



Vodafone New Zealand Limited
Corporate Affairs
20 Viaduct Harbour Avenue
Private Bag 92161
Auckland, New Zealand

Reception +64-9-355 2000
Facsimile +64-9-355 2006

22 October 2010

Daniel Vincent
Commerce Commission
WELLINGTON

By email: Daniel.Vincent@comcom.govt.nz

Dear Daniel,

Re: Submission- Review of the Standard Terms Determination for the designated service Telecom's unbundled bitstream access backhaul and Revised draft Review of the Standard Terms Determination for the designated service Telecom's unbundled copper local loop network backhaul (telephone exchange to interconnection point)

This letter is Vodafone's response to the Commerce Commission's Review of the Standard Terms Determination for the designated service Telecom's unbundled bitstream access backhaul (**UBA Draft Review Decision**) and Revised draft Review of the Standard Terms Determination for the designated service Telecom's unbundled copper local loop network backhaul (telephone exchange to interconnection point) (**UCLL Draft Review Decision**).

UBA Draft Review Decision

The Commission has invited submissions on its preliminary conclusions set out in paragraph 45 of the UBA Draft Review Decision. The Commission requested parties to submit on particular matters raised by its conclusions. Vodafone's response to those matters is set out below.

Whether we consider that there are additional costs associated with provisioning a competitive backhaul service and the impact any such costs should have on the Commission's competition assessment framework as discussed in paragraphs 21 to 22 of the UBA Draft Review Decision.

Vodafone does not have sufficient experience with other providers of backhaul links and is not in a position to comment on the Commission's proposal.

Whether we consider that it remains appropriate to apply the assessment framework used in the revised UCLL Backhaul Review to the UBA Backhaul Review as discussed in paragraph 25 of the UBA Draft Review Decision.

As stated in previous submissions, Vodafone supports the concept of applying a similar framework for the competition review of the UCLL Backhaul service and UBA Backhaul service. This will serve the aim of reducing costs and time spent on those reviews without any detriment to the Access Seekers.

Whether we consider that the classification of any UBA Backhaul Links discussed in paragraphs 29 to 33 of the UBA Draft Review Decision is incorrect. Parties should provide evidence to support the reclassification of any such links.

Vodafone does not have any additional comment on the proposed classification.

Whether we consider that it is appropriate, in the future, for the Commission to undertake a combined review of UBA Backhaul and UCLL Backhaul links.

Consistent with our views regarding the assessment framework, great efficiencies will be achieved with the Commission's proposal to undertake a combined review of both services. Vodafone supports the proposal.

Whether we consider that any additional changes are necessary to the Schedules of the UBA Backhaul STD as discussed in paragraphs 41 to 44 and Appendix 1 and 2 of the UBA Draft Review Decision.

We do not consider that any further substantial changes are required to the Schedules of the UBA Backhaul STD. However, we note that the new definition of "Primary Link Aggregation" should read: "mmeans the process where an Access Seeker's UBA Backhaul Service is collected from one or more FDSs and is merged at the Parent POI Site."

UCLL Draft Review Decision

Regarding the UCLL Backhaul service, the Commission also invited submission on its preliminary conclusions with regard to the new framework for assessing a near entrant in the UCLL Backhaul market as set out on paragraph 37 on the classification of UCLL Backhaul Links under the simplified criteria, as set out in paragraphs 39 to 45.

Vodafone supports the new framework used for assessing a near entrant.

Please feel free to contact me in relation to this submission if any clarification would be helpful.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Celine Gilbert', with a large, sweeping flourish extending to the left.

Celine Gilbert
Industry Affairs Manager
Vodafone New Zealand Limited