



COMMERCE COMMISSION

Please refer to: 13.01/12149  
1037276\_5

9 July 2010

To interested parties:

**Unbundled Bitstream Access (UBA) Standard Terms Determination (STD) – request for information for review of UBA STD under section 30R of the Telecommunications Act 2001**

In response to the Commission's letter requesting information for the UBA competition test, Telecom (Group) have indicated to the Commission that they could provide more detailed information, on behalf of Telecom Wholesale and Chorus, on the wholesale broadband services they provide to access seekers (eg UCLL, UBS and UBA). Telecom (Group) have provided the attached template to the Commission that outlines the level of information that Telecom (Group) could provide, with access seeker consent.

The Commission considers that information of this nature, and at the proposed level of detail, is likely to be materially relevant to the Commission's competition assessment. The Commission also considers that it is beneficial to have the information provided from one source (ie Telecom (Group)) as there would be no need for reconciliation or consolidation of the information from multiple sources, and the data provided would be presented in a consistent manner.

In order for Telecom (Group) to provide information on access seekers consumption of Telecom (Wholesale) and Chorus services, access seekers must give permission for this information to be shared with the Commission. Any access seeker granting such permission will not be expected to provide duplicate information, though you may still be required to provide additional information on non-Telecom products (including for example cable, fixed wireless, fibre or satellite based broadband services).

Please indicate your consent by replying to the attention of [daniel.vincent@comcom.govt.nz](mailto:daniel.vincent@comcom.govt.nz) no later than 5pm on Wednesday 14 July 2010. Please also advise the Commission at the same time whether you will be providing any additional information that will not be provided by Telecom. The Commission will treat the information received from Telecom as commercially sensitive.

In order to allow Telecom (Group) adequate time to provide the requested information, the Commission has extended the timeframe for the provision of information to 6 August 2010.

Telecom (Group)'s template proposes that parties provide information on retail products and forecasts of estimated customer numbers in 2012. At this point in time, the Commission does not consider that this information is required to inform the analysis of

whether or not Telecom faces limited competition in the provision of UBA services. Parties are, however, free to provide the Commission with any retail information or customer forecasts if they are able to do so in a timely manner without incurring significant costs.

Access seekers who give their consent for Telecom (Group) to share their information with the Commission, will, on request, be able to access the information that directly relates to them.

If you have any questions or concerns, please contact Daniel Vincent at [daniel.vincent@comcom.govt.nz](mailto:daniel.vincent@comcom.govt.nz) by 5pm 14 July 2010.

Yours sincerely,

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

Tom Forster  
Manager Telecommunications Operations  
Regulation Branch