

Maxine Elliot
Chief Executive Officer
Ultrafast Broadband Limited
PO Box 925
HAMILTON 3240

Dear Maxine

NOTICE OF APPROVAL OF DEED OF OPEN ACCESS UNDERTAKING FOR FIBRE SERVICES

I refer to your letter of 7 October attaching UltraFast Broadband “Deed of Open Access Undertakings for Fibre Services”, which was lodged pursuant to section 156AH of the Amendment Act for my approval on 7 October 2011.

The deed has been assessed by officials from the Ministry of Economic Development against the relevant requirements of the Telecommunications Act 2001 (the **Act**) and the Telecommunications (TSO, Broadband and Other Matters) Amendment Act 2011 (the **Amendment Act**).

I am satisfied that the deed meets the requirements of the legislation, and this letter is to notify you of my decision to approve the deed pursuant to section 156AI(1)(a) of the Act.

In accordance with sections 156AI(5), I will notify this decision to approve the deed in the Gazette.

Following this approval and as soon as practicable, section 156AK requires you to publish the deed on the Internet so that it is publicly accessible at all reasonable times, and make a copy of the deed available for inspection free of charge at your registered office.

Yours sincerely

Steven Joyce
Minister for Communications and Information Technology