

Submission to the Commerce Commission

Proposed One NZ / 2degrees RAN Joint Venture (RANCo)

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Introduction

I served as Chair of the Telecommunications Users Association of New Zealand (TUANZ) during the early 2000s, a period in which TUANZ — led by CEO Ernie Newman — played a central role in challenging market structures that limited competition, innovation, and consumer choice. The reforms that followed, including structural separation, open access, and competitive infrastructure investment, were hard-won and delivered long-term benefits for consumers, businesses, and regional communities.

More than two decades later, I remain committed to policy settings that strengthen competition and improve outcomes for users. I support the position articulated by Ernie Newman in his submission.

In my assessment, the proposed RANCo joint venture between One NZ and 2degrees risks reversing critical gains achieved through earlier reforms and poses significant risks to competition, innovation, and rural service quality.

Key Issues

Proponents’ Claimed Benefits	Potential Impact	Concerns
• Efficiencies from shared infrastructure. • Reduced duplication of investment.	Loss of Independent RAN Competition	• The proposal eliminates direct RAN competition between the two operators. • Single shared upgrade path reduces innovation incentives. • Structural change difficult to reverse.
• Improved coordination and cost savings. • Streamlined deployment of new technologies.	Risk of Market Structure & Re-Consolidation	• Signals return to pre-2000s consolidation. • Commission has identified risks of substantially lessened competition, unilateral market power, and coordinated behaviour. • Mirrors issues confronted two decades ago.
• Lower rural deployment costs. • Potential for broader coverage if investment is prioritised.	Rural & Regional Outcomes	• RAN infrastructure determines reach and quality at the edge — critical for rural users. • Reduced competitive pressure to invest in low-return areas. • Risks widening the digital divide.
• Modernisation and efficiency benefits.	Long-Term Innovation & Investment	• Weakens independent infrastructure competition. • Risks slower innovation, higher prices, and poorer user experience. • Repeats past mistakes that required major reform to correct.

These concerns align with issues confronted in the early 2000s, when weakened infrastructure competition resulted in slower innovation, higher prices, and poorer user experience.

Conclusion and Recommendation

The proposed RANCo joint venture is likely to substantially lessen competition and risks undoing critical gains achieved through earlier reforms.

As former Chair of TUANZ, I support Ernie Newman’s submission and recommend that the Commission decline clearance unless the applicants can demonstrate — through binding, enforceable commitments — that competition, innovation, and rural service quality will be protected.

Such commitments would need to be robust, measurable, and enforceable over time, ensuring that the JV does not erode competitive dynamics or disadvantage rural and regional users.