2026 Review of the Measuring Broadband New Zealand Programme – Minimum Scope

Public Version

Commerce Commission

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Introduction

1. Spark welcomes the opportunity to comment on the Commerce Commission's consultation paper, 2026 Review of the Measuring Broadband New Zealand Programme – Minimum Scope. Spark supports the Commission's objective of ensuring the programme remains appropriately scoped to meet its statutory obligations while continuing to provide useful information to consumers.
2. Overall, Spark agrees with the Commission's proposed minimum testing requirements and considers the proposed future shape of the programme to be a pragmatic and proportionate approach. In particular, we support the Commission's focus on maintaining a programme that continues to support consumer choice and decision making while reducing unnecessary complexity and administrative burden.

We support simplification of the MBNZ programme

3. We agree that an ongoing broadband measurement programme remains an important component of the Commission's market monitoring activities under section 9A of the Telecommunications Act. Independent measurement provides a trusted evidence base for understanding broadband performance and supports transparency for consumers and industry participants alike.
4. We also support the Commission's broader objective of ensuring that the future programme is "right-sized" and focused on those measures that are most valuable to consumers and necessary to meet regulatory objectives. The consultation appropriately recognises that the current programme has costs (both on the Commission and industry), and that there is value in periodically reassessing which information remains useful and how it should be collected and reported.

Review of the use of MBNZ data

5. Spark encourages the Commission to also consider the costs and benefits associated with the broader elements of the programme, particularly the ways in which MBNZ information is used across the industry in their product marketing.
6. While we recognise the Commission's statutory obligation to monitor and report on retail service quality, there is likely merit in examining whether all current consumer-facing uses of MBNZ data continue to provide meaningful benefits to consumers relative to the associated implementation and maintenance costs.
7. This is an important aspect of the MBNZ programme which is not discussed in the consultation document. Periodically reviewing RSQ interventions is a good way of reviewing their effectiveness. We would encourage the Commission to do a cost

benefit review of the rules around publishing the MBNZ speeds on plan cards etc versus referring customers to the MBNZ results on the Commerce Commission website, as part of its RSQ Work Programme.

Review of the of MBNZ Report format

8. There will be an opportunity to simplify and improve the regular MBNZ reporting with the rationalisation of testing. It may be, for example, that a formal standalone report is no longer needed and the results can be presented as an easy to read table on the Commission's website, suitable for viewing by consumers as well as industry. We suggest further industry discussions on how the results are published to ensure they are easy to find and interpret.
9. Our specific requirement is that we can easily identify the National Peak Time Average download and upload speeds which we must use for our published speed claims.

Q1. Peak-period results

10. We agree that peak-period results should remain a requirement for the next phase of the programme.
11. Peak-period performance is likely to be the most relevant indicator of the broadband experience consumers receive when networks face their greatest levels of utilisation.

Q2. Geographic granularity

12. Spark agrees that national-level reporting is sufficient as a minimum requirement.
13. We acknowledge the Commission's observation that differences between rural and national performance are not significant and that national reporting is likely to be sufficient for most consumer decision-making purposes.
14. More significantly, the Commission's geographic definition and use of the words 'urban' and 'rural' do not match the geographic naming conventions for retail products – especially as the Commission's geographic split changes over time with fibre rollout.
15. For example, Spark's rural fixed wireless service is available in some areas where fibre is also available. As a result we have had to use the lower of the Commission's 'urban' and 'rural' numbers for our rural fixed wireless plans which removes the benefit of the more granular MBNZ measurements.
16. We therefore support the Commission reporting nationally.

Q3. Technology breakdown

17. Spark agrees with the Commission's proposed approach.
18. We also support the Commission retaining flexibility to adapt reporting approaches where emerging technologies or future market developments warrant a different approach.

Q4. Point of monitoring

19. Spark agrees that testing to the router should remain the minimum requirement.
20. Router-based testing provides a consistent and comparable measurement point that is less affected by the huge variations in in-home network environments and customer devices.
21. We agree that this approach provides the most robust basis for comparing retail broadband performance.

Q5. Metrics

22. Spark agrees that download speed, upload speed, latency and packet loss should remain the core measures included within the programme.
23. These metrics provide consumers with a clear and practical understanding of broadband performance and are sufficient to support comparison between services.

Q6. Reporting frequency

24. Spark supports six-monthly reporting as the minimum reporting frequency.
25. A six-monthly cycle achieves an appropriate balance between maintaining current information for consumers and reducing the operational and administrative burden associated with more frequent reporting updates.

Q7. Additional measures or insights

26. Other than the points we raised above, the proposed minimum scope appears appropriately targeted at the Commission's monitoring objectives and consumer information needs.

Conclusion

27. Spark supports the Commission's proposed minimum testing requirements and considers the framework outlined in the consultation paper represents a sensible evolution of the programme.

28. We agree that the proposed scope would enable the Commission to continue meeting its statutory obligations while reducing complexity and focusing on the measures most likely to provide value to consumers.

29. To ensure the broader programme remains proportionate and consumer-focused over time we encourage the Commission to:

    - consider the costs and benefits associated with the various uses of MBNZ information (particularly the requirement to put speed information on plan cards, rather than referring off to the MBNZ report)
    - use the rationalisation of testing as an opportunity to review how the results are published and presented

30. We look forward to working with the Commission on these points.