

01 August 2019

Mr Geoff Thorn
CEO
NZ Telecommunications Forum
PO Box 302469, North Harbour
Auckland

By email: geoff.thorn@tcf.org.nz

Dear Geoff

REQUEST FOR ASSISTANCE WITH THE COMMISSION COPPER WITHDRAWAL CODE

As you are aware, the Commerce Commission (Commission) is currently in the process of producing a Copper Withdrawal Code (the Code), as required by clause 1 of Schedule 2A of the Telecommunications Act. This Code will set out minimum consumer protection requirements for end-users of Chorus' copper network in areas where fibre fixed line services are or will become available, and for end-users of Chorus' Unbundled Copper Local Loop (UCLL) network and UCLL network backhaul.

The Code is an important mechanism to protect consumers as copper-based services are replaced by the next generation of fibre fixed line services.

The Commission is seeking an industry-led response from the NZ Telecommunications Forum (TCF) to assist us with the production of the Code. As the representative body of the industry we believe that the TCF has detailed and relevant working knowledge of the operational and practical issues that the Code must cover.

We understand that the Copper Withdrawal Code working party established by the TCF in November 2018 is making good progress on its work to provide us with expert knowledge to aid our Code's preparation. We also acknowledge the commitment by the TCF, referred to in the letter from the TCF's CEO to the Commission on 19 February 2019, to work with us to ensure that our Code provides adequate consumer protection alongside the orderly withdrawal of copper services where it makes economic sense to do so.

We have prepared a framework document (enclosed) which sets out guidance for the TCF to consider when preparing its response. We invite the TCF to confirm that it can respond to our request for assistance and provide its response to the matters and issues raised in the framework document by **30 August 2019**.

Once we have prepared a draft Code we will issue it for public consultation. We currently plan to have the final Code published by June 2020. Further details of the process we will follow to produce the Code can be found in the enclosed Process Update, which is also published on our website.

We look forward to receiving your input on the issues to be addressed, raised in our framework document.

Yours sincerely

A handwritten signature in black ink, appearing to be 'S. Gale', with a flourish at the end.

Dr Stephen Gale
Telecommunications Commissioner

Encl.
Copper Withdrawal Code Framework Paper
Copper Withdrawal Code Process Update