisioning the CPE. However, there are readily available substitutes with comparable functionality which the customer can purchase. The Commission determines that Telecom’s service Caller Display CPE, is not a support service as it is not integral to the successful provisioning of the service. As Telecom notes, Caller Display CPE can be offered by other suppliers.</p> <p>Determination The Commission determines that Caller Display for business customers is a Relevant Wholesale Service, excluding Caller Display CPE.</p> <p>Residential Wholesale Determination The Commission will consider Caller Display for residential customers in the Residential Wholesale Application.</p>
25.	CallTrack	<p>“CallTrack is a telephone service that allows customers to assign a CallTrack number and description to their bill, allowing calls to be allocated to a cost centre, caller or client. When a call is initiated from a telephone line that has CallTrack, the customer will be prompted to enter a Calltrack number. When the customer received their telephone account all CallTrack numbers will be shown with their associated calls listed underneath CallTrack is available to both residential and business customers.” (TLOC Telephone Services 11.10)</p>		Yes	<p>Determination The Commission determines that Call Track is a Relevant Wholesale Service.</p>
High Capacity Access to the PSTN					
26.	2Mbit/s Local Access	<p>“This service is known as Digital Voice Access (“DVA”). 2Mbit/s inter-exchange Access – this service used 2Mbit/s links to connect the Telecom PSTN and a customer’s premises at the inter-exchange level</p> <p>(1) Installation charges; (2) Access charges; and (3) Call charges.” (TLOC Telephone Services 12.1)</p>	<p>Retail service offered to end-users Only the DVA-like version of 2 Mbit/s Local Access is offered at a retail level. Telecom does not dispute the Commission’s jurisdiction to make a Determination with respect to the retail version of DVA.</p>	Yes	<p>Retail service offered to end-users Only the DVA-like version of 2 Mbit/s Local Access is a retail service offered by Telecom to end-users.</p> <p>Determination The Commission determines that the DVA-like version of 2 Mbit/s Local Access is a Relevant Wholesale Service.</p>

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27.	2 Mbit/s Foreign Exchange Service for Inter-Exchange Access		The service has been superseded by Metrolink service.	No	<p>By means of Telecom's FTN 2 Mbit/s Foreign Exchange Service for Inter-Exchange Customers is not offered by means of Telecom's FTN. The provision of the service does not require a meaningful or not insignificant participation of Telecom's FTN. The test is whether, on a qualitative assessment, the FTN will be important in the functionality of what the service provides. The functionality offered by this service is the provision of a significant data link overseas. Although a part of service runs across Telecom's FTN (the access component), the FTN is not important in the functionality of the service (the provision of the data link to an overseas destination) to a meaningful or a not-insignificant extent.</p> <p>Determination 2 Mbit/s Foreign Exchange Service for Inter-Exchange Customers is not a Relevant Wholesale Service.</p>
	Centrex				
		Centrex is a private switching and networking service ("SNS") delivered directly from the telephone exchange. Centrex can be used to link different sites and integrate CPE (standard phones, key-systems and PABXs). (1) ISDN Centrex; and (2) Wide-Area Centrex.			
28.	Connection and Installation	"Installation and connection charges for both Regular Extensions and Hunting Extensions are the same for both Centrex I & II): (1) New connection and intact conversion charges; and (2) Installation charges." (TLOC Telephone Services 15.1)	Support services The provision of the retail Centrex service requires considerable customer specific design, training and interaction. These services are not provided by means of Telecom's FTN and are not VATS.	Yes	<p>By means of Telecom's FTN Telecom submits that Centrex – Connection and Installation is offered by means of its FTN as all services are on Telecom's side of the demarcation point.</p> <p>Support services Customer specific design, training and interaction are customarily provided along with the retail services (Centrex), and are integral to the successful provisioning of the retail services. Centrex would not be successfully provisioned without being designed, without the users being conversant in the operations of the system, and without ongoing customer support. They are, consequently, support services, and as such, they are part of the terms of supply of the designated service and ought to be priced on a cost covering basis.</p> <p>Determination The Commission determines that Centrex – Connection and Installation is a Relevant Wholesale Service and that customer specific design, training and interaction are support services of the Centrex service.</p>
29.	Monthly Access	"Charges for Regular and Hunting Centrex Extensions are the same. Centrex II pricing applies where there are 10 or more lines owned by one customer, terminating at the same site demarcation" (TLOC Telephone Services 15.2)		Yes	<p>Determination The Commission determines that Centrex – Monthly Access is a Relevant Wholesale Service.</p>
30.	Usage Charges	"There is no charge for internal intercom calls between extensions within the same Basic Business Group. Telecom's Local, National and International call charges apply to all calls from Centrex extension to the PSTN. In case of ISDN Centrex, ISDN call charges apply." (TLOC Telephone Services 15.3)		Not a service	The Commission notes that this is not a discrete retail service, but rather a description of the functionality of the CPE.

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
31.	Centrex Feature	“Some Custom features are used to build on to the standard Centrex features; others are used as alternatives. Charges are incurred whenever a Custom feature is provisioned or altered” (TLOC Telephone Services 15.4)	<p>Centrex training One of the Centrex features is “extra” training. This training is not provided by means of Telecom’s FTN, and is not provided by means of a VATS.</p> <p>By means of Telecom’s FTN ACDQ Manager, Feature Manager and Call Manager comprise PC Software which is used on CPE on the customer side of the network demarcation point. The provision of this software is not therefore offered by means of Telecom’s FTN. The other Centrex features are services offered by means of the Telecom FTN.</p> <p>Grandfathered services Centrex Call Manager, Centrex Feature Manager and ACDQ Manager are supplied to existing customers but not offered to new customers. The installation components of these services are no longer offered.</p>	Yes	<p>Centrex training Centrex training is a VATS associated with telecommunications services provided by the assets in (a) to (e) of clause 1 of Subpart 1 of Schedule 1 of the Act. Centrex training is associated with the Centrex service because there is not a readily available substitute of comparable functionality. From the perspective of the end-user, Centrex training adds value and utility to the end-user’s Centrex services by permitting the end-user to train new staff or to offer refresh courses to trained staff in the use of Centrex. From the perspective of the supplier, the ability to offer Centrex training is linked to the provision of, and adds value to, the Centrex system being provided to the customer. The Commission notes that the service “Centrex training” is distinct from the initial training which is a support service.</p> <p>Support services ACDQ Manager, Feature Manager and Call Manager are support services, and as such, they are part of the terms of supply of the designated service and ought to be priced on a cost covering basis. These software packages are used to manage and direct calls to provide the customer with the required level of functionality. Depending on the requirements of the customer and Centrex design, these software packages are customarily provided along with Centrex, and are integral to the successful provisioning of the model of Centrex purchased. For example, if a call-centre customer required a Centrex system that provided the functionality offered by Automatic Call Distribution Queuing (ACDQ), the provision of ACDQ or equivalent software would be integral to the successful provisioning of the Centrex service required by the customer.</p> <p>Determination Centrex Features is a Relevant Wholesale Service, and that ACDQ Manager, Feature Manager and Call Manager are support services of the Centrex service.</p> <p>Grandfathered services Centrex Call Manager, Centrex Feature Manager and ACDQ Manager are grandfathered services and must be offered in accordance with the process determined for wholesaling grandfathered services. The Commission also notes that the installation components of these services are no longer offered and are, therefore, not available for wholesale.</p>
32.	Centrex CPE	“Centrex telephones are standard telephones with a number of commonly used Centrex features.” (TLOC Telephone Services 15.5)	<p>By means of Telecom’s FTN The provision of Centrex CPE occurs beyond the demarcation point (on the customer’s side) and is not therefore offered by means of Telecom’s FTN.</p> <p>VATS Centrex CPE is a basic service not a VATS as it does not add value or utility to a telecommunications service.</p>	Yes	<p>VATS Centrex CPE is a VATS associated with telecommunications services provided by the assets in (a) to (e) of clause 1 of Subpart 1 of Schedule 1 of the Act. From the perspective of the end-user, Advanced Function Centrex CPE adds utility to the Centrex services by allowing the customer to access the full range of features associated with Centrex, and there is not a readily available substitute with comparable functionality. Provision of Centrex CPE is also linked to the provision of, and adds value to, an existing telecommunications service that utilises the assets in (a) to (e); the Centrex service. It would not be possible to provide Centrex CPE unless the prospective customer possessed or intended to possess a Centrex service, while the provision of Centrex CPE adds value to the Centrex service.</p> <p>Determination The Commission determines that Centrex CPE is a Relevant Wholesale Service.</p>
	ISDN Access to PSTN				

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
		This provides the customer with ISDN digital access to the PSTN. ISDN access may be Basic Rate Access ("BRA"), (providing two 64 kbit/s circuits (or B channels)).			
33.	Basic Rate Access City Metro and Regional	"This service uses a 144 kbit/s link to provide access to the local exchange from a customer's premises. Centrex service can also be provided via ISDN BRA (1) Installation Charges for Basic Rate Access; (2) Extension of the Telecom network; (3) Access Charges; (4) Call charges; and (5) Alteration and reconfiguration." (TLOC Telephone Services 16.1)	<p>Service Description "Installation Charge for Basic Rate Access"; "Extension of Telecom Network"; "Access Charges for Basic Rate Access" are services that are provided under "Basic Rate Access City Metro and Regional". The section headed "Call Charges for Basic Rate Access" is a note explaining the call charges that apply over ISDN access. These call charges are described elsewhere in TLOC. Calling is of course also covered by markets other than local access (e.g. national toll).</p> <p>By means of Telecom's FTN Internal Removals. This service is not offered by means of Telecom's FTN because it occurs beyond the line to the end-user's premises (i.e. beyond the demarcation point between the Telecom network and the sockets within the end-user's premises).</p>	Yes	<p>TelstraClear is prepared to undertake the work involved in internal removal. Work required at the exchange is offered by means of Telecom's FTN and will be wholesaled by Telecom.</p> <p>Determination Basic Rate Access City Metro and Regional is a Relevant Wholesale Service. The Commission notes that TelstraClear does not seek resale of work involved in internal removal.</p>
34.	Primary Rate Access	"This service uses 2Mbit/s links to provide access to the local exchange from a customer's premises and provides up to 30 x 64 kbit/s circuits (B channels) for example, for: (1) Installation charges (2) Extension of the Telecom network" (TLOC Telephone Services 16.2)	<p>Service Description "Installation Charges for Primary Rate Access"; "Extension of Telecom Network"; "Access Charges for Primary Rate Access" are services that are provided under "Primary Rate Access". The section headed "Call Charges for Primary Rate Access" is a note explaining the call charges that apply over ISDN access. These call charges are described elsewhere in TLOC. Calling is of course also covered by markets other than local access (e.g. national toll).</p> <p>By means of Telecom's FTN Alteration and Reconfiguration – This service is not offered by means of Telecom's FTN to the extent that it occurs beyond the line to the end-user's premises (i.e. beyond the demarcation point between the Telecom network and the sockets and wiring within the end-user's premises).</p>	Yes	<p>TelstraClear is prepared to undertake the work on the customer's side of the demarcation point. Work required at the exchange is offered by means of Telecom's FTN and will be wholesaled by Telecom.</p> <p>Determination Primary Rate Access is a Relevant Wholesale Service. The Commission notes that TelstraClear does not seek resale of Alteration and Reconfiguration; i.e. work on the customer's side of the FTN.</p>
35.	Supplementary Services	"ISDN access can support a range of supplementary services that provide additional functionality for each switched circuit connection. Includes: (1) Multiple Subscriber number; (2) User to User signalling; (3) Call diversion on PRA or BRA ISDN; (4) Billing by Extension (DDI) on PRA or PRA ISDN; (5) Direction Dial in (DDI) on PRA or PRA ISDN; and (6) Caller and Dialed number display on PRA ISDN" (TLOC Telephone Services 16.3)		Yes	<p>Determination ISDN Access to PSTN – Supplementary Services is a Relevant Wholesale Service.</p>

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
Voice Messaging Services					
36.	Message Manager	<p>“Message manager provides customers with a personalised voice mailbox. The service enables customers to listen, save and reply to messages sent to their mailboxes, and to record and send messages directly to other mailboxes free of charge.” (TLOC Telephone Services 17.1)</p>	<p>Service Description The heading “Message Manager” covers two types of services: (a) the mailbox service (connection and rental of the mailbox); (b) calls relating to the mailbox (i.e. call charges).</p> <p>Retail service offered by Telecom This service is offered to new customers and supplied to existing customers, except regarding (b), calls relating to the mailbox, calls from end-users in other networks are not offered by Telecom.</p> <p>VATS The mailbox can be accessed from other networks completely independent of Telecom’s network-based assets. This service should not be characterised as being a value-added telecommunications service associated with telecommunications services provided by Telecom’s assets. Further, this service can be provided by other providers. On Telecom’s interpretation, this service is not therefore “associated with” a service provided by the Telecom network assets in (a) to (e) of the “FTN” definition. In the alternative, Telecom submits that the mailbox service cannot be characterised as being offered “by means of” a VATS.</p> <p>By means of Telecom’s FTN On any test, the mailbox cannot be said to be “by means of” the FTN. It is completely independent of the FTN.</p>	Yes	<p>Service Description Telecom submits that there are two types of “Message Manager” services: (a) the mailbox service; and (b) calls relating to the mailbox. The Commission considers that these are two parts of one service. The functionality offered to the end-user requires both elements identified by Telecom, and it is incorrect to define them as discrete services.</p> <p>Retail service offered by Telecom The Commission notes that calls from end-users in other networks to access the mailbox is not a retail service offered by Telecom.</p> <p>By means of Telecom’s FTN Message Manager is offered by means of Telecom’s FTN. The FTN is important in the functionality of what the service provides to a meaningful or not insignificant extent. Message Manager enables customers to listen, save and reply to messages sent to their mailboxes. While it is possible, as Telecom submits, for the end-user to access the mailbox from other networks completely independent of Telecom’s network based assets, such a restriction would limit the functionality of the service; i.e the service would not be as readily accessible by the owner of the mailbox or potential callers. The ability to access the mailbox using Telecom’s FTN is an important aspect in the functionality of what the service provides, i.e. the ability to listen, save and reply to messages sent to their mailboxes. While a customer may, on any one occasion, access the mailbox from a different network, those other networks do not substitute for the role of the FTN in providing the functionality and associated with the service.</p> <p>Determination The Commission determines that Message Manager for business customers is a Relevant Wholesale Service.</p> <p>Residential Wholesale Determination The Commission will consider Message Manager for residential customers in the Residential Wholesale Application.</p>
37.	Call Minder	<p>“Calls to a Call Minder customer whose telephone is engaged or not answered will be answered by the customer’s voice mailbox. The caller will hear a personal greeting from the mailbox owner, which will ask them to leave a private voice message. Messages can be retrieved from any touch-tone phone” (TLOC Telephone Services 17.2)</p>	<p>Offered This service is offered to new and is supplied to existing customers.</p>	Yes	<p>Determination The Commission determines that Call Minder for business customers is a Relevant Wholesale Service.</p> <p>Residential Wholesale Determination The Commission will consider Call Minder for residential customers in the Residential Wholesale Application.</p>
38.	Centrex Message Manager	<p>“Centrex Message manager is a voice messaging service available to Centrex customers. Centrex Message Manager provides the voice messaging features of Message Manager and the call answering features of Call Minder. Centrex Message Manager also has the facility for a caller to be transferred to a central operator if they do not wish to leave a message.” (TLOC Telephone Services 17.5)</p>	<p>Offered This service is offered to new and is supplied to existing customers.</p>	Yes	<p>Determination The Commission determines that Centrex Message Manager is a Relevant Wholesale Service</p>
Fax Services					

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
39.	FaxAdvantage	“FaxAdvantage is an enhanced network service for business lines which are dedicated for fax usage. The service is provisioned on a Business access line, providing a ‘never miss a fax’ service for incoming faxes, savings for short fax messages and first class international faxing to selected countries” (TLOC Telephone Services 18.1)	By means of Telecom’s FTN FaxAdvantage is not offered “by means <i>only</i> of” Telecom FTN and calls to 9XX or mobile numbers are outside the Commission’s jurisdiction. Alternatively, Telecom has submitted that Faxability does require “actual and substantial use” of Telecom’s FTN.	Yes	By means of Telecom’s FTN FaxAdvantage is offered by means of Telecom’s FTN. The provision of this service to 9XX and mobile numbers requires a meaningful or not insignificant participation of Telecom’s FTN. Although a part of call does not run over Telecom’s FTN, the FTN is important in the functionality of the service (the end-to-end call and any-to-any connectivity) to a meaningful or not insignificant extent. Determination The Commission determines that FaxAdvantage is a Relevant Wholesale Service.
40.	FaxAbility	“[A] network service combining Dual Telephone Number with a distinctive ringing tone for the second number. This service has been specifically designed for customers using a fax machine and telephone on the same line.” (TLOC Telephone Services 18.2)		Yes	Determination The Commission determines that FaxAbility for business customers is a Relevant Wholesale Service. Residential Wholesale Determination The Commission will consider FaxAbility for residential customers in the Residential Wholesale Application.
41.	FaxAddress	“[An] enhanced network fax mailbox service. This service provides a Direct Access fax number, which is associated with a “Store and forward” fax mailbox. (TLOC Telephone Services 18.3)	Service Description The heading “FaxAddress” covers two types of services: (a) the mailbox service (connection and rental of the mailbox); (b) calls relating to the mailbox (i.e. call charges). Retail service offered to end-users (b), calls relating to the mailbox, calls from end-users in other networks are not offered by Telecom. VATS The mailbox can be accessed from other networks completely independent of Telecom’s network-based assets. This service should not be characterised as being a value-added telecommunications service associated with telecommunications services provided by Telecom’s assets. Further, this service can be provided by other providers. On Telecom’s interpretation, this service is not therefore “associated with” a service provided by the Telecom network assets in (a) to (e) of the “FTN” definition. In the alternative, Telecom submits that the mailbox service cannot be characterised as being offered “by means of” a VATS. By means of Telecom’s FTN On any test, the mailbox cannot be said to be “by means of” the FTN. It is completely independent of the FTN.	Yes	Service Description Telecom has submitted that there are two types of “FaxAddress” services: (a) the mailbox service; and (b) calls relating to the mailbox. The Commission considers that these are two parts of one service. The functionality offered to the end-user requires both elements identified by Telecom, and it is incorrect to define them as discrete services. Retail service offered by Telecom The Commission notes that calls from end-users in other networks to access the mailbox is not a retail service offered by Telecom. By means of Telecom’s FTN FaxAddress is offered by means of Telecom’s FTN. The FTN is important in the functionality of what the service provides. FaxAddress provides the customer with a Direct Access fax number, which is associated with a “Store and Forward” fax mailbox. While it is possible, as Telecom submits, for the end-user to access the mailbox from other networks completely independent of Telecom’s network based assets, such a restriction would limit the functionality of the service; i.e. the service would not be as readily accessible. The ability to access the mailbox using Telecom’s FTN is an important aspect in the functionality of what the service provides. Determination The Commission determines that FaxAddress for business customers is a Relevant Wholesale Service. Residential Wholesale Determination The Commission will consider FaxAddress for residential customers in the Residential Wholesale Application.
SECTION TWO: TELEPHONE CALL SERVICES					
Telecom Local Calls					

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
42.	Local Calls – Business	“Since 1 November 1989, Telecom has charged for local calls made from a business line. All Telecom Local Calls are charged at the per minute rate for each minute or part of a minute” (TLOC Telephone Call Prices – Call Tariffs 1.1)	<p>Retail service offered to end-users The provision of calls originating from 9XX numbers is not a retail service provided by Telecom.</p> <p>By means of Telecom’s FYN Only calls from NXX to NXX numbers are by means <i>only</i> of Telecom’s FTN. However, Telecom is prepared to apply the determined rate (if any) for NXX to NXX local for NXX to 9XX local. Telecom has also submitted that the provision of this service does require a substantial and actual use of its FTN.</p>	Yes	<p>Retail services offered to end-users The Commission accepts Telecom’s submission that calls originating from 9XX numbers are not retail services provided by Telecom and, therefore, not a Relevant Wholesale Service.</p> <p>By means of Telecom’s FTN Local Call Charging – Business is offered by means of Telecom’s FTN. The provision of this service from both an NXX to a 9XX number, and from an NXX to an NXX number requires the meaningful or not insignificant participation of Telecom’s FTN. Although a part of the call from an NXX to an 9XX number does not run over Telecom’s FTN, the FTN is important in the functionality of the service (the end-to-end call and any-to-any connectivity) to a meaningful or not insignificant extent.</p> <p>Determination The Commission determines that Local Calls – Business is a Relevant Wholesale Service, excepting calls originating from 9XX numbers.</p>
Telecom National Calls (Toll)					
43.	Rates for National Calls from Business Lines	“National calls were previously referred to as toll calls. National calls are calls made within New Zealand but outside a customer’s local calling area and do not include calls to or from a cellular network.” (TLOC Telephone Call Prices – Call Tariffs 2.3)			Withdrawn
Special National Call Services					
44.	Operator Assistance	“A charge is made where the caller chooses to use the services of an operator. These charges are in addition to any local or national call charges which may apply” (TLOC Telephone Call Prices – Call Tariffs 3.1)	<p>Retail service offered to end-users The service is provided to Telecom customers only (i.e. to customers with NXX numbers). The provision of operator assisted calls originating from 9XX numbers is not a retail service provided by Telecom.</p> <p>By means of Telecom’s FTN The service is offered by means of Telecom’s FTN.</p>	Yes	<p>Retail Service offered to end-users The Commission accepts Telecom’s submission that the provision of operator assisted calls originating from 9XX numbers is not a retail service provided by Telecom and, therefore, not a Relevant Wholesale Service.</p> <p>Determination The Commission determines that Operator Assistance is a Relevant Wholesale Service, excepting the provision of operator assisted calls from 9XX numbers.</p>
Call Control					
45.	Permanent Toll Bar Products	“This range of products prevents outgoing calls being made from a customer’s telephone line. Depending on the local exchange to which the customer is connected, there is a choice of Call Control products available.” (TLOC Telephone Call Prices – Call Tariffs 4.1)		Yes	<p>Determination Permanent Toll Bar Products for business customers is a Relevant Wholesale Service.</p> <p>Residential Wholesale Determination The Commission will consider Permanent Toll Bar Products for residential customers in the Residential Wholesale Application.</p>
46.	Call Restriction Products	“This range of products is only available on NEAX 61E exchanges. A ‘bar’ can be placed on your line to prevent calls to certain numbers. An access code and four-digit PIN is allocated to the customer to enable them to activate and deactivate the barring.” (TLOC Telephone Call Prices – Call Tariffs 4.2)		Yes	<p>Determination Call Restriction Products for business customers is a Relevant Wholesale Service.</p> <p>Residential Wholesale Determination The Commission will consider Call Restriction Products for residential customers in the Residential Wholesale Application.</p>

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
Calls to other networks					
47.	Telecom Cellular Network	“Calls to the Telecom Cellular Network from a telephone connected to the PSTN anywhere in New Zealand are charged per second after the first minute. A one-minute minimum charge applies.” (TLOC Telephone Call Prices – Call Tariffs 5)	<p>Retail service offered to end-users The retail service is provided to Telecom customers only (i.e. to customers with NXX numbers). The provision of calls to the Telecom Cellular Network originating from 9XX numbers is not a retail service provided by Telecom.</p> <p>By means of Telecom FTN Applying the “by means only of” test, calls to Telecom’s Cellular Network are not by means of Telecom’s FTN. Telecom has, however, submitted that provision of this service does require a substantial and actual use of the FTN.</p>	Yes	<p>Retail services offered to end-users The Commission accepts Telecom’s submission that calls originating from 9XX numbers are not retail services provided by Telecom and, therefore, not a Relevant Wholesale Service.</p> <p>By means of Telecom’s FTN The provision of this service requires the meaningful or not insignificant participation of Telecom’s FTN. Although a part of call does not run over Telecom’s FTN, the FTN is important in the functionality of the service (the end-to-end call and any-to-any connectivity) to a meaningful or not insignificant extent.</p> <p>Determination The Commission determines that Telecom Cellular Network is a Relevant Wholesale Service, excepting calls originating from 9XX numbers.</p>
48.	Vodafone Cellular Network	“Calls to the Vodafone Cellular Network from a telephone connected to the PSTN anywhere in New Zealand are charged per second after the first minute. A one-minute minimum charge applies.” (TLOC Telephone Call Prices – Call Tariffs 5.2)	<p>Retail service offered to end-users The retail service is provided to Telecom customers only (i.e. to customers with NXX numbers). The provision of calls to the Vodafone Cellular Network originating from 9XX numbers is not a retail service provided by Telecom.</p> <p>By means of Telecom FTN Applying the “by means only of” test, calls to Vodafone’s Cellular Network are not by means of Telecom’s FTN. Telecom has, however, submitted that provision of this service does require a substantial and actual use of the FTN.</p>	Yes	<p>Retail services offered to end-users The Commission accepts Telecom’s submission that calls originating from 9XX numbers are not retail services provided by Telecom and, therefore, not a Relevant Wholesale Service.</p> <p>By means of Telecom’s FTN The provision of this service requires a meaningful or not insignificant participation of Telecom’s FTN. Although a part of call does not run over Telecom’s FTN, the FTN is important in the functionality of the service (the end-to-end call and any-to-any connectivity) to a meaningful or not insignificant extent.</p> <p>Determination The Commission determines that Vodafone Cellular Network is a Relevant Wholesale Service, excepting calls originating from 9XX numbers.</p>
49.	TeamTalk Cellular Network	“Calls to the TeamTalk Cellular Network from a telephone connected to the PSTN anywhere in New Zealand are charged per second after the first minute. A one-minute minimum charge applies.” (TLOC Telephone Call Prices – Call Tariffs 5.3)	<p>Retail service offered to end-users The retail service is provided to Telecom customers only (i.e. to customers with NXX numbers). The provision of calls to the Teamtalk Cellular Network originating from 9XX numbers is not a retail service provided by Telecom.</p> <p>By means of Telecom FTN Applying the “by means only of” test, calls to Teamtalk’s Cellular Network are not by means of Telecom’s FTN. Telecom has, however, submitted that provision of this service does require a substantial and actual use of the FTN.</p>	Yes	<p>Retail services offered to end-users The Commission accepts Telecom’s submission that calls originating from 9XX numbers are not retail services provided by Telecom and, therefore, not a Relevant Wholesale Service.</p> <p>By means of Telecom’s FTN The provision of this service requires a meaningful or not insignificant participation of Telecom’s FTN. Although a part of call does not run over Telecom’s FTN, the FTN is important in the functionality of the service (the end-to-end call and any-to-any connectivity) to a meaningful or not insignificant extent.</p> <p>Determination The Commission determines that Teamtalk Cellular Network is a Relevant Wholesale Service, excepting calls originating from 9XX numbers.</p>
Telecom Paging Service					

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
50.	Telecom Paging Service	“Calls to Telecom Message Centre or to a pager anywhere in New Zealand (other than pager connected to the Minicall Consumer Paging service), from a telephone connected to the PSTN anywhere in NZ” (TLOC Telephone Call Prices – Call Tariffs 6.1)	<p>Retail service offered to end-users The retail service is provided to Telecom customers only (i.e. to customers with NXX numbers). The provision of calls to the Telecom Paging Network originating from 9XX numbers is not a retail service provided by Telecom.</p> <p>By means of Telecom FTN Applying the “by means only of” test, calls to the Telecom Paging Network are not by means of Telecom’s FTN. Telecom has, however, submitted that provision of this service does require a substantial and actual use of the FTN.</p>	Yes	<p>Retail services offered to end-users The Commission accepts Telecom’s submission that calls originating from 9XX numbers are not retail services provided by Telecom and, therefore, not a Relevant Wholesale Service.</p> <p>By means of Telecom’s FTN The provision of this service requires a meaningful or not insignificant participation of Telecom’s FTN. Although a part of call does not run over Telecom’s FTN (but rather Telecom’s Paging Network), the FTN is important in the functionality of the service (the end-to-end service and any-to-any connectivity) to a meaningful or not insignificant extent.</p> <p>Determination The Commission determines that Telecom Paging Service is a Relevant Wholesale Service, excepting calls originating from 9XX numbers.</p>
51.	Minicall Consumer Paging Service	“Calls to pagers connected to the Minicall Paging Service from a telephone connected to the PSTN are charged per call. Charges appear on the caller’s monthly Telecom telephone account.” (TLOC Telephone Call Prices – Call Tariffs 6.2)	<p>Retail service offered to end-users The retail service is provided to Telecom customers only (i.e. to customers with NXX numbers). The provision of calls to the Minicall Consumer Paging Service originating from 9XX numbers is not a retail service provided by Telecom.</p> <p>By means of Telecom FTN Applying the “by means only of” test, calls to the Minicall Consumer Paging Service are not by means of Telecom’s FTN. Telecom has, however, submitted that provision of this service does require a substantial and actual use of the FTN.</p>	Yes	<p>Retail services offered to end-users The Commission accepts Telecom’s submission that calls originating from 9XX numbers are not retail services provided by Telecom and, therefore, not a Relevant Wholesale Service.</p> <p>By means of Telecom’s FTN The provision of this service requires a meaningful or not insignificant participation of Telecom’s FTN. Although a part of call does not run over Telecom’s FTN (but rather Telecom’s Paging Network), the FTN is important in the functionality of the service (the end-to-end service and any-to-any connectivity) to a meaningful or not insignificant extent.</p> <p>Determination The Commission determines that Minicall Consumer Paging Service is a Relevant Wholesale Service, excepting calls originating from 9XX numbers.</p>
Audio conference Calls					
52.	Audio conference Calls	“Audio conferencing enables from 3 to 150 phones to be connected together for a conversation. Calls can be connected via the Audio conference operator (Operator assisted calls), automatically connected by the Audio conferencing system (Preset service) or dialled by the parties involved (Meet-Me and Meet-Me-Collect calls).” (TLOC Telephone Call Prices – Call Tariffs 9.1)			Withdrawn
53.	Audio conference Call Rates	Call rates “Local and national calls” (TLOC Telephone Call Prices – Call Tariffs 9.2)			Withdrawn
54.	Audio conference Dedicated Rates	“A dedicated audio conference service will be available for customers with high traffic volumes.” (TLOC Telephone Call Prices – Call Tariffs 9.3)			Withdrawn
55.	Videoconference Bureau Service	“Telecom offers a public Videoconferencing bureau service using Videoconferencing facilities around New Zealand.” (TLOC Telephone Call Prices – Call Tariffs 9.4)			Withdrawn

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
56.	Multipoint Call Rates	“Multipoint Videoconferencing enables three or more parties in different locations to link by Videoconference via a multipoint control unit (“MCU”). Up to eight parties can join a single Videoconference, or simultaneous videoconferences with a combined total of up to eight parties can occur.” (TLOC Telephone Call Prices – Call Tariffs 9.5)			Withdrawn
Telecom International Call (Toll) Charges					
57.	Direct Dialed International Calls – from a business line	“Direct dialed Telecom international Calls are charged per second after the first minute.” (TLOC Telephone Call Prices – Call Tariffs 10.2)			Withdrawn
58.	International Call Specials	“Telecom may for promotional purposes from time to time reduce the rate per minute for certain International call charges, for customers with Telecom residential and non-residential contracts.” (TLOC Telephone Call Prices – Call Tariffs 10.3)			Withdrawn
59.	Manual calls	“Manual calls are calls, which must be placed through an operator because direct dialling is not available” (TLOC Telephone Call Prices – Call Tariffs 10.4)	This is an operator assistance call.	Yes	Retail Service offered to end-users The Commission accepts Telecom’s submission that the provision of operator assisted calls originating from 9XX numbers is not a retail service provided by Telecom and, therefore, not a Relevant Wholesale Service. Determination The Commission determines that Manual Calls is a Relevant Wholesale Service, excepting the provision of manual calls from 9XX numbers.
60.	International Operator Assisted Calls	“A charge is made where the caller chooses to use the services of an operator. These charges are in addition to any international call charges which may apply.” (TLOC Telephone Call Prices – Call Tariffs 10.5)	Retail service offered to end-users The retail service is provided to Telecom customers only (i.e. to customers with NXX numbers). The provision of the service to calls originating from 9XX numbers is not a retail service offered by Telecom. By means of Telecom’s FTN The service is offered by means of Telecom’s FTN.	Yes	Retail service offered to end-users The Commission accepts Telecom’s submission that the provision of this service to calls originating from 9XX numbers is not a retail service provided by Telecom and, therefore, not a Relevant Wholesale Service. Determination The Commission determines that International Operator Assisted Calls is a Relevant Wholesale Service, excluding International Operator Assisted Calls from 9XX numbers.
61.	International Switched Digital Service	“The following charges only apply to ISDN data calls using synchronous dial-up 64 kbit/s links to international destinations with matching ISDN or switched 64 kbit/s service.” (TLOC Telephone Call Prices – Call Tariffs 10.7)			Withdrawn
62.	Faxfirst	(Superseded service) “Faxfirst is a special service for sending fax messages to overseas destinations. Normal rental charges apply to each Faxfirst line. Calls are charged per second after the first 30 seconds, using International Direct Dial rates. Faxfirst is not available to new customers.” (TLOC Telephone Call Prices – Call Tariffs 10.8)			Withdrawn
63.	Access 0168	“Access 0168 is a service which allows calls to be made to domestic toll-free numbers in the US. Calls from NZ are charged at the appropriate international Direct Dial rate or Operator rate applicable to the type of phone used. (TLOC Telephone Call Prices – Call Tariffs 10.9)			Withdrawn
International Directory Assistance					

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
64.	International Directory Assistance	“There is a charge for the provision of International Directory Assistance to cover the cost of searching domestic and international databases” (TLOC Telephone Call Prices – Call Tariffs 12)	<p>Price-capped Directory assistance and international directory assistance, to the extent they are telecommunications services under the TSO Deed and related letters between Telecom and the Crown, are price-capped services and accordingly outside the jurisdiction of this Determination.</p> <p>Retail service offered to end-users The retail service is provided to Telecom customers only (i.e. to customers with NXX numbers). The provision of directory assistance for calls originating from 9XX numbers is not a retail service.</p>	Yes	<p>Retail services offered to end-users The Commission accepts Telecom’s submission that the provision of International Directory Assistance to calls originating from 9XX numbers are not retail services provided by Telecom and, therefore, not a Relevant Wholesale Service.</p> <p>By means of Telecom’s FTN Telecom has submitted the International Directory Assistance is offered by means of its FTN.</p> <p>Determination The Commission determines that International Directory Assistance for business callers is a Relevant Wholesale Service, excluding International Directory Assistance to calls originating from 9XX numbers.</p>
Business Calls Saving Plans (all existing Plans)					
65.	Business Calls Saving Plans (all existing Plans)	(TLOC Telephone Call Prices – Call Tariffs 14)		Not a service	Both Telecom and TelstraClear submit that Business Call Savings Plans is not a separate retail service, but a series of different prices for Telecom services. As such, these price point will be included in the determination of the retail price for the services in question.
SECTION FOUR: SPECIAL SERVICES					
Telecom 0800					
					<p>Withdrawal TelstraClear submitted that 0800 services remain in the proceedings but it concedes that Telecom no longer faces limited competition from the end of February 2003 owing to the introduction of number portability and the completion of the process of migrating resale 0800 services across to the TelstraClear network. The Commission determines that TelstraClear is no longer seeking a determination in respect of the 0800 services for the period forward from 1 March 2003.</p>
66.	Usage Charges	“There is a minimum usage charge per 0800 number. This charge covers all usage up to the value of the charge, and usage in addition to this minimum depends on the charging option chosen by the customer” (TLOC Special Services 1.3)		Not a service	<p>Determination The Commission determines that Telecom 0800 – Usage is not a service. However, Telecom must offer for resale to TelstraClear services with the same components it offers to its retail customers. This charge is such a component.</p>
67.	Standard Plan	“The Standard 0800 Plan only remains available for special deal pricing already in existence prior to 1 August 2000. The standard 0800 plan is not available for new connections after 1 August 2000.” (TLOC Special Services 1.6)	<p>Offered to end-users There are currently two standard plans. Telecom offers a switched and switchless 0800 service. The switchless is a retail product and is a designated service. The switched product is a wholesale product and not a designated service.</p> <p>By means of Telecom’s FTN Telecom considers that these services are offered by means of Telecom FTN insofar as they relate to switchless 0800 service</p>	Yes	<p>Retail service offered to end-users TelstraClear has submitted that the switched 0800 service is a retail service offered to end-users. The switched service allowed the customer of the 0800 services to use TelstraClear’s network to carry the call from the 0800 caller to its call centre by providing Telecom with local PSTN numbers in a local calling area into which calls to 0800 numbers originating in that area would be translated rather than into PSTN numbers which were out of the area. However, the call was not being terminated at that number but rather transferred to the TelstraClear network for termination. The local call component of the switched service is therefore a wholesale input into the retail end-to-end call and, consequently, not a retail service offered to end-users.</p> <p>Determination The Commission determines that the switchless version of Telecom 0800 – Standard Plan is a Relevant Wholesale Service.</p>

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
68.	Any Minute Plan	“This plan is designed for customers who receive a lot of national calls, calls from cellular phones, or have the 800 number connected to a cellular phone. This plan charges the one price for all calls at any time.” (TLOC Special Services 1.5)	<p>Offered to end-users This is an alternative to the standard (regional) price plan. Where this pricing plan is applied as part of the switchless 0800 service, it is offered by Telecom at the retail level to end-users. However, if it is applied to a switched 0800 service then, for reasons set out in relation 0800 Standard Plan, it is not a retail service that is offered by Telecom to end-users.</p> <p>By means of Telecom’s FTN Telecom considers that these services are offered by means of Telecom FTN insofar as they relate to switchless 0800 service</p>	Yes	<p>Retail service offered to end-users The switched service is not a retail service for the reasons described for Telecom 0800 – Standard plan.</p> <p>Determination The Commission determines that the switchless version of Telecom 0800 – Any Minute Plan is a Relevant Wholesale Service.</p>
69.	Time of Day Diversion (TODD)	“This service enables incoming calls to be diverted to another number at predetermined times.” (TLOC Special Services 1.9)	<p>Offered to end-users This service is only offered to end-users insofar as it relates to switchless 0800 services. See 0800 Standard Plan.</p> <p>By means of Telecom’s FTN Telecom considers that these services are offered by means of Telecom FTN insofar as they relate to switchless 0800 service</p>	Yes	<p>Retail service offered to end-users The switched service is not a retail service for the reasons described for Telecom 0800 – Standard Plan.</p> <p>Determination The Commission determines that the switchless version of Telecom 0800 – Time of Day Diversion is a Relevant Wholesale Service.</p>
70.	Percentage Call Distribution	“Percentage call distribution allows a customer to spread their call answering between different locations, and to determine what percentage will be answered where.” (TLOC Special Services 1.10)	<p>Offered to end-users This service is only offered to end-users insofar as it relates to switchless 0800 services. See 0800 Standard Plan.</p> <p>By means of Telecom’s FTN Telecom considers that these services are offered by means of Telecom’s FTN insofar as they relate to switchless 0800 service.</p>	Yes	<p>Retail service offered to end-users The switched service is not a retail service for the reasons described for Telecom 0800 – Standard Plan.</p> <p>Determination The Commission determines that the switchless version of Telecom 0800 – Percentage Call Distribution is a Relevant Wholesale Service.</p>
71.	Additional Call Distribution Plans	“This allows the customer to store up to ten answering patterns in advance which can be activated with a phone call.” (TLOC Special Services 1.11)	<p>Offered to end-users This service is only offered to end-users insofar as it relates to switchless 0800 services. See 0800 Standard Plan.</p> <p>By means of Telecom’s FTN Telecom considers that these services are offered by means of Telecom’s FTN insofar as they relate to switchless 0800 service.</p> <p>VATS This is a service offered by means of a VATS (Call Distribution Plan).</p>	Yes	<p>Retail service offered to end-users The switched service is not a retail service for the reasons described for Telecom 0800 – Standard Plan.</p> <p>Determination The Commission determines that the switchless version of Telecom 0800 – Additional Call Distribution Plans is a Relevant Wholesale Service.</p>
72.	Suspended Service	“Monthly charge per number for suspended service.” (TLOC Special Services 1.12)	See Telecom comment on the service 0800 – Standard Plan.	Yes	<p>Retail service offered to end-users The switched service is not a retail service for the reasons described for Telecom 0800 – Standard Plan.</p> <p>Determination The Commission determines that the switchless version of Telecom 0800 – Superceded Service is a Relevant Wholesale Service.</p>

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
73.	Call Statistics	“Statistics regarding a customer’s Telecom 0800 number after it has been suspended” (TLOC Special Services 1.13)	By means of Telecom’s FTN The service is a standalone PC based service. It is not offered by means of Telecom’s FTN. VATS This service provides reporting information and analysis of a Telecom customer’s spend. The service is provided after the telecommunication has taken place. It does not facilitate or enable the conveyance of this signal. It analyses (independently of, and after, the conveyance) how much the customer has spent on calls. The service is provided by separate software independent of the Telecom FTN. The service can even be sold to a completely different person to the person(s) who made the calls in the first place. The service is not therefore “telecommunications services” as defined in the Act. It follows that neither can it be a value-added telecommunications service.	No	By means of Telecom’s FTN The Commission determines that Telecom 0800 – Call Statistics is not provided by means of Telecom’s FTN. VATS The Commission determines that Call Statistics is not a VATS associated with telecommunications services provided by the assets in (a) to (e) of clause 1 of Subpart 1 of Schedule 1 of the Act. Call Statistics are statistics regarding a customer’s 0800 number after it has been suspended, and TelstraClear will have access to the relevant data for its customer through its contractual arrangements with Telecom. Therefore, there is a readily available substitute with comparable functionality. Determination The Commission determines that Telecom 0800 – Call Statistics is not a Relevant Wholesale Service.
74.	Call Prompting	“This allows the caller to choose options from a menu before the call is completed” (TLOC Special Services 1.14)	Offered to end-users This service is only offered to end-users insofar as it relates to switchless 0800 services. See 0800 Standard Plan. By means of Telecom’s FTN Telecom considers that these services are offered by means of Telecom’s FTN insofar as they relate to switchless 0800 service.	Yes	Retail service offered to end-users The switched service is not a retail service for the reasons described for Telecom 0800 – Standard Plan. Determination The Commission determines that the switchless version of Telecom 0800 – Call Prompting is a Relevant Wholesale Service.
75.	Courtesy Response	“A pre-recorded message precedes the connection of the call” (TLOC Special Services 1.15)	Offered to end-users This service is only offered to end-users insofar as it relates to switchless 0800 services. See 0800 Standard Plan. By means of Telecom’s FTN Telecom considers that these services are offered by means of Telecom’s FTN insofar as they relate to switchless 0800 service.	Yes	Retail service offered to end-users The switched service is not a retail service for the reasons described for Telecom 0800 – Standard Plan. Determination The Commission determines that the switchless version of Telecom 0800 – Courtesy Response is a Relevant Wholesale Service.
76.	Pending 0800 Plan	“This option is available to customers who wish to establish an 0800 number but do not have full details (such as the terminating PSTN number), or the activation date for the service is more than one month away. Customers are required to advise Telecom when they wish to have the number activated” (TLOC Special Services 1.16)	See Telecom comment on the service 0800 – Standard Plan.	Yes	Retail service offered to end-users The switched service is not a retail service for the reasons described for Telecom 0800 – Standard Plan. Determination The Commission determines that the switchless version of Telecom 0800 – Pending 0800 Plan is a Relevant Wholesale Service
77.	Other charges	(1) Charge for a change to a Telecom 0800 number. (2) Charge for change of PSTN Number receiving Telecom 0800 calls; and (3) Charge for change of Cellular Number receiving Telecom 0800 calls. (TLOC Special Services 1.17)		Not a service	The Commission notes that this is not a discrete service, but rather part of the terms of supply for the Telecom 0800 service.
Telecom International 0800 Service					

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
					<p>Withdrawal TelstraClear submitted that 0800 services remain in the proceedings but it concedes that Telecom no longer faces limited competition from the end of February 2003 due to the introduction of number portability and the completion of the process of migrating resale 0800 services across to the TelstraClear network. The Commission determines that TelstraClear is no longer seeking a determination in respect of the 0800 services for the period forward from 1 March 2003.</p>
78.	Inbound International 0800	<p>“With the Inbound International 0800 service, a customer can have a toll-free number in any of 40 countries with the calls being answered in NZ. A number of enhanced features are available.” (TLOC Special Services 2.1)</p>	<p>By means of Telecom’s FTN This service is not offered by means of Telecom’s FTN. The “by means of test” is not satisfied. Further, the 0800 inbound international call would not be covered by Telecom’s “by means of” test suggested above (substantial and actual use of the FTN). This is because of:</p> <ul style="list-style-type: none"> (a) the large international transmission component of the call (both in terms of distance and cost) by far outweighs the FTN usage component; (b) The fact that the international call service is a call service. It is not an access service – the access is a separate service. Both services (calling and access) are separate and in different markets. Hence, in assessing “substantial use” it is the different call legs (FTN and non-FTN) that must be compared. The Commission should not attribute any additional weight to the FTN leg in making this comparison just because the caller has business access (a separate service) which utilises the FTN; (c) The toll-free number (which may not be 0800) is translated by the overseas Telco, not Telecom. 	No	<p>By means of Telecom’s FTN Inbound International 0800 is not offered by means of Telecom’s FTN. The provision of the service does not require a meaningful or not insignificant participation of Telecom’s FTN. Telecom submits that the preponderant cost or distance of the service is not on the FTN. The appropriate test is whether, on a qualitative assessment, the FTN will be important in the functionality of what the service provides. The functionality offered by this service is the ability to have a toll-free number in another country with the calls being answered in New Zealand. Although a part of service runs across Telecom’s FTN (the access component), the FTN is not important in the functionality of the service (the ability to have a toll-free number in another country with calls being answered in New Zealand) to a meaningful or a not-insignificant extent.</p> <p>Determination The Commission determines that Inbound International 0800 is not a Relevant Wholesale Service.</p>

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
79.	Outbound International 0800	“With the Outbound International 0800 service, a customer can have a toll-free number in NZ with the call being answered in an overseas country. A number of enhanced features are available.” (TLOC Special Services 2.2)	<p>Offered to end-users The switched/switchless distinction applied equally to outbound international calls. Only switchless outbound international 0800 calls are offered by Telecom to end-users.</p> <p>By means of Telecom’s FTN This service is not offered by means of Telecom’s FTN. The “by means of test” is not satisfied. Further, an international call would not be covered by Telecom’s “by means of” test suggested above (substantial and actual use of the FTN). This is because of:</p> <p>(a) the large international transmission component of the call (both in terms of distance and cost) by far outweighs the FTN usage component;</p> <p>(b) The fact that the international call service is a call service. It is not an access service – the access is a separate service. Both services (calling and access) are separate and in different markets. Hence, in accessing “substantial use” is it the different call legs (FTN and non-FTN) that must be compared. The Commission should not attribute any additional weight to the FTN leg in making this comparison just because the caller has business access (a separate service) which utilises the FTN;</p> <p>VATS This is not a VATS. It is a basic service.</p>	No	<p>Retail service offered to end-users As the Commission has noted in respect of Telecom 0800 services, switched calls are not retail services offered to end-users.</p> <p>By means of Telecom’s FTN Outbound International 0800 is not offered by means of Telecom’s FTN. The provision of the service does not require a meaningful or not insignificant participation of Telecom’s FTN. Telecom submits that the preponderant cost or distance of the service is not on the FTN. The appropriate test is whether, on a qualitative assessment, the FTN will be important in the functionality of what the service provides. The functionality offered by this service is the ability to call domestic toll-free numbers in the US. Although a part of service runs across Telecom’s FTN (the access component), the FTN is not important in the functionality of the service (the ability to call domestic US toll-free numbers) to a meaningful or a not-insignificant extent.</p> <p>Determination The Commission determines that Outbound International 0800 is not a Relevant Wholesale Service.</p>
80.	Additional Call Distribution Plans	“Allows a customer to store up to 10 answering patterns in advance which can be activated with a phone call.” (TLOC Special Services 2.3)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
81.	Call advance on busy	“Allows the customer to direct calls to another answering point if the first answering point is busy. There are no charges for establishment or changes to Call Advance on Busy, and no ongoing monthly charges.” (TLOC Special Services 2.4)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
82.	Call advance No Answer	“Allows the customer to direct calls to another answering point if there is no reply at the first answering point. There are no charges for establishment or changes to Call Advance No Answer, and no ongoing monthly charges.” (TLOC Special Services 2.5)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
83.	Call Prompting	“Allows the caller to choose options from a menu before the call is connected.” (TLOC Special Services 2.6)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
84.	Confidential PIN	“Enables a customer to restrict calls to their Telecom International 0800 number to those who know the four-digit PIN. There are no changes for establishment or changes to a Confidential PIN, and no ongoing monthly charges.” (TLOC Special Services 2.7)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
85.	Courtesy Response	“Allows the customer to play a pre-recorded message before the call is connected.” (TLOC Special Services 2.8)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
86.	Distinctive Tone	“Allows customer to tell whether the caller has dialled the customer’s International 0800 number or the terminating PSTN number. Distinctive Tone is only available for Inbound International 0800 service.” (TLOC Special Services 2.9)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
87.	Follow Me	“Allows customers to change the terminating number for their International 0800 number themselves. Follow Me is only available for the Inbound International 0800 service.” (TLOC Special Services 2.10)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
88.	Geographic Control	“Allows one Outbound Telecom International 0800 number to be answered in different locations depending on the geographic region in NZ where the call was made.” (TLOC Special Services 2.11)			Withdrawn
89.	Simple Geographic Control	“17 region option (all Telecom pre-defined geographical regions)” (TLOC Special Services 2.12)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
90.	Advanced Geographic Control	“74 region option (all Telecom pre-defined geographical regions.” (TLOC Special Services 2.13)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
91.	Complex Geographic Control	“455 region option (all Telecom pre-defined geographical regions.” (TLOC Special Services 2.14)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
92.	International 0800 Info Call	“A customer can provide recorded information to callers. InfoCall is only available for the Inbound international 0800 service.” (TLOC Special Services 2.15)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission’s jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission’s jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
93.	Percentage Call Distribution	"... allows a customer to spread their call answering between different locations, and to determine what percentage will be answered where." (TLOC Special Services 2.16)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission's jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission's jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
94.	Time of Day Diversion (TODD)	"Allows International 0800 calls to be diverted to another number at predetermined times." (TLOC Special Services 2.17)	For the reasons set out in its submission against service 79 (Outbound International 0800), Telecom considers Outbound International 0800 is outside the Commission's jurisdiction. Accordingly, this service (which is a feature of Outbound International 0800) is outside the Commission's jurisdiction.	No	Determination Since service 79, Outbound International 0800, is not a Relevant Wholesale Service, the Commission determines that this related service is also excluded.
Telecom 0900 Service					
95.	0900 Service				Withdrawn
96.	0900 Number	"There is an application charge for each new 0900 number application." (TLOC Special Services 4.1)		Yes	Determination The Commission determines that 0900 Application is a Relevant Wholesale Service.
97.	Connection and Installation	"There is a charge for the connection of the Information Provider's 0900 number." (TLOC Special Services 4.2)		Yes	Determination The Commission determines that Telecom 0900 Service – Connection and Installation is a Relevant Wholesale Service.
98.	Monthly Rental	"There is a monthly charge for rental of each 0900 number." (TLOC Special Services 4.3)		Yes	Determination The Commission determines that Telecom 0900 Service – Monthly Rental is a Relevant Wholesale Service.
99.	Network Usage Charge	"There is a flat rate charge to Information Providers for all calls made to an Information Provider's 0900 number. This charge covers the routing and billing of the calls." (TLOC Special Services 4.4)		Not a service	The Commission notes that this is not a discrete retail service, but rather charging rates for the 0900 service.
100.	Other Network Features	(1) Alteration Charge for change to an Information Provider's 0900 service; (2) Geographical Control; (3) Simple Geographic Control; (4) Advanced Geographic Control; (5) Complex Geographic Control; (6) Time of Day Diversion (TODD); (7) Additional Call Distribution Plans; (8) Confidential PIN; (9) Call Advance; and (10) Suspended Service. (TLOC Special Services 4.5)		Yes	Determination The Commission determines that Telecom 0900 Services – Other Network and Features is a Relevant Wholesale Service.
101.	VSP AUDIOTEX (Information providers using Telecom Audiotelex equipment)	"Information Providers have a choice of using Telecom's Audiotelex equipment or providing their own. These charges are in addition..." (TLOC Special Services 4.6)			Withdrawn
102.	Information Provider using own Audiotelex equipment	"0900 customers who wish to use their own equipment can use Telecom PSTN lines, or Telecom leased lines between their premises and the local exchange. Charges for these lines are in addition..." (TLOC Special Services 4.7)		Yes	Determination The Commission determines that Information Provider using own Audiotelex equipment is a Relevant Wholesale Service.

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
	Packet Switch Service				
		The Packet Switch Service is a public switched data network, offering the advantages of a digital data transmission system without the need for leasing dedicated circuits. The Packet Switch Service is provided over the Digital Switched Transmission Network (“DSTN”). The Packet Switch exchanges are Auckland, Wellington, and Christchurch. Additional Packet Switch exchanges may be added in the future.			
103.	Connection and Installation	“Connection to the Packet Switch Service can be either through what is virtually a dedicated link, or on a dial-up basis.” (TLOC Special Services 6.1)		Yes	Determination The Commission determines that Packet Switch Service – Connection and Installation is a Relevant Wholesale Service.
104.	Monthly Access	Charge per end of circuit for Dedicated Packet Mode Connection at differing capacities (TLOC Special Services 6.2)		Not a service	Determination The Commission notes that this is not a discrete service, but rather a description of charging for the Packet Switch Service.
105.	National Usage	“Transmission charged for the Packeting Switching Service are not determined by distance. The service is charge on a usage basis, both by time and by volume.” (TLOC Special Services 6.3)		Not a service	Determination The Commission notes that this is not a discrete service, but rather a description of charging for the service for the Packet Switch Service.
106.	International Usage	“International usage charges are based on a basic charge for each hour or part of an hour connection, plus a charge per kilosegment of user data transmitted.” (TLOC Special Services 6.4)	By means of Telecom’s FTN This service is not offered by means of Telecom’s FTN. It is not offered “by means only of Telecom’s FTN”. In the alternative, provision of this service does not require “actual and substantial use” of Telecom’s FTN because: (c) the large international transmission component of the call (both in terms of distance and cost) by far outweighs the FTN usage component. (d) The fact that the international call service is a call service. It is not an access service – the access is a separate service. Both services (calling and access) are separate and in different markets. Hence, in accessing “substantial use” is it the different call legs (FTN and non-FTN) that must be compared. The Commission should not attribute any additional weight to the FTN leg in making this comparison just because the caller has business access (a separate service) which utilises the FTN. VATS This is not a value-added telecommunications service. It is a basic service.	No	By means of Telecom’s FTN Packet Switch Service – International Usage is not offered by means of Telecom’s FTN. The provision of Packet Switch Service – International Usage Charges does not require a meaningful or not insignificant participation of Telecom’s FTN. Telecom submits that the preponderant cost or distance of the service is not on the FTN. The appropriate test is whether, on a qualitative assessment, the FTN will be important in the functionality of what the service provides. The functionality offered by this service is the sending of digital data transmission to international destinations. Although a part of the service runs across Telecom’s FTN (the access component), the FTN is not important in the functionality of the service (the sending of digital data transmission to international destinations) to a meaningful or a not-insignificant extent. Determination The Commission determines that Packet Switch Service – International Usage is not a Relevant Wholesale Service.
107.	Alteration and Reconfiguration	“Charge for extermination removal of a Dedicated Packet mode connection...” (TLOC Special Services 6.5)		Not a service	Determination The Commission notes that this is not a discrete service, but rather a description of charging relating to the Packet Switch Service.
108.	Other Charges	(1) Minimum leases; and (2) Supplementary services (TLOC Special Services 6.6)		Not a service	Determination The Commission notes that this is not a discrete service, but rather a description of charging relating to the Packet Switch Service.
	Telecom Smartfax Service				

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
		<p>Telecom Smartfax is a store-and-forward network service offering a range of features (including broadcast) which enhance the functionality of a customer's existing fax machine or fax capable device. There are two services available with Smartfax. Smartfax Swift is intended for customers who use Smartfax frequently, and require the flexibility of initiating broadcasts from their own premises. Smartfax Stand-by is a Bureau service suitable for customers who use Smartfax infrequently, and who do not wish to incur monthly rental charges.</p>			
109.	Smartfax Standby Service	<p>"In addition to the registration and set up fees for Smartfax Stand-by, there are also charges for changes to the customer's broadcast list. The standard charge applies if the broadcast list is provided on disc in the required format, or the list is on paper and less than 50 customers long, or an existing list has less than 50 amendments required. A surcharge applies if the above criteria are not met. The Smartfax service desk handles broadcast faxes for Smartfax Standby customers." (TLOC Special Services 7.1)</p>	<p>Grandfathered Telecom provides the Smartfax services to existing customers. The service is not offered to new customers.</p> <p>By means of Telecom's FTN On any test ("by means of"; "substantial and actual use"; "meaningful participation") the provision of the Smartfax server is independent of the FTN.</p> <p>VATS The server can be accessed by other networks completely independent of Telecom network based assets. Further, this is a service that can be provided by other providers. On Telecom's interpretation, this service is not therefore "associated with" a service provided by the Telecom network assets in (a) to (e) of the "FTN" definition. In the alternative, Telecom submits that this service cannot be offered "by means of" a VATS.</p>	Yes	<p>By means of Telecom's FTN Smartfax Stand-by is offered by means of Telecom's FTN. The FTN is important in the functionality of what the service provides to a meaningful or a not insignificant extent. Smartfax Stand-by provides the customer with "Store and Forward" network service. While it is possible, as Telecom submits, for the end-user to access the service from other networks completely independent of Telecom's network based assets, such a restriction would limit the functionality of the service; i.e the service would not be as readily accessible. The ability to access the service using Telecom's FTN is an important aspect in the functionality of what the service provides to a meaningful or a not insignificant extent.</p> <p>Determination The Commission determines that Smartfax Standby Service is a Relevant Wholesale Service.</p> <p>Grandfathered services The Commission notes that Smartfax Standby Service is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.</p> <p>Replacement service Telecom notes that this service has been largely replaced by efax. In its Determination, the Commission has set out rules for determining if a product is a "replacement" service. Under those determined rules, if efax is a replacement service for Smartfax Standby service, efax would be a Relevant Wholesale Service.</p>

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
110.	Smartfax Swift Service	<p>“For Smartfax Swift customers, the interface to the Smartfax network is a small electronic device called a Customer Interface Unit (“CIU”); this is attached to the fax line at the customer’s premises. To send a message via Smartfax, the customer simply prefixes the recipient number (or stored broadcast list number) with the Smartfax access code 0* (zero-star). Smartfax will then accept the message, and store it for processing and subsequent delivery. Suffix codes can also be attached to recipient or broadcast list numbers to utilise the other available Smartfax features, such as positive delivery notification, or urgent priority delivery.” (TLOC Special Services 7.2)</p>	<p>Grandfathered Telecom provides the Smartfax services to existing customers. The service is not offered to new customers.</p> <p>By means of Telecom’s FTN On any test (“by means of”; “substantial and actual use”; “meaningful participation”) the provision of the Smartfax server is independent of the FTN.</p> <p>VATS The server can be accessed by other networks completely independent of Telecom network based assets. Further, this is a service that can be provided by other providers. On Telecom’s interpretation, this service is not therefore “associated with” a service provided by the Telecom network assets in (a) to (e) of the “FTN” definition. In the alternative, Telecom submits that this service cannot be offered “by means of” a VATS.</p>	Yes	<p>By means of Telecom’s FTN Smartfax Swift is offered by means of Telecom’s FTN. The FTN is important in the functionality of what the service provides to a meaningful or a not insignificant extent. Smartfax Swift provides the customer with “Store and Forward” network service. While it is possible, as Telecom submits, for the end-user to access the service from other networks completely independent of Telecom’s network based assets, such a restriction would limit the functionality of the service; i.e the service would not be as readily accessible. The ability to access the service using Telecom’s FTN is an important aspect in the functionality of what the service provides to a meaningful or a not insignificant extent.</p> <p>Determination The Commission determines that Smartfax Swift Service is a Relevant Wholesale Service.</p> <p>Grandfathered services The Commission notes that Smartfax Swift Service is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.</p> <p>Replacement service Telecom notes that this service has been largely replaced by efax. In its Determination, the Commission has set out rules for determining if a product is a “replacement” service. Under those determined rules, if efax is a replacement service for Smartfax Swift service, efax would be a Relevant Wholesale Service.</p>
111.	Usage Charges	<p>“All Smartfax charges are based on a per-page rate. There are three time periods and seven distance dependent charging zones for Smartfax usage charges. These charges apply to all Smartfax services. There is also an ‘Urgent’ sending option, which incurs a surcharge in addition to the normal rates.” (TLOC Special Services 7.3)</p>	<p>Grandfathered Telecom provides the Smartfax services to existing customers. The service is not offered to new customers.</p> <p>By means of Telecom’s FTN On any test (“by means of”; “substantial and actual use”; “meaningful participation”) the provision of the Smartfax server is completely independent of the FTN.</p> <p>VATS The server can be accessed by other networks completely independent of Telecom network based assets. Further, this is a service that can be provided by other providers. On Telecom’s interpretation, this service is not therefore “associated with” a service provided by the Telecom network assets in (a) to (e) of the “FTN” definition. In the alternative, Telecom submits that this service cannot be offered “by means of” a VATS.</p>	Not a service	<p>The Commission notes that this is not a discrete retail service, but rather a description of the charging for the Smartfax service.</p>
112.	Other Charges	<p>“Broadcast Fax Non-Delivery Notice Overnight Delivery Specified Time Delivery Positive Delivery Notice Fine Mode Fax Personalised Cover Page” (TLOC Special Services 7.4)</p>	<p>Grandfathered Telecom provides the Smartfax services to existing customers. The service is not offered to new customers.</p> <p>As Smartfax services are not within the Commission’s jurisdiction, these services (which are features of the Smartfax Services) are not within the Commission’s jurisdiction.</p>	Not a service	<p>The Commission notes that this is not a discrete retail service, but rather a description of the charging for the Smartfax service.</p>

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
	Integrated Access				
113.	Installation	<p>“The installation charge for an Integrated Access depends on whether or not the installation is the first Telecom 2Mbit/s access installed for that customer on that site. Multiple installations on the same site at the same time are also priced differently from single installations. Where the customer site is greater than 5 km from the nearest Telecom exchange, and additional electronic enhancement is required to ensure that the service is provided to the specified service quality, or the site is at a location that is beyond Telecom’s standard access network, then installation charges will be based on the actual cost of providing the service, but will be no less than the standard 2 MBit/s installation charges.”</p> <p>(TLOC Special Services 8.1)</p>		Yes	<p>Determination</p> <p>The Commission determines that Integrated Access – Installation is a Relevant Wholesale Service.</p>
114.	Monthly Access	<p>“Monthly Integrated Access charge”</p> <p>“Monthly Charge per second and subsequent 2 Mbit/s access to same Flexible multiplexer. As for second and subsequent Megalink Access (see National Leased Circuits).”</p> <p>(TLOC Special Services 8.2)</p>		Not a service	The Commission notes that this is not a discrete service, but rather a description of the charging for the Integrated Access service.
115.	Transmission and Other	<p>“These charges will be that same as for conventionally accessed circuits, and will apply to the disaggregated circuits.”</p> <p>(TLOC Special Services 8.3)</p>		Not a service	The Commission notes that this is not a discrete service, but rather a description of the charging for the Integrated Access service.
116.	Alteration and Configuration	<p>“Addition of Circuit Access</p> <p>The charge for the connection of new circuit accesses to an existing integrated Access site will be based on the actual costs incurred (labour and materials) but will not be less than \$150.00”</p> <p>(TLOC Special Services 8.4)</p>		Yes	<p>Determination</p> <p>The Commission determines that Integrated Access – Alteration and Configuration is a Relevant Wholesale Service.</p>
117.	Conversion to Integrated Access	<p>“Where standard connections are being converted to Integrated Access (or vice versa) the normal installation charges for the new accesses will apply.”</p> <p>(TLOC Special Services 8.5)</p>		Yes	<p>Determination</p> <p>The Commission determines that Integrated Access – Conversion to Integrated Access is a Relevant Wholesale Service.</p>
	Frame Relay				
118.	Installation	<p>“Frame relay is available at access speeds of between 64kbit/s and 2Mbit/s”</p> <p>“The installation for each connection between 192 kbit/s and 2 Mbit/s terminating up to 5 km from the local exchange will be based on the actual costs involved, but will not exceed a predetermined maximum charge.”</p> <p>(TLOC Special Services 9.1)</p>	<p>Not offered</p> <p>These Frame Relay Services have been replaced with other services.</p> <p>The move to the other services involved the decommissioning of the Frame Relay infrastructure. As Frame Relay infrastructure has been decommissioned, Telecom has no ability to install it. Therefore, the installation charge should be removed from the Determination. Telecom would instead install other services.</p>	The replacement service (if any)	<p>Replacement Service</p> <p>Telecom notes that this service has been replaced with the ‘Streamline Frame’ service. In its Determination, the Commission has set out rules for determining if a product is a “replacement” service. Under those determined rules, if Streamline Frame is a replacement service for Frame Relay, Streamline Frame would be a Relevant Wholesale Service.</p>

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
119.	Access Charges	“Frame Relay access charges are dependent on location and bandwidth. More than one virtual circuit can terminate on a Frame Relay access, however, the access rate bandwidth must be greater than or equal to the combined bandwidth of all virtual circuits associated with that access.” (TLOC Special Services 9.2)	Grandfathered These Frame Relay Services have been replaced with other services, although there are still some customers on the Frame Relay pricing regime. The move to other services involved decommissioning the Frame Relay infrastructure. Although the Frame Relay infrastructure has been decommissioned and replaced with new infrastructure, there are some existing customers still being billed on Frame Relay pricing, and their services are still referred to as “Frame Relay”.	The replacement service (if any)	Replacement service Telecom notes that this service has been replaced with the ‘Streamline Frame’ service. In its Determination, the Commission has set out rules for determining if a product is a “replacement” service. Under those determined rules, if Streamline Frame is a replacement service for Frame Relay, Streamline Frame would be a Relevant Wholesale Service.
120.	Committed Information Rate (“CIR”)	“CIR is charged per 8 kbit/s increment of the PVC and is available from 8 kbit/s to 1024 kbit/s. The CIR is charged per PVC (previously CIR was charged across each access). The PVC is billed to the access nominated by the customer. The default will be that the PVC is charged to the main (primary end)” (TLOC Special Services 9.3)	Grandfathered These Frame Relay Services have been replaced with other services, although there are still some customers on the Frame Relay pricing regime. The move to other services involved decommissioning the Frame Relay infrastructure. Although the Frame Relay infrastructure has been decommissioned and replaced with new infrastructure, there are some existing customers still being billed on Frame Relay pricing, and their services are still referred to as “Frame Relay”.	The replacement service (if any)	Replacement service Telecom notes that this service has been replaced with the ‘Streamline Frame’ service. In its Determination, the Commission has set out rules for determining if a product is a “replacement” service. Under those determined rules, if Streamline Frame is a replacement service for Frame Relay, Streamline Frame would be a Relevant Wholesale Service.
121.	Alteration/Reconfiguration	“Speed Changes” “External Removals” “Management System Configurations” (TLOC Special Services 9.4)	Grandfathered These Frame Relay Services have been replaced with other services, although there are still some customers on the Frame Relay pricing regime. The move to other services involved decommissioning the Frame Relay infrastructure. Although the Frame Relay infrastructure has been decommissioned and replaced with new infrastructure, there are some existing customers still being billed on Frame Relay pricing, and their services are still referred to as “Frame Relay”.	The replacement service (if any)	Replacement service Telecom notes that this service has been replaced with the ‘Streamline Frame’ service. In its Determination, the Commission has set out rules for determining if a product is a “replacement” service. Under those determined rules, if Streamline Frame is a replacement service for Frame Relay, Streamline Frame would be a Relevant Wholesale Service.
122.	International Frame Relay Services	“International Frame Relay Services are available to approximately 30 European, Asian, North and Central American Countries. WorldSource Frame Relay (“WSFR”) currently supports Ports and PVCs in Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Greece, Hong Kong, Indonesia, Ireland, Israel, Italy, Japan, Korea (Domestic) Luxembourg, Malaysia, Netherlands, Norway, Philippines, Portugal, Singapore, Spain, Sweden, Switzerland, Taiwan, United States and its territories.” (TLOC Special Services 9.7)			Withdrawn
123.	ISDN access to Frame Relay	“ISDN Access to Frame Relay is now available for the following applications: • Frame Relay access for low volume users; • Leased line back up; and • ISDN bandwidth on demand.” (TLOC Special Services 9.8)	Not offered These Frame Relay Services have been replaced with other services. The move to the other services involved the decommissioning of the Frame Relay infrastructure. As Frame Relay infrastructure has been decommissioned, Telecom has no ability to install it. Therefore, the installation charge should be removed from the Determination. Telecom would instead install other services.	The replacement service (if any)	Replacement Service Telecom notes that this service has been largely replaced with the ‘Streamline Frame’ service. In its Determination, the Commission has set out rules for determining if a product is a “replacement” service. Under those determined rules, if Streamline Frame is a replacement service for Frame Relay, Streamline Frame would be a Relevant Wholesale Service.
	Diversity Services				

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
124.	Local Access Diversity	“Local Access Diversity provides two physically diverse and independent links between a customer’s premises and Telecom Local Exchanges. Local Access Diversity can be provided where the physical structure of the Telecom Network allows. Where the second diverse access to the customer’s premises does not exist, it may be provided by copper cable, fibre optic cable, or Digital Microwave Radio. Local Access Diversity is only provided via 2 Mbit/s circuits” (TLOC Special Services 10.1)	Every diversity service is tailored to the customer’s needs and every price point is unique.	Yes	Determination The Commission determines that Local Access Diversity is a Relevant Wholesale Service. The Commission notes Telecom’s submission that the price point for each diversity service will be unique and that, consequently, it may not be possible for Telecom to provide a pricing structure for this service. The Commission determines that Telecom must offer to TelstraClear the price Telecom offers to its own customers less the retail minus avoided costs saved discount of 16%.
	Televote				
125.	Monthly Rental	“There are monthly rental charges for both Televote numbers and Televote lines.” (TLOC Special Services 12.2)			Withdrawn
126.	Televote Session	“There are fixed charges for every Televote session that the Televote Operator holds. The session charge covers the set-up of the Televote session and delivery of the results at the completion of the session. Results are delivered within 15 minutes for national and regional services, and within 30 minutes for Low Impact sessions. A customer can request intermediate delivery (see Special Services). The Televote session charges are based on the geographical catchment area of the Televote session, and the media used to advertise the Televote number and session. National Televote covers all regional television and radio, and Low Impact Televote covers any print media advertising. The geographical regions are the 17 regions Telecom has predefined. The precise boundaries of these regions are available from Telecom.” (TLOC Special Services 12.3)			Withdrawn
127.	Televote Features	“The Televote feature charges are in addition to the number and the session charges. Line Interview. Repeat Voting Limit. Sample Size. Geographic Screening. Intermediate Delivery of Results. Backdates.” (TLOC Special Services 12.4)			Withdrawn
128.	Usage Charges	“Charges to the Televote Operator. Televote Operators using numbers in the 0900 20 XXXX range will be charged a set usage charge, irrespective of the charge advertised to votes. Charges to the voter. Usage charges for the Televote session using numbers in the 0900 20 XXXX range will be charged to the voter. The Televote Operator will specify the charge appropriate for each session, but there is a maximum charge that can be set.” (TLOC Special Services 12.5)			Withdrawn

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
129.	Other Charges	<p>“Cancellation Charges. There are charges to the Televote Operator for each cancelled Televote session. Configuration Charges. Televote Operators who wish to change a Televote session that has already been set-up, will be charged an alteration charge. This charge applies if a customer wishes to postpone a Televote session.” (TLOC Special Services 12.6)</p>			Withdrawn
	Telecom VPN				
130.	Telecom VPN	<p>“Telecom’s VPN (Virtual Private Network) service offers customers all the benefits of a Private Network without the need for expensive leased circuits and hardware. The VPN call pricing is usage based. Calls made on the private network (on-net or virtual on-net) are priced below the standard PSTN and IDD rates for such a call.” (TLOC Special Services 25.2</p>		Yes	<p>Determination The Commission determines that Telecom VPN is a Relevant Wholesale Service.</p>
	Telecommunications Management Information				
131.	Telecom Vision	<p>“Telecom Vision is a software based product, providing full management reporting information and analysis on customers’ outbound and inbound calling products. In addition, it provides viewing and analysis of rental and activity details from their ICMS bill.” (TLOC Special Services 16.1)</p>	<p>By means of Telecom’s FTN This service is not offered by means of Telecom’s FTN. Telecom Vision comprises PC Software which is used on CPE on the customer’s side of the demarcation point. The provision of the software is not therefore offered by means of Telecom’s FTN. On any test of by means of this software is not provided by means of Telecom’s FTN.</p> <p>VATS This service provides reporting information and analysis of a Telecom customer’s spend. The service is provided after the telecommunication has taken place. It does not facilitate or enable the conveyance of the signal. It analyses (independently of, and after, the conveyance) how much the customer has spent on calls. The service is provided by separate software independent on the Telecom FTN. The service can be sold to a completely different person to the person(s) who made the calls in the first place. The service is not therefore a “telecommunications service” as defined in the Act. It follows that neither can it be a VATS.</p>	No	<p>By means of Telecom’s FTN The Commission determines that Telecom Vision is not provided by means of Telecom’s FTN.</p> <p>VATS The Commission determines that Telecom Vision is not a VATS associated with telecommunications services provided by the assets in (a) to (e) of clause 1 of Subpart 1 of Schedule 1 of the Act. Telecom Vision is a software product used to analyse the customer’s outbound and inbound calling products. There are readily available substitutes with comparable functionality and TelstraClear will have access to the relevant data for its customer through its contractual arrangements with Telecom.</p> <p>Determination The Commission determines that Telecom Vision is not a Relevant Wholesale Service.</p>

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
132.	Telecom Customquery	“Telecom Customquery is a software based product, providing management reporting information and analysis on customers telecommunications spend, based on the Custombill Cube. The Cube defines a customers organisational structure for downstream billing purposes.” (TLOC Special Services 16.2)	By means of Telecom’s FTN This service is not offered by means of Telecom’s FTN. Telecom Vision comprises PC Software which is used on CPE on the customer’s side of the demarcation point. The provision of the software is not therefore offered by means of Telecom’s FTN. On any test of by means of this software is not provided by means of Telecom’s FTN. VATS This service provides reporting information and analysis of a Telecom customer’s spend. The service is provided after the telecommunication has taken place. It does not facilitate or enable the conveyance of the signal. It analyses (independently of, and after, the conveyance) how much the customer has spent on calls. The service is provided by separate software independent on the Telecom FTN. The service can be sold to a completely different person to the person(s) who made the calls in the first place. The service is not therefore a “telecommunications service” as defined in the Act. It follows that neither can it be a VATS.	No	By means of Telecom’s FTN The Commission determines that Telecom Customerquery is not provided by means of Telecom’s FTN. VATS The Commission determines that Telecom Customerquery is not a VATS associated with telecommunications services provided by the assets in (a) to (e) of clause 1 of Subpart 1 of Schedule 1 of the Act. Telecom Vision is a software product to analyse the customer’s outbound and inbound calling products. There are readily available substitutes with comparable functionality and TelstraClear will have access to the relevant data for its customer through its contractual arrangements with Telecom. Determination The Commission determines that Telecom Customerquery is not a Relevant Wholesale Service.
Telecom Internet Services					
133.	Dial-Up Service – Internet Connection	“The XTRA connection charge is in addition to any connection or installation charges associated with the Telecom telephone line (see Telephone Services section 1 and 2).” (TLOC Special Services 17.1)			Withdrawn
134.	Dial Up Service	“Customers have a choice of payment options: ‘pay as you go’; hourly charges Or Advance Plans; which include an allowance of hours for a fixed monthly fee ... Or Flat rate for all usage: ...” (TLOC Special Services 17.2)			Withdrawn
135.	Other Dial Up Services	“Non-Standard Plans: ... Campus Plan / School Connection Plan: ... Senior Net: ...” (TLOC Special Services 17.3)			Withdrawn
136.	Usage Charges	“The following charges apply to every hour over the monthly option: ...” (TLOC Special Services 17.4)			Withdrawn
137.	Additional Mailboxes	“Additional Mailbox monthly fee (includes five free mail name aliases)” (TLOC Special Services 17.5)			Withdrawn
138.	Advertising	“ Banners: Non targeted banner advertising. Banners rotating anywhere within the XTRA Web site: Sponsorship: Prices on application.” (TLOC Special Services 17.6)			Withdrawn

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
139.	Dedicated Access DDS	“Charges for access services to the internet provided over Digital Data Service Stacked Access or High Speed (wideband) Digital Data Access in 64K allowances.” (TLOC Special Services 17.7)			Withdrawn
140.	Domain Name	“Domain name registration including first year’s administration fee” (TLOC Special Services 17.8)			Withdrawn
141.	Global Roaming	“Prices are displayed per country on the XTRA web page, in New Zealand dollars.” (TLOC Special Services 17.9)			Withdrawn
142.	Velocity (ADSL access)	“Fee charged for XTRA customers to access Telecom JetStream.” (TLOC Special Services 17.10)			Withdrawn
143.	XTRANET	“XTRANET Access: [list of fees] XTRANET High Speed Access: [list of fees]” (TLOC Special Services 17.11)			Withdrawn
144.	Telecom XTRA Business	“For product pricing – refer to the XTRA and/or e-solutions product listings.” (TLOC Special Services 17.12)			Withdrawn
145.	Web Hosting	“Lite Web (formerly XTRA Host) [list of charges] Microsoft “Front Page” Web Hosting [list of charges]” (TLOC Special Services 17.13)			Withdrawn
SECTION 5: NATIONAL LEASED-CIRCUIT SERVICES					
Voice Circuit Service (V1)					
146.	Extended Area Installation	“In cases where electronic enhancement of the copper cable is required to provide a satisfactory service to the customer (typically for distances over 10km), a capital contribution will be charged. The capital contribution will be negotiated between Telecom and the customer.” (TLOC National Leased Circuit Services 3.2)	Service Description There are two types of V1 Circuit Service: (a) Foreign Exchange Circuit; (b) Local Exchange Circuit No longer offered – Foreign Exchange Circuit Installation of Foreign Exchange Circuits is no longer offered to new customers or provided to existing customers.	Yes	Withdrawal TelstraClear withdrew for Foreign Exchange Circuits. Determination The Commission determines that Voice Circuit Service – Extended Area Installation for local exchange circuits is a Relevant Wholesale Service.
147.	Monthly Access	“All circuits pay access charges.” TLOC National Leased Circuit Services 3.3)	Grandfathered – Foreign Exchange Circuits This service has been replaced with Dedicated Voice Services (DVS) for long distance use. As DVS equipment is no longer readily available, Telecom provided foreign exchange voice circuit services for existing customers only.	Yes	Determination The Commission determines that Voice Circuit Service – Monthly Access is a Relevant Wholesale Service. Grandfathered The Commission notes that Voice Circuit Service – Monthly Access for foreign exchange circuits is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
148.	Alteration and Configuration	“All circuits pay access charges. Circuits <i>completely within</i> a local-calling area are charged a combination of access and junction charges only. ... [list of charges ...]” (TLOC National Leased Circuit Service s 3.5)	Service Description There are two types of V1 Circuit Service: (c) Foreign Exchange Circuit; (d) Local Exchange Circuit No longer offered – Foreign Exchange Circuit Installation of Foreign Exchange Circuits is no longer offered to new customers or provided to existing customers.	Yes	Withdrawal TelstraClear withdrew for Foreign Exchange Circuits. Determination The Commission determines that Voice Circuit Service – Alteration and Configuration is a Relevant Wholesale Service.
149.	Other Charges	<i>Temporary Lease:</i> The minimum lease period for circuits and associated equipment is 6 months, if customers wish to receive Telecom’s normal monthly charges. <i>Reconnection Charge:</i> Charge for reconnection of a circuit after disconnection for non-payment <i>Signalling Converter Charges:</i> These charges cover the lease of a signalling converter, which is required for voice circuits used as tie-lines between PABXs.” (TLOC National Leased Circuit Services 3.6)	Grandfathered Telecom provides foreign exchange voice circuits for existing customers only. However, charges for temporary leases should be removed from the Determination as the service has been grandfathered for at least six months, so all customers must be on normal monthly rental and not on a temporary lease.	Yes	Retail service offered to end-users The Commission accepts Telecom’s submission that Voice Circuit Service – Other for temporary leases is no longer offered to new or existing customers. Determination The Commission determines that Voice Circuit Service – Other is a Relevant Wholesale Service, excluding charges for temporary leases. Grandfathered The Commission notes that Voice Circuit Service – Other for foreign exchange circuits is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
Analogue Data Service (A1, A2, A3)					
150.	Monthly Access	[list of prices] (TLOC National Leased Circuit Services 4.3)	Grandfathered – A3 There are a few existing customers still receiving the A3 service.	Yes	Determination The Commission determines that Analogue Data Service – Monthly Access is a Relevant Wholesale Service. Grandfathered service The Commission notes that A3 is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
151.	Monthly Transmission	[list of charges] (TLOC National Leased Circuit Services 4.4)	Grandfathered – A3 There are a few existing customers still receiving the A3 service.	Yes	Determination The Commission determines that Analogue Data Service – Monthly Transmission is a Relevant Wholesale Service. Grandfathered service The Commission notes that A3 is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
152.	Alteration and Configuration	[list of charges] (TLOC National Leased Circuit Services 4.5)	Grandfathered – A3 There are a few existing customers still receiving the A3 service.	Yes	Determination The Commission determines that Analogue Data Service – Alteration and Configuration is a Relevant Wholesale Service. Grandfathered service The Commission notes that A3 is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
153.	Other Charges	<i>Temporary Lease:</i> <i>Reconnection Charge:</i> [list of prices] (TLOC National Leased Circuit Services 4.6)	Grandfathered – A3 There are a few existing customers still receiving the A3 service.	Yes	Determination The Commission determines that Reconnection is a Relevant Wholesale Service. Grandfathered service The Commission notes that A3 is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
154.	Chatham Islands Data Service	“This service has been superseded by the Chatham Islands DDS. Customers with the Chatham Island Data Service have been converted to the Chatham Islands DDS service.” (TLOC National Leased Circuit Services 4.8)	Grandfathered There is only one customer still receiving this service.	Yes	Determination The Commission determines that Chatham Islands Data Service is a Relevant Wholesale Service. Grandfathered service The Commission notes that Chatham’s Island Data Service is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
Loop Signalling Service (L1)					
155.	Installation	[price] (TLOC National Leased Circuit Services 5.1)			Withdrawn
156.	Monthly Access	[list of per end prices] (TLOC National Leased Circuit Services 5.2)	Grandfathered This service is only offered to two existing customers.	Yes	Determination The Commission determines that Loop Signalling Service – Monthly Access is a Relevant Wholesale Service. Grandfathered services The Commission notes that Loop Signalling Service – Monthly Access is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
157.	Monthly Transmission	[list of prices] TLOC National Leased Circuit Services 5.3)	Grandfathered This service is only offered to two existing customers.	Yes	Determination The Commission determines that Loop Signalling Service – Monthly Transmission is a Relevant Wholesale Service. Grandfathered services The Commission notes that Loop Signalling Service – Monthly Transmission is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
158.	Alteration and Configuration	[list of prices] (TLOC National Leased Circuit Services 5.4)	Grandfathered This service is only offered to two existing customers.	Yes	Determination The Commission determines that Loop Signalling Service – Alteration and Configuration is a Relevant Wholesale Service. Grandfathered services The Commission notes that Loop Signalling Service – Alteration and Configuration is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
159.	Other Charges	“ <i>Temporary Lease:</i> ... <i>Reconnection Charge:</i> ...” (TLOC National Leased Circuit Services 5.5)	Grandfathered This service is only offered to two existing customers. Offered to end-users Charges for temporary leases should be removed from the Determination as the service has been grandfathered for at least six months, so all customers must be on normal monthly rentals and not on the temporary service.	Yes	Retail services offered to end-users The Commission accepts Telecom’s submissions that Loop Signally Service – Other for temporary leases is no longer offered to new or existing customers. Determination The Commission determines that Reconnection is a Relevant Wholesale Service, excluding charges for temporary leases. Grandfathered services The Commission notes that Reconnection, excluding temporary leases, is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
Programme Circuits (P2, P3, P3S)					
		Programme circuits are used for transmitting wideband audio broadcast programmes.			

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
160.	Installation	[list of prices] (TLOC National Leased Circuit Services 6.1)	Not offered P2 installation is no longer offered to new customers or provided to existing customers.	Yes	Withdrawal TelstraClear withdrew for P2. Determination The Commission determines that Programme Circuits – Installation is a Relevant Wholesale Service, excluding P2 circuits which have been withdrawn.
161.	Monthly Access	“The following prices apply to programme circuit accesses (the link between the service delivery point on the customer’s premises and the local Telecom network node (exchange)), when the service is provided on a conditioned local cable pair. A conditioned local cable pair is an unloaded cable pair, enhanced with Amplifier/Equaliser equipment.” (TLOC National Leased Circuit Services 6.2)	Grandfathered P2 has been discontinued due to feasibility issues. Some customers remain on P2 but will be phased off in the near future.	Yes	Determination The Commission determines that Programme Circuits – Monthly Access is a Relevant Wholesale Service. Grandfathered service The Commission notes that P2 is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
162.	Monthly Transmission	“The standard programme circuit transmission network covers the following rates. Circuits on these routes are provided using digital sound programme multiplex equipment.” (TLOC National Leased Circuit Services 6.4)	Grandfathered P2 has been discontinued due to feasibility issues. Some customers remain on P2 but will be phased off in the near future.	Yes	Determination The Commission determines that Programme Circuits – Monthly Transmission is a Relevant Wholesale Service. Grandfathered service The Commission notes that P2 is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
163.	Alteration and Configuration	Unable to locate in TLOC	Grandfathered This service is grandfathered to existing customers for P2, P3 and P3S.	Yes	Determination The Commission determines that Programme Circuits – Alteration and Configuration is a Relevant Wholesale Service. Grandfathered service The Commission notes that Programme Circuits – Alteration and Configuration is a grandfathered service for P2, P3 and P3S and must be offered in accordance with the process determined for wholesaling grandfathered services.
164.	External Removal	[list of prices] (TLOC National Leased Circuit Services 6.5)	Not offered P2 external removal is no longer offered to new customers or provided to existing customers.	Yes	Withdrawal TelstraClear withdrew for P2. Determination The Commission determines that Programme Circuits – External Removal is a Relevant Wholesale Service, excluding P2 external removal which has been withdrawn.
165.	Other Charges	“ <i>Studio to Transmitter Links:</i> ... <i>Temporary Lease:</i> ... <i>Reconnection Charge:</i> ... <i>Point to Multipoint Circuits</i> ...” (TLOC National Leased Circuit Services 6.6)	Grandfathered P2 has been discontinued due to feasibility issues. Some customers remain on P2 but will be phased off in the near future.	Yes	Retail services offered to end-users The Commission accepts Telecom’s submissions that Programme Circuits – Other for temporary leases is no longer offered to new or existing customers. Determination The Commission determines that Programme Circuits – Other is a Relevant Wholesale Service, excluding charges for temporary leases. Grandfathered service The Commission notes that Programme Circuits – Other, excluding temporary leases, is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
Digital Data Service (DDS)					

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
166.	Installation	[prices] (TLOC National Leased Circuit Services 10.1)	Service Description There are two groups of DDS for the purposes of this discussion: (a) DDS at lower than 64 k/bits; (b) DDS at 64 k/bits and above. Partly not offered Telecom still provides some existing customers with low speed Data Services (i.e. lower than 64 k/bits) but they cannot order any new circuits.	Yes	Withdrawal TelstraClear withdrew for DDS at lower than 64 k/bits. Determination The Commission determines that DDS – Installation for DDS at 64 k/bits or higher is a Relevant Wholesale Service.
167.	Monthly Access	[list of prices] (TLOC National Leased Circuit Services 10.2)	Partly not offered Telecom still provides some existing customers with low speed Data Services (i.e. lower than 64 kbit/s) but low speed data services are not offered to new customers.	Yes	Determination The Commission determines that DDS – Monthly Access is a Relevant Wholesale Service. Grandfathered The Commission notes that DDS – Monthly Access for speeds lower than 64 k/bits is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
168.	Monthly Transmission (based on a kilometre charge)	[list of prices] (TLOC National Leased Circuit Services 10.3)	Partly not offered Telecom still provides some existing customers with low speed Data Services (i.e. lower than 64 kbit/s) but low speed data services are not offered to new customers.	Yes	Determination The Commission determines that DDS – Monthly Transmission is a Relevant Wholesale Service. Grandfathered The Commission notes that DDS – Monthly Transmission for speeds lower than 64 k/bits is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
169.	Alteration and Configuration	[list of prices] (TLOC National Leased Circuit Services 10.4)	Service Description There are two groups of DDS for the purposes of this discussion: (a) DDS at lower than 64 k/bits; (b) DDS at 64 k/bits and above. Partly Offered Telecom still provides some existing customers with low speed Data Services (i.e. lower than 64 k/bits) but they cannot order any new circuits. As new low speed circuits cannot be ordered, the alteration and configuration charges for DDS at lower than 64 k/bits should be removed from the Determination.	Yes	Withdrawal TelstraClear withdrew for DDS at lower than 64 k/bits. Determination The Commission determines that DDS – Alteration and Configuration at 64 k/bits or higher is a Relevant Wholesale Service.
170.	Other Charges	“ <i>Temporary Lease:</i> ... <i>Reconnection Charge:</i> ...” (TLOC National Leased Circuit Services 10.5)	Partly not offered Telecom still provides some existing customers with low speed Data Services (i.e. lower than 64 kbit/s) but low speed data services are not offered to new customers	Yes	Determination The Commission determines that DDS – Other is a Relevant Wholesale Service. Grandfathered The Commission notes that DDS – Other for speeds lower than 64 k/bits is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.
171.	Chatham Islands Digital Data Service	“This service is available between the Chatham Islands and the New Zealand mainland only” (TLOC National Leased Circuit Services 10.7)		Yes	Determination The Commission determines that Chatham Islands Digital Data Service is a Relevant Wholesale Service.
	Metropolitan Digital Data Service (DDS)				

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
172.	Installation	“The 2.4 kbit/s, 9.6 kbit/s, 19.2 kbit/s, 48 kbit/s point to point and Multipoint, Multistream, Redirection DDS services are being withdrawn and are not available as new services to customers effective 1 November 2000.” (TLOC National Leased Circuit Services 11.1)		Yes	Withdrawal TelstraClear withdrew for MDDS – Installation at lower than 64 k/bits. Determination The Commission determines that Metropolitan Digital Data Service (MDDS) – Installation at 64 k/bits or higher is a Relevant Wholesale Service.
173.	Monthly Access Charges	“The 2.4 kbit/s, 9.6 kbit/s, 19.2 kbit/s, 48 kbit/s point to point and Multipoint, Multistream, Redirection DDS services are being withdrawn and are not available as new services to customers effective 1 November 2000.” (TLOC National Leased Circuit Services 11.2)		Yes	Grandfathered services MDDS – Monthly Access at lower than 64 k/bits is a grandfathered service. Determination The Commission determines that MDDS – Monthly Access at 64 k/bits or higher is a Relevant Wholesale Service.
174.	Alteration and Configuration	“As for standard DDS (see National Leased Circuits section 10 ‘Digital Data Services’)” (TLOC National Leased Circuit Services 11.3)		Yes	Grandfathered services MDDS – Alteration and Configuration at lower than 64 k/bits is a grandfathered service. Determination The Commission determines that MDDS – Alteration and Configuration at 64 k/bits or higher is a Relevant Wholesale Service.
175.	Other Charges	“As for standard DDS (see National Leased Circuits section 10 ‘Digital Data Services’)” (TLOC National Leased Circuit Services 11.4)		Yes	Offered to End-users Telecom has submitted that Temporary Leases are no longer offered to any existing or new customers, and accordingly, the Commission is not determining terms for charges for Temporary Leases. Grandfathered services MDDS – Other Charges at lower than 64 k/bits is a grandfathered service. Determination The Commission determines that MDDS – Other at 64 k/bits or higher is a Relevant Wholesale Service, excepting Temporary Leases which are no longer offered to any existing or new customers.
176.	Conversion	“Where standard DDS is converted to Metropolitan DDS, or vice versa, a conversion charge applies.” (TLOC National Leased Circuit Services 11.5)		Yes	Grandfathered services MDDS – Conversion Charges at lower than 64 k/bits is a grandfathered service. Determination The Commission determines that MDDS – Conversion at 64 k/bits or higher is a Relevant Wholesale Service.
High Speed Digital Data Service (Also known as Wideband DDS or Nx64 kbit/s)					
177.	Installation	“The installation charge for a High Speed (Wideband) DDS circuit depends on (a) whether the installation is the first Telecom 2 Mbit/s access installed for that customer at that site, and (b) which terminal centre (exchange) it is connected to.” (TLOC National Leased Circuit Services 12.1)		Yes	Determination The Commission determines that High Speed Digital Data Service – Installation is a Relevant Wholesale Service.
178.	Monthly Access	<i>Standard Access Service Delivery Point Plus 2 Mbit/s Access or Link fee Plus Channel Access Major CBD terminal centres (exchanges) include- Redirection</i> (TLOC National Leased Circuit Services 12.2)		Yes	Determination The Commission determines that High Speed Digital Data Service – Monthly Access is a Relevant Wholesale Service.

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
179.	Monthly Transmission	“All High Speed (Wideband) Digital Data Service circuits (except those with both ends directly connected to a major CBD terminal centre/exchange)” (TLOC National Leased Circuit Services 12.3)		Yes	Determination The Commission determines that High Speed Digital Data Service – Monthly Transmission is a Relevant Wholesale Service
180.	Multiple 2 Mbit/s Link Pricing	“For multiple fully utilised (1,920 kbit/s or N=30) circuits between the same two customer sites different pricing applies to the 2 nd , 3 rd , 4 th , and subsequent links as follows: ...” (TLOC National Leased Circuit Services 12.4)		Yes	Determination The Commission determines that High Speed Digital Data Service – Multiple 2 Mbit/s Link Pricing is a Relevant Wholesale Service.
181.	Alteration and Configuration	“All alteration and reconfiguration charges, except external removal and conversion between DVA and High Speed (Wideband) DDS, which require a site visit will be charged based on actual costs. They will include, for example, labour, materials and travelling time.” (TLOC National Leased Circuit Services 12.5)		Yes	Determination The Commission determines that High Speed Digital Data Service – Alteration and Configuration is a Relevant Wholesale Service.
182.	DDS Stacked Access (formerly Stacked Wideband Access)	“ <i>DDS Stacked Access</i> enables a number of medium and high-speed circuits (64 kbit/s 128 kbit/s and high speed DDS) to be delivered over a single 2 Mbit/s link between the customer’s premises and the nearest DSTN centre.” (TLOC National Leased Circuit Services 12.6)		Yes	Determination The Commission determines that High Speed Digital Data Service – DDS Stacked Access is a Relevant Wholesale Service.
MegaLink Service					
183.	Installation	“The installation charge for a MegaLink circuit depends on (a) whether the installation is the first Telecom 2 Mbit/s access installed for that customer at that site, and (b) which exchange it is connected to.” (TLOC National Leased Circuit Services 13.1)		Yes	Determination The Commission determines that Megalink Service – Installation is a Relevant Wholesale Service.
184.	Monthly Access	“The monthly access charge has two components and is not based on the length of the access circuit.” (TLOC National Leased Circuit Services 13.2)		Yes	Determination The Commission determines that Megalink Service – Monthly Access is a Relevant Wholesale Service.
185.	Monthly Transmission	“The City Step transmission charge is applicable when a circuit links two customer sites within the same local calling area.” (TLOC National Leased Circuit Services 13.3)		Yes	Determination The Commission determines that Megalink Service – Monthly Transmission is a Relevant Wholesale Service.
186.	Multiple 2 Mbit/s Link Pricing Option	“For multiple Megalink circuits between the same two customer sites different pricing applies to the 2 nd , 3 rd , 4 th and subsequent links as follows: ...” (TLOC National Leased Circuit Services 13.4)		Not a service	The Commission notes that this is not a discrete service, but rather pricing options for multiple megalink circuits.
187.	Alteration / Reconfiguration and other	“All alteration and reconfiguration charges which require a site visit will be charged based on actual costs. They will include, for example, labour, materials, and travelling time.” (TLOC National Leased Circuit Services 13.5)		Yes	Determination The Commission determines that Megalink Service – Alteration/Reconfiguration and Other is a Relevant Wholesale Service.
Dedicated Voice Services					
188.	PBX Tieline Service	“A dedicated link between two PBXs enabling rapid calling between extensions on both PBXs” (TLOC National Leased Circuit Services 14.2)		Yes	Determination The Commission determines that PBX Tieline Service is a Relevant Wholesale Service.

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
189.	MetroLink Service	“A leased service that provides normal switched telephone service in a remote exchange area. This service has superseded the Foreign Exchange service for new customers.” (TLOC National Leased Circuit Services 14.3)		Yes	Determination The Commission determines that MetroLink Service is a Relevant Wholesale Service.
190.	PBX Extension Service	“PBX Extension Service: A dedicated voice link between a PBX and a distant extension telephone” (TLOC National Leased Circuit Services 14.4)		Yes	Determination The Commission determines that PBX Extension Services is a Relevant Wholesale Service.
191.	Shutdown and Ringdown Service	“A dedicated link between two telephones. Calls are established instantaneously when either handset is lifted. A ring down generates ringing at the distant end while a speakdown provides a permanent speech path, typically to a loud speaking telephone.” (TLOC National Leased Circuit Services 14.5)		Yes	Determination The Commission determines that Shutdown and Ringdown Service is a Relevant Wholesale Service.
SECTION 6: INTERNATIONAL LEASED CIRCUIT SERVICES					
Analogue Voice/Data Service					
192.	Installation Charges	[price] (TLOC International Leased Circuit Services 1.1)			Withdrawn
193.	Monthly Lease Charges	[list of prices] (TLOC International Leased Circuit Services 1.2)			Withdrawn
TASTREAM Service (DDS circuits by cable to satellite)					
194.	Installation	“There is no installation charge for a minimum contract period of one year, or a longer term contract. All upgrade, alteration and reconfiguration charges, such as speed changes, will be charged actual costs (including labour, materials, overhead and travelling time).” (TLOC International Leased Circuit Services 4.1)			Withdrawn
195.	Monthly Lease	“Charges for TASTREAM Service are payable monthly. The service is available either for specified minimum contract periods, or on a cheaper longer-term basis.” (TLOC International Leased Circuit Services 4.2)			Withdrawn
International Digital Voice Service					
196.	International Digital Voice Service	This service appears to have been superseded.			Withdrawn
LIGHTSTREAM Enhanced (Digital Fibre Optic Cable Service to Australia)					
197.	LIGHTSTREAM Enhanced (Digital Fibre Optic Cable Service to Australia)	This service appears to have been superseded.			Withdrawn
LIGHTSTREAM (Digital Data Fibre-Optic Cable Circuits to Australia, Canada, Japan, Singapore, U.K. and the USA)					
198.	Installation	An installation charge of \$2000 for the New Zealand end of the service applies where the customer does not have a suitable existing access. Australian installation costs are AUD\$25000, POA for all other destinations as these are dependent on the overseas carrier. (TLOC International Leased Circuit Services 8.1)			Withdrawn

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
199.	Monthly Lease	Charges for LIGHTSTREAM are payable monthly. The service is available either for the minimum contract period, or on a cheaper long-term contract basis. (TLOC International Leased Circuit Services 8.2)			Withdrawn
200.	Alteration and Reconfiguration	Upgrade, alteration and reconfiguration charges apply for this service. (TLOC International Leased Circuit Services 8.3)			Withdrawn
SECTION 8: PAGING SERVICES					Withdrawn
Telecom Paging Services					
201.	Paging Network	“Network charges are incurred on a monthly basis, and are based on the geographic coverage required for a pager.” (TLOC Paging Services 1.1)			Withdrawn
202.	Paging Rentals	Standard, Long Term and Short Term rental plans (TLOC Paging Services 1.2)			Withdrawn
203.	Other Benefits of a Pager	Faxing / posting messages Charge per month Message Retrieval Group Calling (alphanumeric pagers only) (TLOC Paging Services 1.3)			Withdrawn
204.	Network Access	“Callers can access pager, the Message Centre and Voice Mail connected to the Telecom paging network via a number of methods. All connections to these networks must pay the appropriate Telecom network access charges for the type of connection they are using.” (TLOC Paging Services 1.4)			Withdrawn
205.	PSTN Calls	“Calls to the Telecom Paging Message Centre, Voice Mail or to a pager connected to the Telecom paging network from a telephone connected to the PSTN anywhere in New Zealand.” (TLOC Paging Services 1.5)			Withdrawn
206.	Packet Switch Calls	“See special services” (TLOC Paging Services 1.6)			Withdrawn
Telecom Minicall Paging					
207.	Telecom Minicall Paging	“Telecom Minicall Consumer Paging Service is an alternative pager service designed for the consumer market. A simple pricing structure without volume charges or network access charges applies, and pagers are not available for rental” (TLOC Paging Services 2)			Withdrawn
Telecom Buzz Me Paging Service					
208.	Telecom Buzz Me Paging Service	“Telecom BuzzMe Paging service is a caller party pays alphanumeric pager service targeted at the consumer market. There are no monthly network access fees, no volume charges, and pagers are not available for rental.” (TLOC Paging Services 3)			Withdrawn

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
SECTION 9: MISCELLANEOUS SERVICES					
209.	All xDSL Services ¹			Yes	Determination The Commission is satisfied that Telecom's xDSL products marketed under the brand name Jetstream are a Relevant Wholesale Service.
210.	Jetstream-Jet Start	<p>"JetStream is a high-speed data connection between you and your preferred Internet Service Provider (ISP). Your ISP (including Xtra) in turn provides a gateway to the Internet for access to the World Wide Web. JetStream is provided using ADSL (Asymmetric Digital Subscriber Line) technology. ADSL allows high-speed data and voice signals to be carried over your existing telephone line." (Information on this was obtained from the website provided by Telecom)</p>		Yes	<p>Retail service offered to end-users Telecom has submitted that the service Jet Start is now offered under the brand name "Jetstream-starter". The Commission is satisfied that Jetstream-starter is a replacement product for Jet Start and is, therefore, a service within the Determination under the rules described in the Determination relating to replacement services.</p> <p>Determination The Commission determines that Jetstream-starter is a Relevant Wholesale Service.</p>
211.	ATM Access	<p>"ATM (Asynchronous Transfer Mode) is a switching technology that operates in much the same way as the telephone network. When you need capacity, you negotiate a connection at a required speed over a shared network. ATM has the ability to support, and in the long term replace, existing technologies such as Ethernet and Local Area Networks. It can integrate with similar technologies such as Frame Relay, Metropolitan Area Networks and Wide Area Networks." (Information on this was obtained from the website provided by Telecom)</p>	<p>Service Description Telecom's ATM based Broadband Services Network is a premium quality multi-service platform designed to provide a single solution for the support of voice, video and data applications.</p> <p>ATM provisioning is the installation of 34/155 meg (Broadband) accesses on fibre optic cable via the ATM platform. ATM provisioning processes are not standard. There is no standard lead-time.</p>	Yes	<p>Determination The Commission determines that ATM Access is a Relevant Wholesale Service. Telecom must offer to TelstraClear the price Telecom offers to its own customers less the avoided costs saved discount of 16%.</p>

¹ This service includes all Jetstream services offered by Telecom, excepting Jetstream Starter which is listed separately in the Application.

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
212.	IPNet		<p>Service Description IPNet (more correctly know as DialIP Service) is an internet access service that is primarily supplied to ISPs to enable them to connect Telecom customers to the ISPs services. Dial-up traffic is carried by Telecom from the caller to the ISP using the purpose-built IPNet and the 0873 number range.</p> <p>Not offered to end-users As Telecom has stated in previous submission, IPNet was previously offered as a retail service to some corporate customers. The version of IPNet provided to corporate customers has a different pricing structure to the version supplied to ISPs. The charge for the corporate service includes both a fixed monthly port charge and a per minute charge for all traffic that uses the service. In contrast, the version of IPNet supplied to ISPs does not include any per minute charges. Corporate customers are now encouraged to use newer services that are more appropriate for their needs. Telecom no longer offers IPNET to any corporate customers, but does continue to supply the service to existing corporate users of the service. Accordingly, the IPNet service supplied to ISPs is not offered by Telecom as a retail service to end-users. It is only offered to ISPs as an intermediate input that enables them to provide internet services to their customers. It should therefore not be covered by the Determination. The version of IPNet that Telecom previously supplied to corporate customers is a retail service to end-users. However, it is not currently offered by Telecom to new customers. If the Commission determines that the service is nevertheless covered by the Determination, then it should only be covered in accordance with the grandfathering provisions determined by the Commission. Those provisions would only require Telecom to wholesale the service in relation to existing corporate users of the service. The wholesale price would be determined using the retail price that applies to the corporate version of IPNet, not the pricing structure that applies to the version that is only supplied to ISPs as an intermediate input.</p>	Yes	<p>Service Description The parties disagree on the service that TelstraClear has requested. Telecom submits that it is a service more correctly known as DialIP Service, while TelstraClear maintains that the Commission was correct in its Draft Determination in identifying the service as IPNetwork or Private Office Network. The Commission determines that the term IPNet corresponds with the service indicated by Telecom; DailIP Service. The service indicated by TelstraClear is a different service that was not applied for in the Application.</p> <p>Retail service offered to end-users The Commission accepts Telecom's submission that the version of IPNet purchased by ISPs is not a retail service offered to end-users. Therefore, only the version of IPNet offered to corporate customers is a Relevant Wholesale Service.</p> <p>Determination The Commission determines that IPNet is a Relevant Wholesale Service, excluding versions of IPNet that are not retail products offered to end-users.</p> <p>Grandfathered service The Commission notes that IPNet is a grandfathered service and must be offered in accordance with the process determined for wholesaling grandfathered services.</p>
213.	Ethernet Services	The Commission could not find a description of this service.	<p>Service description TelstraClear's application does not describe the service for which a determination is sought in sufficient detail for Telecom to be able to comment further on this issue. As the Commission has previously determined, it is the responsibility of the applicant to describe the service in sufficient detail in its application.</p>	No	<p>Service description TelstraClear has provided the Commission with what it describes as examples of where this service is being provided to end-users. These examples take the form of the names of customers TelstraClear indicates are receiving this service. The Commission does not consider that TelstraClear has adequately described the service for which it is applying under the Application. Therefore, Ethernet Services is not a Relevant Wholesale Service.</p>

Table ref. no.	Service	Description	Nature of Jurisdictional Challenge	Is the service (or part of the service) a Relevant Wholesale Service or a Support Service?	Determination of the Commission
214.	Netgate	The Commission could not find a description of this service.	<p>Retail service offered to end-users Netgate has been replaced with Global Gateway Internet. The Netgate platform has been decommissioned and all former customers are now of Gateway.</p>	The replacement service (if any)	<p>Retail service offered to end-users The Commission accepts Telecom’s submission that Netgate is no longer offered to new or existing customers.</p> <p>Replacement service Both Telecom and TelstraClear have submitted that Netgate has been replaced by Gateway. TelstraClear has submitted that Gateway is the Netgate service with simply a change of name, while Telecom has submitted that Netgate was offered from a different, and now decommissioned, platform. In its Determination, the Commission has set out rules for determining if a product is a “replacement” service. Under those determined rules, if Gateway is a replacement service for Netgate, Gateway is a Relevant Wholesale Service.</p> <p>Determination Gateway is a Relevant Wholesale Service if it is a “replacement” service according to the rules determined by the Commission for replacement services.</p>