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Commerce Commission
Level 9, 44 The Terrace
Wellington 6011
New Zealand
Attention: Infrastructure Regulation infrastructure.regulation@comcom.govt.nz

By email only

Public Version

FIBRE DEREGULATION REVIEWS: DRAFT RECOMMENDATIONS FOR POINT-TO-POINT, TRANSPORT, AND CO-LOCATION & INTERCONNECTION FFLAS

As set out in earlier submissions, One New Zealand Group Limited (**One NZ**) and EonFibre support the Commerce Commission's draft recommendation to retain regulation for Point-to-point, Transport, and Co-location and interconnection FFLAS (**the draft recommendation**). We make the following targeted comments, which represent views of both One NZ and EonFibre, with apologies for the short delay in submitting these comments.

1) The draft recommendation classifies Mobile Access Services (**MAS**) as Point-to-point. In our view, MAS should be classified as a) Point-to-point; *and* b) Point-to-point *with a Transport tail extension*. One NZ/EonFibre excluded mobile backhaul from its 2025 Transport RFI dataset provided to the Commission based on the scope understood at the time.
2) It's unclear to us how One NZ/EonFibre data has been used for the MAS assessment. In particular, we're unsure whether the Commerce Commission may be assessing MAS on the basis that this is a generic service offering rather than considering how access seekers *actually deploy* it within their networks, particularly where they do not have a physical presence at the local handoff point. From an access-seeker perspective, as noted, MAS are deployed as either Point-to-point only, or Point-to-point with a Transport tail extension. Most MAS are outside UFB footprints but transit through or are handed off within UFB footprints, often in rural or provincial areas where Chorus is the only available fibre provider serving site location (e.g. a mobile network site). If the access seeker has no presence at the local handoff point, transport is required to a regional aggregation point or other interconnection location. In practice, this means the end-to-end solution comprises *both* an access and a transport component, rather than a pure Point-to-point service. Analysis should reflect this reality of how MAS are consumed.

3) The Commission should ensure it distinguishes EonFibre self-supply from generally available wholesale alternatives. When our RFI response was provided, EonFibre was primarily supplying One NZ internally and had a very small direct external customer base. Self-supply is relevant to how One NZ's own demand is met but should not automatically be treated as an alternative for other access seekers. The Transport assessment should test practical handoff, onward carriage and a usable handover point against actual procurement and network practice, including leased fibre, tails or extensions, remote handoff, dark fibre, multi-sourcing and credible bypass.
4) One NZ supports retaining Chorus Transport price-quality regulation. Our earlier submissions emphasised shared infrastructure, common costs and cross-service pricing incentives. Information disclosure is principally a transparency regime that we think is insufficient by itself. Price-quality regulation constrains aggregate revenue and quality, and its removal could create portfolio-wide or cost-allocation effects not captured by service-level analysis.
5) Bespoke Point-to-point builds such as those commissioned by customers were excluded from the dataset we provided in response to the RFI because they do not reflect EonFibre's "generally available" network footprint. As such, they should not be treated as a general substitute for Chorus services. Any weight placed on a credible bespoke-build threat should be supported by robust evidence of actual tender outcomes, build plans and lead times etc.
6) For co-location and interconnection, access to an LFC network still requires network specific interconnection. We support continued regulation unless there is strong evidence of a workable partial-deregulation boundary. One NZ's legacy co-location offering has been withdrawn from general sale and should not be treated as a broad current substitute simply because some grandfathered customers retain access to this product.

We trust these comments assist the Commission's final assessment. One NZ is happy to provide further targeted information to support the points above if requested.

Yours faithfully,

[redacted]

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cc Alex Rhodes, Senior Counsel – Legal and Risk, EonFibre