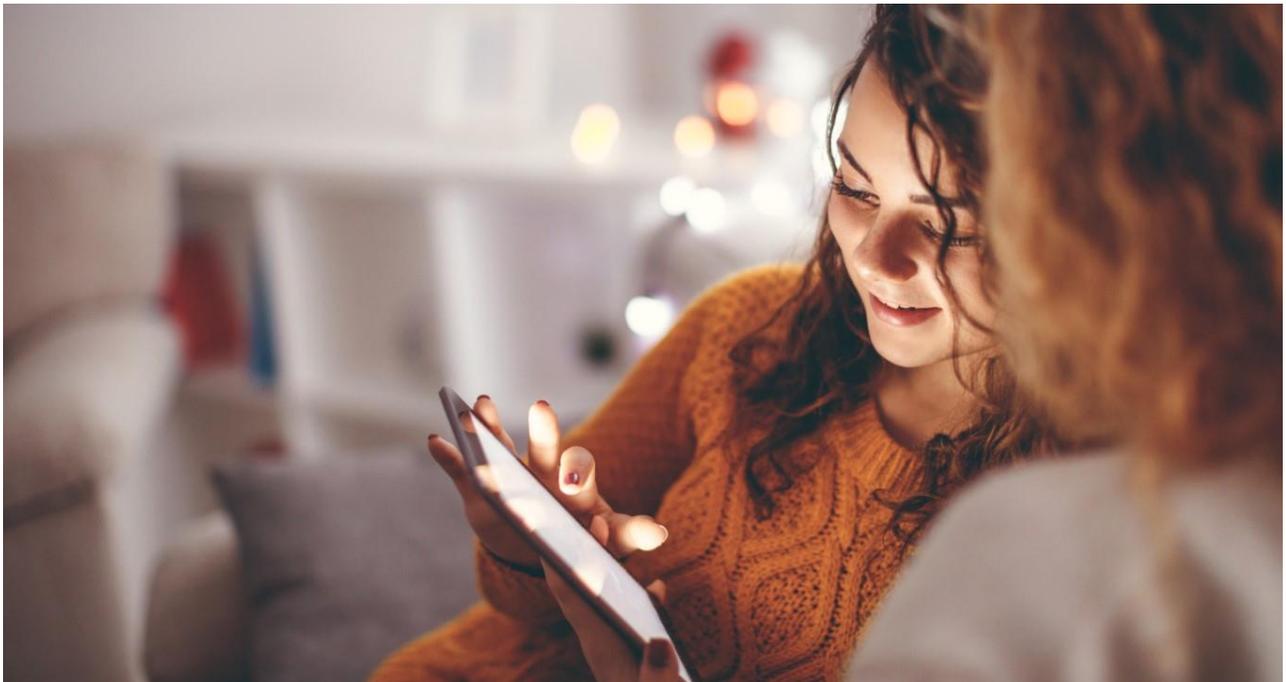


Chorus submission on the Commerce Commission's – draft review of mobile termination access service dated 10 June 2020

3 July 2020



SUBMISSION

1. This submission responds to the Commerce Commission's (**Commission**) consultation on its draft mobile termination access service (**MTAS**) review, dated 10 June 2020. We appreciate the opportunity to provide our view.
2. We support the principle that:¹
 - 2.1. Telecommunications services should only be regulated where regulation best gives effect to the promotion of competition for the long-term benefit of end-users of those services; and
 - 2.2. Backstop regulation should not be retained for a service that can now be provided by alternative technologies and services as this does not promote innovation or efficiency.
3. The Commission's initial assessment suggests that there is value in considering the relevant markets for voice and SMS termination and the role played by OTT services in those markets. As such we think that an investigation of the MTAS service is most likely to support investor confidence and to best give effect to section 18 of the Telecommunications Act 2001.²
4. We understand a full investigation into MTAS could be resource intensive. If it is not feasible for the Commission to undertake a full investigation of MTAS, it should investigate amending the definition of MTAS to exclude SMS MTAS. We support the Commission prioritising consideration of deregulation where it has concluded that regulation may no longer be necessary.

¹ Commerce Commission, *Final report on whether Spark's Resale Services should be omitted from Schedule 1 of the Telecommunications Act 2001* (18 July 2019), [3.31] and [3.35].

² "We consider removing unnecessary regulation is good for investor confidence and best gives effect to the purpose of Schedule 1, as set out in section 18 of the Act." Commerce Commission, *Final report on whether Spark's Resale Services should be omitted from Schedule 1 of the Telecommunications Act 2001* (18 July 2019), [1.25].