



COMMERCE COMMISSION

5 September 2005

TelstraClear bitstream application proposed technical specification Request for extension and clarification

1. On 2 September, Telecom requested that the Commission extend the due date for comments to 14 September 2005, and provide clarification on aspects of the proposed technical specification released on 30 August.¹
2. Telecom sought the following clarification² in relation to paragraph 7(c) of the Commission's request for comment:
 1. In paragraph 7(c) the service is defined as having "the maximum feasible PIR". In paragraph 8 it is stated that "the Commission considers that it is necessary to specify a constrained PIR". We understand that the Commission is therefore proposing a constrained, and not an unconstrained, service. So the maximum PIR for any regulated bitstream access service must be defined. Is this correct?
 2. "the maximum feasible PIR" in paragraph 7(c) implies to Telecom that the service will be tailored to each line within each short binder and across all short binders. As the synchronisation rate will vary considerably across the pairs contained in short binders, then Telecom appears to be expected to provide a near infinite number of different PIR services. This is not consistent with any of the discussion had between the parties to date. Is this what is intended? Can the Commission elaborate on what is envisaged here?
 3. What are the parameters to be used in the line qualification check?
 4. Paragraph 12 of the technical specification refers to TelstraClear requesting a route qualification check and this appears to be related to paragraph 7(c). Our understanding is that TelstraClear cannot request a 20Mbps service (for example) and require Telecom to invest in new technology in order to meet this. Our understanding is that any request is in relation to what is technically and operationally feasible with existing technology. Is this right?
 5. If a 3.5M service is universally available does this mean that all customers must be able to sync at 3.5M?;
 6. Telecom assumes that all of the other service specifications (upstream, SIR, shared VP) contained in paragraph 7 apply to the variant described in paragraph 7(c). Is this right?

Partial Extension

3. The Commission has agreed to a partial extension for comments until 9 September 2005. If required, the Commission will accept comments from parties not later than 8.30am on Monday 11 September 2005.

¹ Email from Telecom (Oakley) to the Commission (Abbott), *Short Consultation on UBS technical specification*, 2 September 2005

² E-mail from Telecom (Oakley) to the Commission (Abbott), *Short Consultation on UBS Technical specification*, 2 September 2005

Clarification

4. In its email, Telecom sought clarification principally related to paragraph 7(c) of the proposed technical specification. In response, the Commission provided the following responses:
 - (1) The maximum feasible PIR is set according to a constrained service.
 - (2) The maximum feasible PIR would be a finite number of different PIRs. It would be either (i) a single PIR (for example 7.6Mbps); or (ii) a small number of PIRs for those lines which support higher speeds than 3.5Mbps (but lower than 7.6Mbps for example).
 - (4) Where a route qualification check confirms availability of a downstream PIR exceeding 3.5Mbps on a common cable route, Telecom would be required to provide the maximum feasible PIR based on technology utilised on that route as at the date of TelstraClear's request.
 - (5) Yes. The Commission is of the view that all customers must be able to sync to 3.5Mbps where feasible. This will be subject to constraints due to attenuation, noise, and technical limitations.
 - (6) Where the Peak Information Rate ('PIR') is amended as a result of a route qualification check described in paragraph 7(c), all other service specifications (upstream speed, Sustained Information Rate ('SIR'), shared VP) would remain unchanged.
5. The Commission also advised that its position in respect of interleaving, as set out in the draft determination, remains unchanged.
6. As per the original technical specification³ the Commission seeks comment on appropriate parameters and the process for a route qualification check.
7. Should there be any queries, please contact Chris Abbott on (04) 924 3673.

³ E-mail from the Commission (Borthwick) to Telecom and TelstraClear, 1 September 2005