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**From:** [REDACTED]  
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**Cc:** [REDACTED]  
**Subject:** Proposed RANCo JV – 2degrees/One NZ

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## Submission on the Proposed RANCo JV

SafetyNet Critical Communications Limited (SafetyNet) welcomes the opportunity to comment on the proposed radio access network joint venture between 2degrees and One New Zealand Limited. SafetyNet is a recently established Schedule 4A Crown company responsible for the delivery and assurance of critical communications services that support New Zealand's emergency services and the wider public-safety sector. SafetyNet does not currently express a view on whether the proposed joint venture would be likely to substantially lessen competition. We recognise that the Commerce Commission's assessment is focused on the competitive effects of the proposal, including its potential effect on price, quality, service levels and innovation. The Commission's Statement of Preliminary Issues also invites interested parties to identify further matters that may assist its assessment.

The purpose of this submission is to ensure the Commission is aware of SafetyNet's interest in the proposed transaction and the importance of One NZ's radio access network (RAN) to the delivery and future development of New Zealand's Public Safety Network. The Public Safety Network Cellular services which cover Roaming, Priority, Network Visibility and soon to be launched Portable Cellular devices are delivered through Hourua Limited, the joint venture between One NZ and Spark New Zealand Limited and are delivering critical capabilities in support of emergency services and protecting lives and property.

One NZ is therefore an important participant in the delivery of cellular services supporting New Zealand's public-safety agencies. Those services rely on One NZ's mobile network, including relevant radio access network capability. The Commission's Statement of Preliminary Issues records that One NZ and 2degrees currently own and operate their respective RAN assets separately. Under the proposed transaction, their RAN assets would instead be jointly owned through RANCo. The Commission will consider whether the proposal could affect competition through unilateral, coordinated, vertical or conglomerate effects, including possible effects on quality, service levels and innovation.

This change is relevant to SafetyNet because decisions concerning RAN investment, configuration, capacity, resilience, operational support and technology development may affect the delivery and future evolution of public-safety cellular services. SafetyNet recognises that the detailed contractual arrangements between RANCo, One NZ and 2degrees are not fully available in the public material. We are therefore not asserting that the following effects will occur.

However, we ask the Commission to be aware of the importance of ensuring that the proposed arrangement does not adversely affect:

- One NZ's ability to continue meeting its existing contracted Public Safety Network obligations;
- the quality, resilience and operational performance of services supporting public-safety agencies;

- the priority and timeliness given to public-safety network changes, incidents and restoration;
- [REDACTED]
- [REDACTED]
- [REDACTED]
- One NZ's ability to innovate independently where a capability is required for public safety but is not required by RANCo's other shareholder.

These matters are particularly relevant to the Commission's consideration of whether the proposal could reduce quality, service levels or innovation. [REDACTED]

[REDACTED] The Commission has identified these considerations, including buyer countervailing power and whether narrower markets based on customer type may be relevant, in its Statement of Preliminary Issues.

SafetyNet asks the Commission to consider the specialised requirements of public-safety cellular services when assessing the proposed transaction.

In particular, we suggest the Commission seek assurance from the applicants that:

1. RANCo will be able to support One NZ's current and future public-safety service requirements.
2. One NZ will retain sufficient practical ability to commission and prioritise RAN changes required for public-safety purposes.
3. The proposed structure will not materially reduce the quality, resilience, service levels or pace of innovation available to public-safety services.
4. Requirements applying only to One NZ will not be subject to unreasonable delay, cost or constraint because those requirements are not shared by 2degrees.
5. One NZ will retain access to the operational information and evidence needed to demonstrate and assure the performance of its contracted public-safety services.
6. Appropriate arrangements will protect the continuity of public-safety services through the transition to RANCo and during its ongoing operation.
7. That RANCo would also be required to meet essential infrastructure provider obligations and assurance requirements under the new Emergency Management Act 2026

SafetyNet is not opposed to the proposed RANCo joint venture in principle. We recognise the applicants stated objective of enabling more efficient investment in coverage, capacity, resilience and new technologies. Our interest is in ensuring that any benefits from the proposal are achieved without reducing the quality, resilience, responsiveness or future development of the cellular services on which New Zealand's emergency service and wider public-safety agencies rely.

SafetyNet would welcome the opportunity to provide further information or discuss the public-safety context with the Commission if that would assist its assessment.

BR's

Steve Lawrence  
Head of Product, Design and Innovation



*Formerly Next Generation Critical Communications*

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