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Telecommunications Regulation
Commerce Commission

Via: telecommunications@comcom.govt.nz

Submitter: Connexa Limited (Connexa)

Connexa supports the Commerce Commission's draft decision to commence an investigation under clause 1(3) of Schedule 3 of the Telecommunications Act 2001 (the Act").

About Connexa

Connexa is a specialist mobile tower company that manages passive mobile tower infrastructure. Connexa was established when Spark sold its passive mobile tower infrastructure and Connexa now owns and operates 2,500 mobile towers across New Zealand. Connexa works with mobile network operators (including Spark, 2degrees and One NZ) to deploy telecommunications equipment on our infrastructure and deliver digital connectivity to New Zealanders. Key to the Connexa strategy is co-location - where multiple tenants share the same passive infrastructure.

With the establishment of Connexa the independent tower company model was established in New Zealand. Under the independent tower company model, co-location can be delivered efficiently through modern commercial agreements and incentives, and regulation is not required.

Standard Terms Determination

The Mobile Co-location specified service and historic Standard Terms Determination ("STD") constructs were developed for an era when Mobile Network Operators ("MNOs") owned towers. In today's independent towerco environment, those constructs are no longer a good fit. Retaining a legacy specified service adds complexity without benefit, duplicates (and sometimes conflicts with) contemporary contractual frameworks, and risks slowing deployment and innovation.

Co-location incentives

Tower companies—whose revenue growth depends on increasing tenancy—have strong incentives to enable co-location quickly and fairly. [redacted]

[redacted] These mechanisms have proven effective in facilitating timely, multi-party access without the need for regulatory terms. In the last 12 months, Connexa has progressed 73 co-location projects which shows the growth of co-location in an independent tower co model.

Connexa has invested significantly in new processes and technology, including utilising Digital Twin, in order to enable MNO customers to make quicker decisions on co-location on either new or existing tower infrastructure. The developed processes using leading digital workflow and engineering solutions will reduce costs for MNO's and accelerate the deployment of infrastructure that will improve network resiliency and capacity whilst reducing unnecessary duplication.

Co-location reduces the environmental footprint and visual clutter by enabling multiple tenants on a single structure. The commercial agreements support build-to-co-locate designs and programme efficiencies, which in turn minimise planning overhead and community disruption.

Conclusion

Investigating whether Mobile Co-location should be removed from Schedule 1 of the Act is worthwhile given that the independent towerco model is now established in New Zealand and co-location is being delivered to MNO's efficiently without utilising the regulatory framework.

Kind regards

[redacted]

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