

2 August 2019

Communications Policy Team
Ministry of Business, Innovation & Employment (MBIE)
PO Box 1473
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By Email: Communicationspolicy@mbie.govt.nz

Dear Osmond

Telecommunications (Fibre Regulatory Settings) Regulations 2019

2degrees appreciates the opportunity to comment on potential changes to MBIE's draft regulations under section 226 of the Telecommunications Act 2001.

MBIE is considering changes to reflect that price-quality regulation would not apply to Chorus in other LFC areas, given Chorus does not have the largest fibre market share in those areas.

If MBIE proceeds with these changes, it is important to ensure that Chorus remains subject to price-quality regulation in non-UFB areas.

While we consider this is the intention, and this is consistent with Chorus' submission, we note that MBIE's comment that an exception would apply "*in geographic areas where Chorus is not the UFB supplier*" is different, and wider than, Chorus' proposal to exclude Chorus from price-quality regulation "*in a geographic area where another person is required to construct a fibre-to-the-premises access network under the UFB initiative.*"

Any drafting changes adopted must only exclude Chorus from regulation in other LFC areas.

We agree with MBIE's proposal that Chorus must remain subject to Information Disclosure in LFC areas.

Please let me know if you have any questions regarding this response.

Yours sincerely



Sara Lipanovic
Head of Regulatory

