Submission by Enable Networks Limited to the Fibre fixed line access service deregulation review under section 210 of the Telecommunications Act: Reasonable grounds assessment draft decision

Public version

24 September 2024

Summary

Enable welcomes the opportunity to make a submission on the draft decision. In it we mainly focus on:

- bitstream PON services,

- Enable's geographic area, to provide a detailed overview of the realities of the market we operate in.

Reasonable grounds exist for a review of bitstream PON services

Enable does not agree with the draft decision, and recommends that a deregulation review be undertaken for bitstream PON services.

The decision required is simply about undertaking a review and the Commission is pre-empting this review by setting the threshold so high. The Act simply requires "reasonable grounds to start a review" not "reasonable grounds to deregulate". Enable argues that:

- There is evidence of competition across the range of bitstream PON services Enable provides;
- Substitutes have developed rapidly in the last few years, and the speed of change is only likely to get quicker. Waiting for the next review is too high risk; and
- While we acknowledge there is a cost to the review, this is much lower than the impact of regulation. A review is also unlikely to create uncertainty in Enable's geographic area, given the outcome would simply be removing Enable's information disclosure requirements.

This submission responds in detail to the Commission's conclusion that "while prices of alternatives may appear comparable, often non-price performance characteristics do not compare well to the fibre plans". Enable argues that:

- With 4G Fixed Wireless Access (FWA), the fact that RSPs do not include information such as latency on their websites, which shows a lack of end-user interest in this;
- With 5G Fixed Wireless Access, we agree with the Commission that performance is comparable to Fibre 300, and there are numerous signals pointing to rapid 5G uptake and capacity increase in the next few years;
- With HFC, while upload speeds are less than Fibre Max, research shows upload usage is around 7.6% of download usage, and so of less relevance to end-users.

Enable's pricing across our main services shows there is no significant price premium for faster broadband speeds. This is due to competitive constraints, particularly from FWA.

Reasonable grounds exist to review the other six services, but treatment should be the same as bitstream PON services

The Commission has considered if a deregulatory review should be conducted for the six other services. Enable considers that these services have also met the "reasonable grounds" assessment. However, given they are such a small percentage of Enable's revenue, the cost of treating them differently to bitstream PON services is likely to outweigh benefits. If Bitstream PON services was reviewed, then we would support these services having the same treatment, given we consider these services are also in competitive markets.

Introduction

1. Enable Networks Limited (Enable) welcomes the opportunity to submit on the *Fibre fixed line access service deregulation review under section 210 of the Telecommunications Act: Reasonable grounds assessment draft decision* (Draft Decision).

3. In conclusion, there is clear evidence on Enable's network that our Bitstream PON services do not have significant market power, and the threshold for initiating a review has been reached. We recognise the regulatory regime is relatively young, but this is not a reason to counter the reality of the speed of technology change in telecommunications. In November 2024 there will be three years of information disclosure data that sets a baseline. There is a low risk of removing Enable's information disclosure requirements, given the Commission has the ability to request information as any time.

4. We would be happy to discuss any aspects of this submission with the Commission.

Comments on the assessment framework

The threshold has been set too low

5. We note that this draft decision is simply on whether to undertake the deregulation review. It is the review itself that will determine whether there is deregulation. We argue that setting the bar as high as the Commission has is actually pre-empting the review. The Act simply requires "reasonable grounds to start a review" not "reasonable grounds to deregulate".

6. The Commission argues that the wording of section 210(1) appears to set a high threshold for undertaking a deregulatory review, and would only permit a review if the Commission considered, on a preliminary basis, that an "objectively sufficient" criteria has been reached.[1]

7. While we recognise there are costs of the review, these need to be assessed against the likelihood of a change occurring and against the cost to industry (and therefore ultimately also to consumers) of ongoing regulation.

8. The Commission also states that deregulation must be a sufficiently likely outcome of the review to justify the considerable expense and uncertainty that will accompany it.[2] From Enable's perspective, a deregulation outcome will remove our information disclosure requirements and is highly unlikely to cause considerable uncertainty to the market.

9. We also re-submit that the Commission should divide Bitstream PON services into three categories that better reflect the competitive market dynamics of these services (this

[1] Commerce Commission, "Fibre fixed line access service deregulation review under section 210 of the Telecommunications Act: Reasonable grounds assessment draft decision", (27 August 2024), para. 2.15.2
[2] Commerce Commission, above n 1, para. 2.15.4

being fast (up to and including 300Mbps), faster (301Mbps – 1 Gbps) and fastest (over 1 Gbps). The Commission has dismissed this on the grounds that FWA does not compete effectively with fibre plans above 100Mps.

A forward-looking approach is encouraged

11. We support the Commission's decision that its assessment should be forward looking[3]. In the five years to 2023 the number of fixed wireless connections in New Zealand has grown by 129% (and by 1,354% in the last ten years[4]). This reflects movement from 35,000 fixed wireless connections in 2016 to 347,000 connections in 2023 and shows how quickly the environment can change.

12. Starlink connections have also grown from 0 to 37,000 in only two years, and the Commission notes a number of new partnerships that will expand the LEO retail space (for example, between Starlink and Noel Leeming and 2degrees, and between SpaceX and One NZ and Lynk and 2degrees)[5].

13. In addition, the Commission's tilted annuity depreciation approach to the Fixed Loss Asset for Chorus's Price-Quality Path, shows the risk of asset stranding of FFLAS assets going forward.

14. While at first glance, it might seem inefficient to revisit the regulatory regime so soon after its introduction. However, Enable considers that there are reasonable grounds for a review, given the rapid pace of change of technology within the sector and the resulting significant change in the competitive landscape. Waiting for the next review, may be too high risk.

Enable's position on non-bitstream PON services

15. This submission mostly focuses on the Commission's assessment of if a deregulation review of bitstream PON services should occur.

16. However, for completeness Table 1 below summarises Enable's views on the other six services assessed by the Commission.

17. With all these services we consider them competitive. However, given they are such a small percentage of Enable's revenue, the cost of treating them differently to bitstream PON services streams outweigh the benefits. If Bitstream PON services was unregulated, then we would support these services having the same treatment, given we consider these services too are in competitive markets.

[3] Commerce Commission, above n 1, para. 2.17
[4] Commerce Commission, "2023 Telecommunications Monitoring Report", page 9
[5] Commerce Commission, above n 4, page 11

Table 1: Enable's position on non-bitstream services

Service	Enable's position	Rationale
Voice services	Treat the service the same as Bitstream PON services	Agree with Commission that there is no ability to extract excessive profits, but for information disclosure, the compliance cost of applying cost allocation outweigh the benefits given this is 0.2% of Enable's gross telecommunications revenue.
Point-to-point services	Treat the service the same as Bitstream PON services	Enable provides a small amount of Bitstream 4 and DFAS services and these are extremely competitive. This not only includes Chorus, but an increasing number of dark fibre suppliers.
Unbundled PON services	Treat the service the same as Bitstream PON services	For the four years this service has been available, no RSP has taken it up from Enable due to changes in the competitive landscape. Therefore there is no basis for continued regulation under Part 6 of the Act.
Transport services	Treat the service the same as Bitstream PON services	This is a competitive market. Chorus is the major provided of these services in Enable's region. MNOs also provide backhaul services to some of their own towers.
Co-location and interconnection services	Treat the service the same as Bitstream PON services	Enable offers colocation services from our Central Offices (COs). We face competition from Chorus, who have exchanges in Avonhead and Linwood, as well as the major datacentres, such as the Spark Datacentre at the Airport, the Datacom Datacentre in Gloucester Street and other smaller players.
Connection services	Treat the service the same as Bitstream PON services	Enable does not offer connection services. We outsource this to independent third party service providers. We also do not charge RSPs a fee for connecting residential customers because this would make fibre less competitive compared to FWA where no connection fee is charged.

Bitstream PON services

This submission focuses on Enable's geographic footprint, even though the Commission's draft decision takes a national approach

18. We recognise the Commission's draft decision uses a national geographic area for assessing bitstream PON services. The Commission's logic for this is that LFCs "typically offer uniform prices across their networks which suggests that competitive conditions are sufficiently similar that a broad geographic market across their network footprint is appropriate"[6].

[6] Commerce Commission, above n 1, para. 3.69

19. Enable does not differentiate pricing on its footprint due to a mixture of historical reasons, and RSPs' strong preference for pricing alignment across the country and their countervailing market power to require wholesalers to price on the same basis. This also explains why our pricing and products aligns with other LFCs at a national level.

20. However, as provided in our previous submission, we make extensive use of incentives and these differ across our footprint (e.g. between HFC and non HFC addresses) and differ to other LFCs.

21. In this submission we have chosen to focus on Enable's area rather than the national picture. This gives the Commission better insight into our circumstances, and no doubt Chorus, Tuatahi Fast Fibre and Northpower will provide additional context to enrich the national picture.

We disagree with the Commission's draft decision that there are no reasonable grounds to start a deregulation review of Bitstream PON services.

22. The Commission's maps in figure 1 show the presence of substitutes to fixed fibre line access services (FFLAS) on Enable's network[7]:

    22.1. 4G fixed wireless covers almost 100% of Enable's network

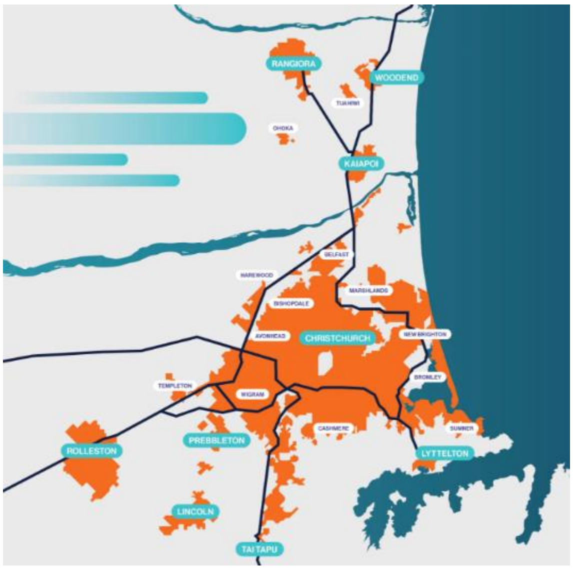
    22.2. 5G fixed wireless covers an estimated 60-70% of Enable's network

    22.3. Hybrid Fibre-Coaxial fibre (HFC) covers around 40% of Enable's network.

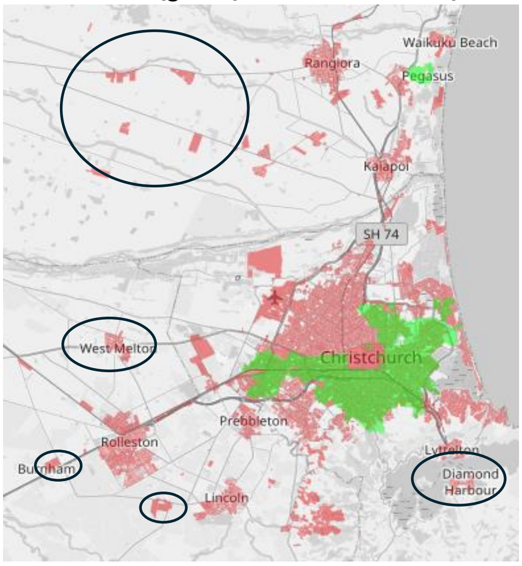
[7] We note that the technology availability is constantly growing, and that the Commission's maps are out of date in a number of areas.

Figure 1: Telecommunications technologies in Greater Christchurch region

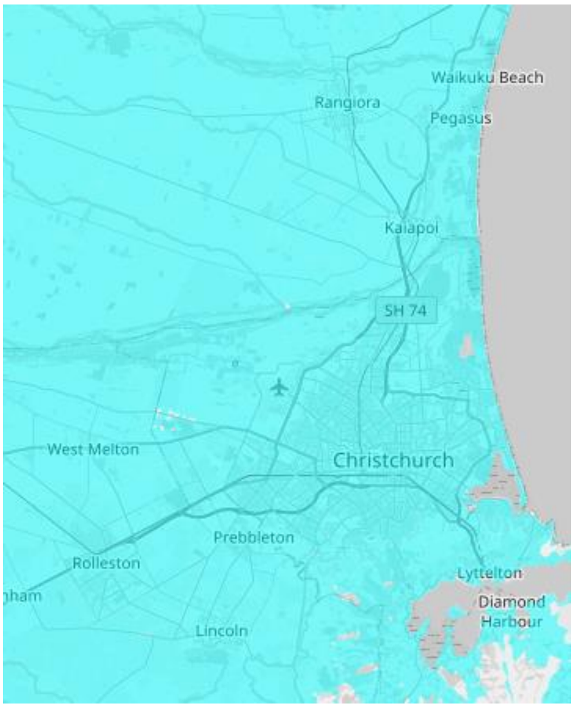
Enable's fibre network



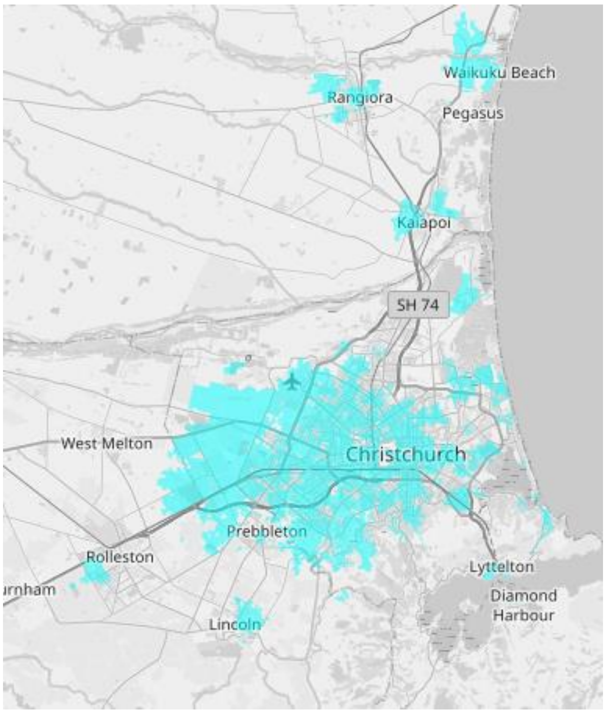
HFC network (green) and Chorus fibre (circled)



4G Fixed Wireless



5G Fixed wireless



24. One of the Commission's main arguments is that "while prices of alternatives may appear comparable, often non-price performance characteristics do not compare well to the fibre plans".[8] To address this point, we consider the major substitutes to FFLAS, and the considerations the Commission has made.

25. As table 3.4 in the Draft Decision notes, the current monthly costs are similar across

[8] Commerce Commission, above n 1, para. 3.91

many areas:

25.1. 4G fixed wireless is priced similarly to Fibre 50 plans

25.2. 5G fixed wireless is priced similarly to Fibre 300 plans

25.3. HFC offers similar download speeds to Fibre Max, and at a lower cost

25.4. LEO compares to Fibre 300 in some aspects.

26. We also note the HFC upload speed of 102 Mbps is comparable to Fibre 300.

4G Fixed wireless

27. In Enable's submission to the Framework paper, we provided a range of evidence of the competitive constraint currently imposed by alternative technologies. To recap[9]:

27.1. There has been a rapid growth of fixed wireless broadband from 3% market share in 2016 to 17% in 2022.[10]

27.2. Public targets from One NZ and Spark to grow fixed wireless[11].

27.2.1. One NZ stated in 2021 that it intended to migrate 25% of its customers to FWA by 2024.

27.2.2. Spark stated in 2021 its plans to move 30% to 40% of its fixed line broadband customers to FWA, and that it had achieved having around 30% of its broadband customers on wireless broadband in 2024.

27.3. GlobalData predicting growth of fixed wireless to 26.3% of broadband connections by 2028.

27.4. The acquisition by 2degrees of all the "fibre champion" small RSPs such as Orcon, MyRepublic and Stuff Fibre. Nationally only 24% of the urban broadband market consists of RSPs who do not have a competing fixed wireless network. On Enable's network, the three MNOs win 78% of new connections, showing their dominance.

[9] Commerce Commission, above n 1, para. 8.4 – 8.33
[10] We note the Commission has slightly different figures of 14.3% of the market on fixed wireless in 2023. Our data is from IDC and refers to connections as at December 2023.
[11] Enable Networks Limited and Tuatahi First Fibre, "Joint Submission on Framework paper on fibre fixed line access service deregulation review" (6 February 2024), para. 8.7

33. The availability of fixed wireless as a substitute is also recognised by councils. Property developers have traditionally needed Enable to provide a provisioning certificate confirming that our fibre network was available to the boundary of each new lot as part of the subdivision conditions before the Council would issue its s224 certificate under the Resource Management Act for a subdivision.

34. However, we are hearing more and more anecdotal evidence from property developers that Councils are allowing property developers to deliver telecommunication services via a fixed wireless solution rather than solely a fixed line service. We have approached the Christchurch City Council on this point, and they have advised as follows:

> The district plan has the following rules in regard to telecommunication servicing in subdivision.
>
> Rule 8.7.4.3 b. Christchurch District Plan : Christchurch City Council (ccc.govt.nz)
>
> b. Whether the electricity and telecommunications supply and connection to any new allotment(s) are appropriate and provide adequate capacity, including whether it is appropriate to require additional space for future connections or technology and whether any ducting or easements are required to achieve connection.
>
> Rule 8.8.6 g. Christchurch District Plan : Christchurch City Council (ccc.govt.nz)
>
> g. Whether there is the ability for allotments to appropriately connect to an electrical supply system and a telecommunications network.
>
> The rules do not specify the method of providing telecommunications, just that it is appropriate and adequate.
>
> There's been no change in recent months, however we did broaden the acceptable methods to include wireless connections several years ago. This was mostly anticipated to provide for areas where the copper network was no longer being expanded to, but no fibre was available.

35. We have experienced similar changes from Selwyn District Council, which is the other territorial authority responsible for high levels of subdivisions within Enable's current coverage area.

36. The Commission argues that for 4G fixed wireless, the non price characteristics do not compare well to FFLAS, and cite it has worse speed and latency. This is shown in table 3.4 in the draft decision.

Technology	Monthly price	Speed (down/up) (Mbps)	Latency[97]	Latency under load (down)	Customer premises equipment (CPE)
4G FWA	$60 - $99	38 / 23	53ms	358ms	Included or $150
Fibre 50	$59 - $81	52[100]	9ms	57ms	Included or $150

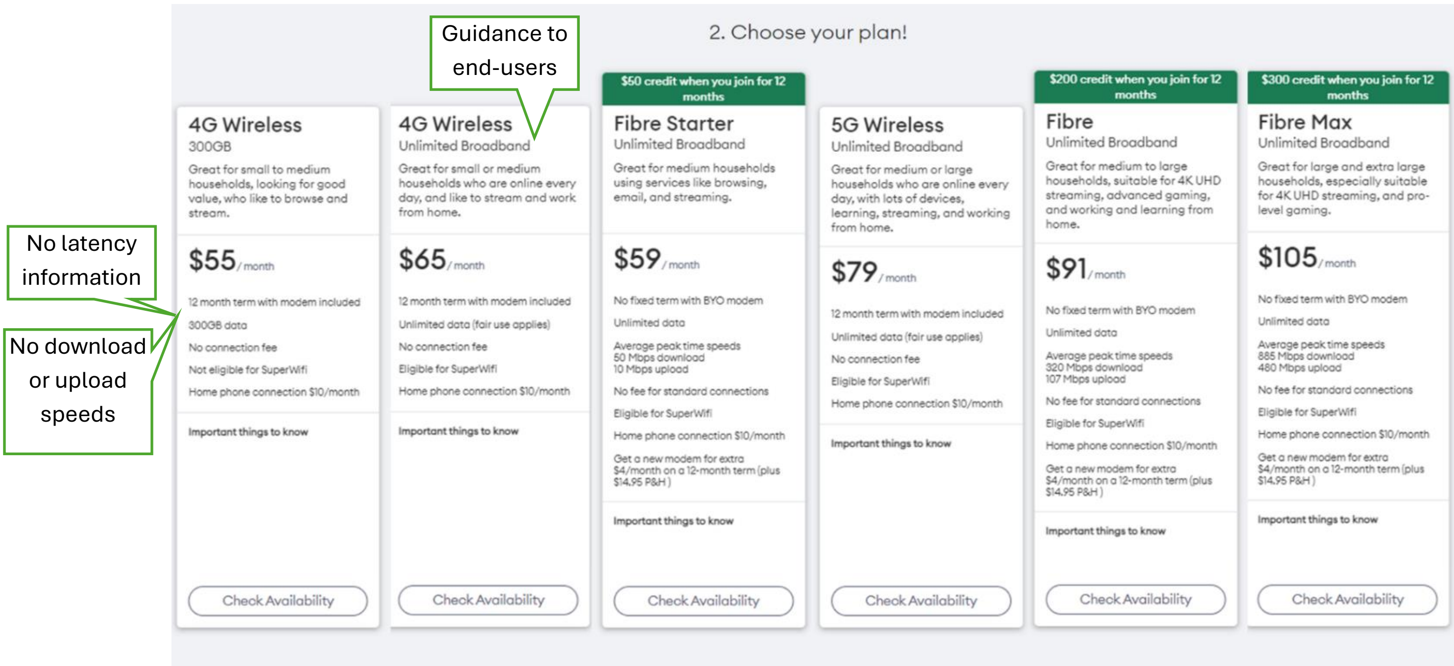
37. This conclusion assumes a well informed consumer who understands what latency is and the level of download and upload speeds they might require. To illustrate why this is not the case for the much of the residential market, we have cut and pasted the information provided to consumers by One NZ and 2degrees on their websites for broadband. We note:

    37.1. Latency information is not included. We assume because consumers do not consider this, or know what it is.

    37.2. Average peak download and upload speeds for 4G fixed wireless are not given. Again we assume because this is not important to many consumers, and they take the high level advice given from RSPs at the top of the boxes on what product will suit them.

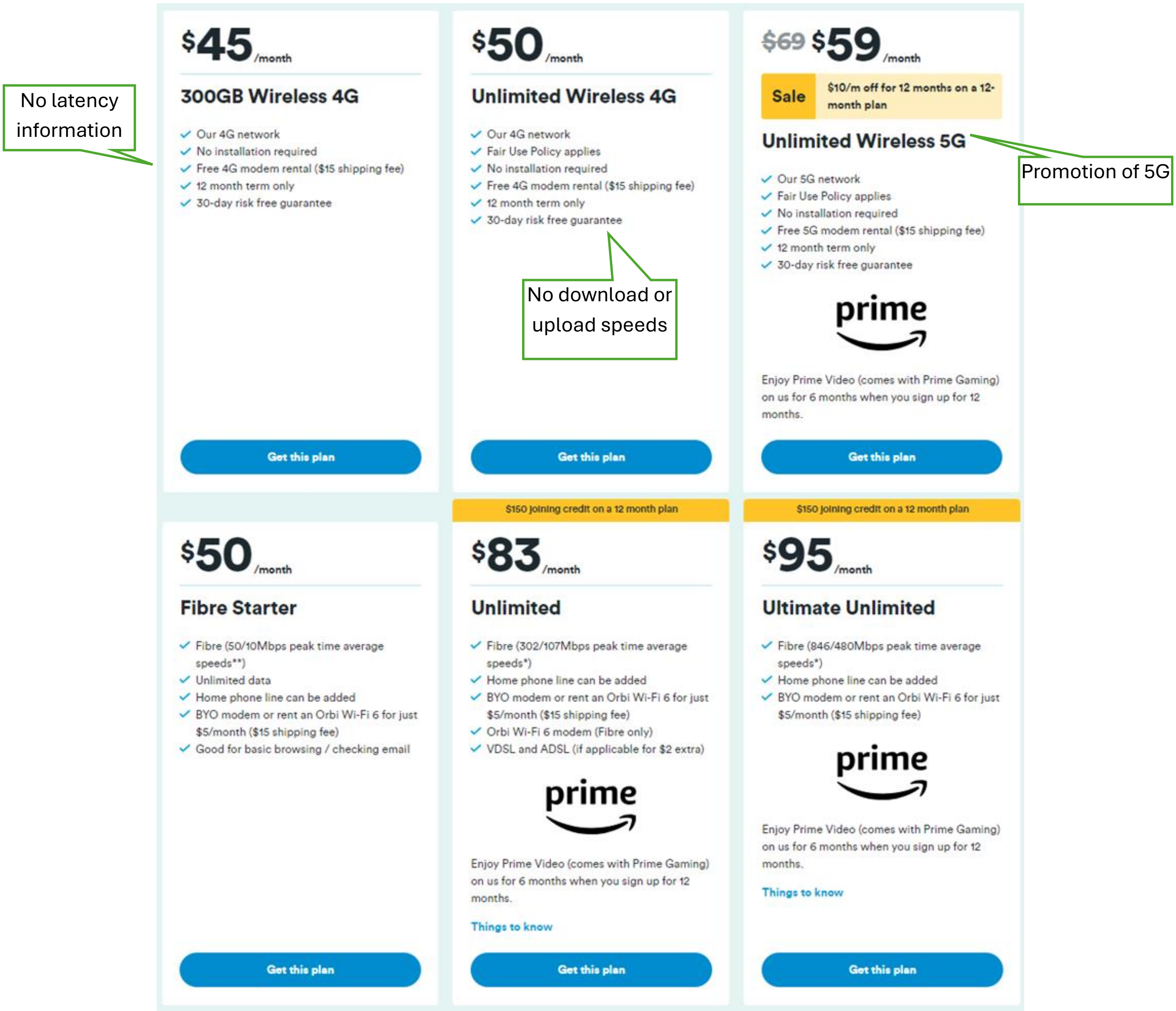
    37.3. The high level descriptions giving guidance to people would lead to most people assuming 4G wireless would meet their needs, i.e. they don't pick up on the differences in quality the Commission has highlighted.

Figure 3: One NZ website information of broadband options[12]



[12] https://one.nz/broadband/internet-plans/

Figure 4: 2degrees website information of broadband options[13]



38. The Commission argues that 4G fixed wireless “offers limited competitive constraint as capacity is limited and a number of stop sells currently exist on mobile towers in urban areas” and that “performance improvement for FWA is costly, requiring more sites, more spectrum or the next generation of technology”[14].

[13] https://one.nz/broadband/internet-plans/

[14] Commerce Commission, above n 1, para. 3.75

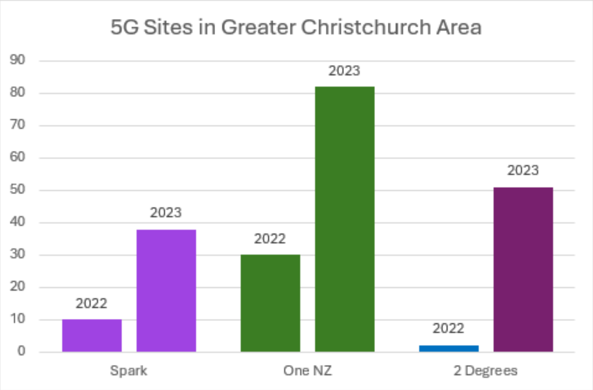
39. While it is true that the MNOs need to invest in site densification to grow, there is evidence of investment happening and a number of signs point to MNOs having the ability and the commercial motivation to continue to invest:

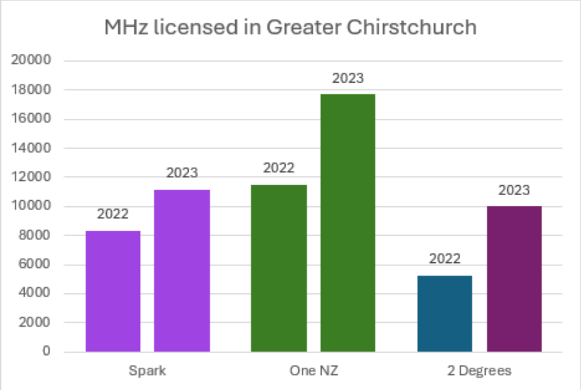
39.1. The government provided additional radio (mobile) spectrum to the mobile operators for free on the basis that they would invest in mobile capacity.

39.2. Between the sale revenue of tower assets and locations, and the money saved on not having buy spectrum, the MNO's have significant money to invest in capacity and we are certainly seeing that in our network region.

39.3. Enable has had numerous requests to support backhaul for new tower sites. We are also aware that the MNO's have increased capacity on existing sites too.

39.4. The graphs below show the very large increase in 5G capacity in Enable's region in just one year between 2022 and 2023.





40. We also note that national standards have made it much easier to install infrastructure. Christchurch City Council state much of the work is a permitted activity, and if not, it is almost always a controlled activity (where the Council can not decline it):

> "The 5G rollout is covered by the existing regulatory framework, principally the National Environmental Standard for Telecommunication Facilities 2016 (NESTF 2016)".
>
> "Where the NESTF 2016 permits a telecommunication facility or activity, no resource consent under the Resource Management Act is required, including for example, the installation and operation of a 5G antenna on a new pole in a road reserve is a permitted activity as long as it meets the standard. If a resource consent is required for a particular facility or activity the application is almost always for a controlled activity status which means the application cannot be notified or declined by the consenting authority (the Council). To note much of the infrastructure is installed in road reserve, or attached to existing towers and this is permitted."[15]

5G fixed wireless

41. The Commission's assessment of the service characteristics of 5G fixed wireless state it is competitive with Fibre 300, and is "expected to offer higher speed (comparable to the most popular fibre plan, Fibre 300), and lower latency wireless broadband services in the

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[15] Christchurch City Council, "Response to LGOIMA request", (15 October 2019) https://ccc.govt.nz/assets/Documents/The-Council/Request-information/2019/LGOIMA-Response-5G.pdf

future"[16].

42. The current comparison provided by the Commission is provided below.

Technology	Monthly price	Speed (down/up) (Mbps)	Latency[97]	Latency under load (down)	Customer premises equipment (CPE)
5G FWA	\$79 - \$80	329 / 49[98]	-	-	Included or \$150
Fibre 300	\$77 - \$93	309 / 107	10ms	42ms	Included or \$150

43. The Commission notes these speeds may degrade as uptake increases. However, as previously submitted and included above, MNOs have made commitments to accelerate growth of their 5G networks, and investment is occurring. As can be seen earlier, 2degrees is already promoting its 5G unlimited wireless package with a discount.

44. We recognise that the speed of the 5G rollout is uncertain, however given 5G fixed wireless is already present on an estimated 60-70% of Enable's network already, this is clearly the cusp of a very competitive substitute.

Hybrid Fibre-Coaxial fibre (HFC)

45. As previously mentioned, HFC is present and active on around 40% of Enable's network. As the Commission notes, its download speed compares well with Fibre Max, as well as having a much lower price. (In Christchurch, for an end-user with OneNZ, HFC is \$68/month compared to \$105/month for Fibre Max).

Technology	Monthly price	Speed (down/up) (Mbps)	Latency[97]	Latency under load (down)	Customer premises equipment (CPE)
HFC	\$68	914 / 102	12ms	44ms	Included
Fibre Max	\$89 - \$106	866 / 480	9ms	21ms	Included or \$150

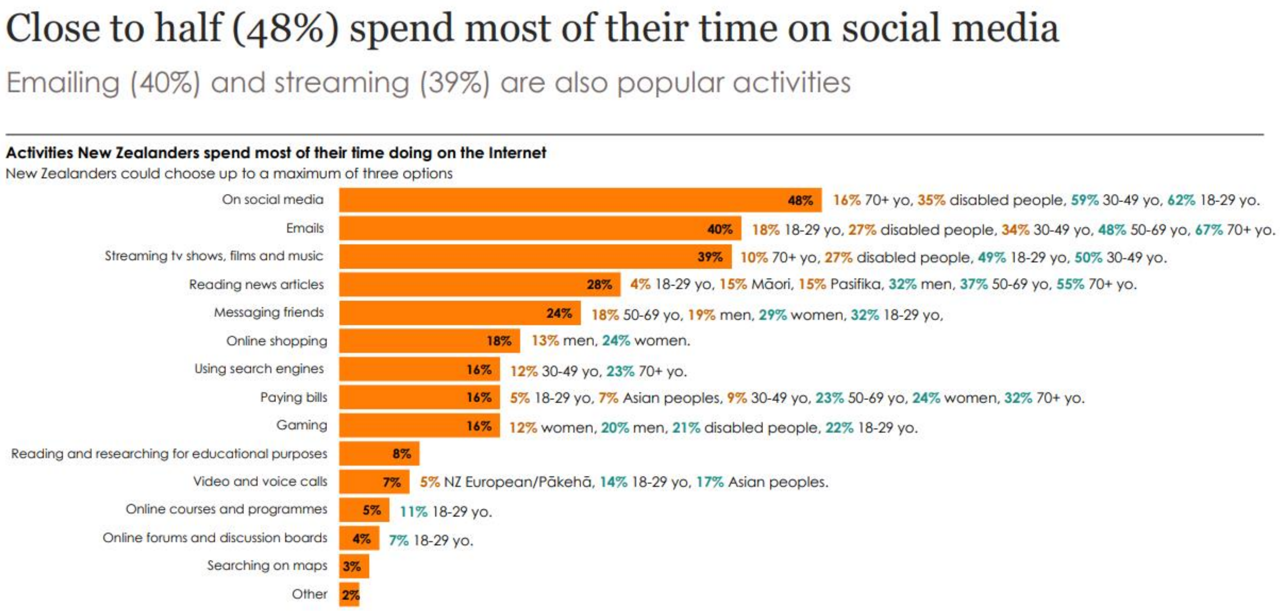
46. Although HFC offers lower upload speeds than fibre, we note research that shows most activities people do online require downloading rather than uploading.

47. Openvault reports average usage statistics for Q2 2024, and notes upstream usage is 7.6% of downstream usage, with on average 544.3GB used for download and only 41.5GB for upload.[17] This difference in performance between HFC and fibre is therefore of relevance to only a limited number of end-users.

48. Figure 5 below provides further information showing most activities focus on downloading.

[16] Commerce Commission, above n 1, para. 3.101
[17] https://openvault.com/resources/ovbi/?cl_system=mapi&cl_system_id=76396bf6-edd1-48bc-9961-d90e40a7b1b3&clreqid=76396bf6-edd1-48bc-9961-d90e40a7b1b3&kbid=88472

Figure 5: Research on what people use the internet for[18]



49. The Commission states it does not consider HFC to provide a strong competitive constraint as its market share is decreasing. We consider that a factor for the reduction in market share is because the product is only available from One NZ. Other RSPs offer incentives such as free Netflix/ Prime, bundling with electricity services or different customer service offerings. End-users may also have a stickiness to one provider, e.g. as they get discounts with their mobile plans. This does not mean that the competition is not present, and it still acts as a constraint on what Enable can price for its services.

50. The Commission comments that Enable has market power as we are not price differentiating between the HLC network and the non-HLC network.[19] As explained earlier, Enable does not geographically price differentiate due to historical reasons and countervailing RSP market power. We have however, offered incentives targeted to only HFC customers. As detailed in our previous submission:

    50.1. February 2022 – April 2022: Residential targeted migration offer - targeted at HFC addresses with credits to end-users

    50.2. October to November 2023 – Residential Targeted Direct Sales Offer – discounted wholesale rate for 36 months targeting HFC addresses.

The combined impact of all substitutes across bitstream PON services

Price of higher-speed broadband services is constrained by lower speed services

51. All these factors together impact pricing and, as acknowledged by the Commission, this is very true at the more price conscious end of the market. The lower end of the market impacts the whole pricing structure of Enable, due to the reluctance of end-users to pay

[18] https://internetnz.nz/assets/Uploads/New-Zealands-Internet-Insights-2023-v2.pdf
[19] Commerce Commission, above n 1, para. 3.69

a significant premium for faster broadband speeds. I.e. the price of higher-speed broadband services is constrained by the market price of lower speed services.

52. As table 2 shows, and provided in our previous submission, there is no significant price premium for faster broadband speeds.

Table 2: Enable pricing across most common products

Product	Bitstream 2 Ultra 50/10 2.5/2.5	Bitstream 2 Ultra 300/100 2.5/2.5	Bitstream 2 Ultra 1,000/10 2.5/2.5
Price/ month	$38	$53.59	$62.41

53. Our previous submission also noted research by the Commission that showed only 4% of consumers were willing to pay more than $20 extra per month for higher broadband speed.[20]

Trends and possible market responses

55. The Commission considers that the competitive threat is limited as FFLAS and FWA connections are both rising, seemingly at the expense of copper and HFC connections. As mentioned earlier, HFC is a competitive product. Also just because Enable continues to invest in offering FFAS to more areas, does not show that competition is less on areas where we already are.

56. The Commission states that another reason it considers that there is substantial market power by FFLAS is that there is little cost to Enable of changing the speeds of fibre plans to compete with services offered by other technologies. This is not correct – there would be a cost to Enable to provide the highest levels of fibre speeds across all connections – for example, in aggregations costs. Consumers may also have to upgrade modems etc.

Unfair regulatory cost of information disclosure

57. Enable is regulated by information disclosure, and so the question is does removing information disclosure best give effect to the purpose set out in section 162 of the Act.

58. The cost of information disclosure is significant and unfair, in that our competitors offering fixed wireless infrastructure and other substitutes do not have to meet this regulatory cost. This breaches the principle of technology neutrality.

59. The requirements are also excessive. Between 1 July 2023 and 30 June 2024, Enable's information disclosure totalled nearly 300 pages of information. The main information disclosure schedules for an electricity distribution business are only around 50-60 pages

[20] Enable Networks Limited and Tuatahi First Fibre, "Joint Submission on Framework paper on fibre fixed line access service deregulation review" (6 February 2024), para. 9.7

long.

60. In our confidential submission to the framework paper we provided information on the cost of completing information disclosure. Enable is a small company, and the cost is significant for the size of our operations.

61. We consider the risk of removing information disclosure for Enable to be very low, given:

    61.1. The ample amount of evidence of the competitive pressures on Enable, meaning we have to constantly be seeking efficiencies, pricing sharpy and delivering a high quality product.

    61.2. Enable is a Council Controlled Trading Organisation, and our Statement of Intent contains objectives that seek quality provision, efficiency and social good. For example, in our Statement of Intent we undertake to:

        61.2.1. Operate and manage all aspects of our fibre network to a high level, ensuring the delivery of services with a positive customer experience, and keeping ahead of customer demand.

        61.2.2. Advocate the enormous potential of our world-class connectivity services to businesses, consumers, and community groups within our community to truly embrace and realise unlimited opportunities.

        61.2.3. Support more of our community to participate fully in, and benefit from, our digital society through initiatives focused on digital equity.

        61.2.4. Protect and enhance our community's future through sustainable business practices.[21]

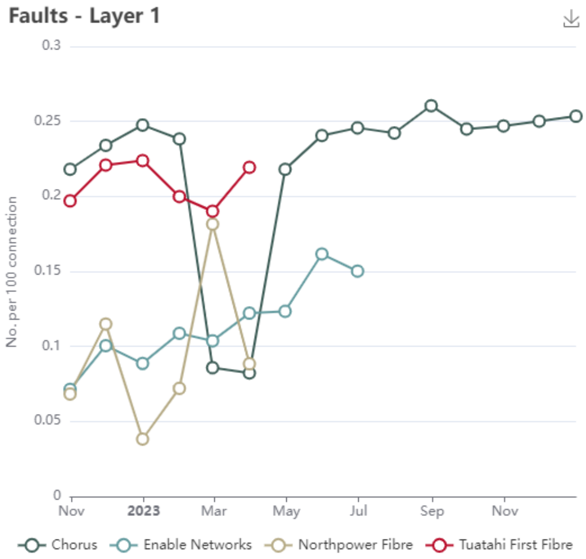
    61.3. This is reflected in how Enable operates. Our quality performance is high across a range of metrics. For example, the figures below show above average performance for faults and meeting appointment times.[22]

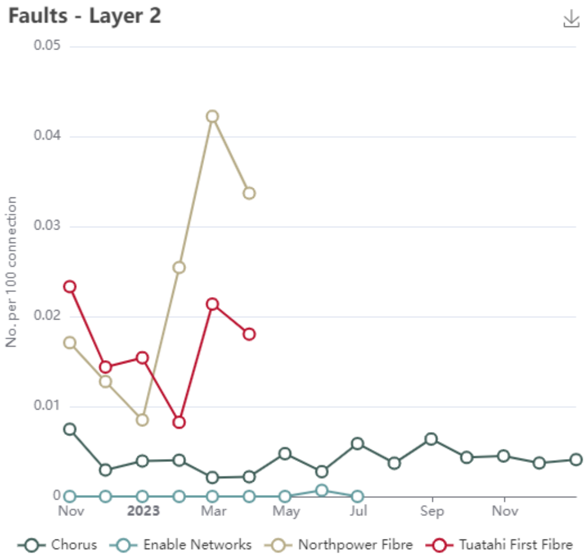
[21] P.4 https://www.enable.net.nz/assets/FY24-Statement-of-Intent.pdf

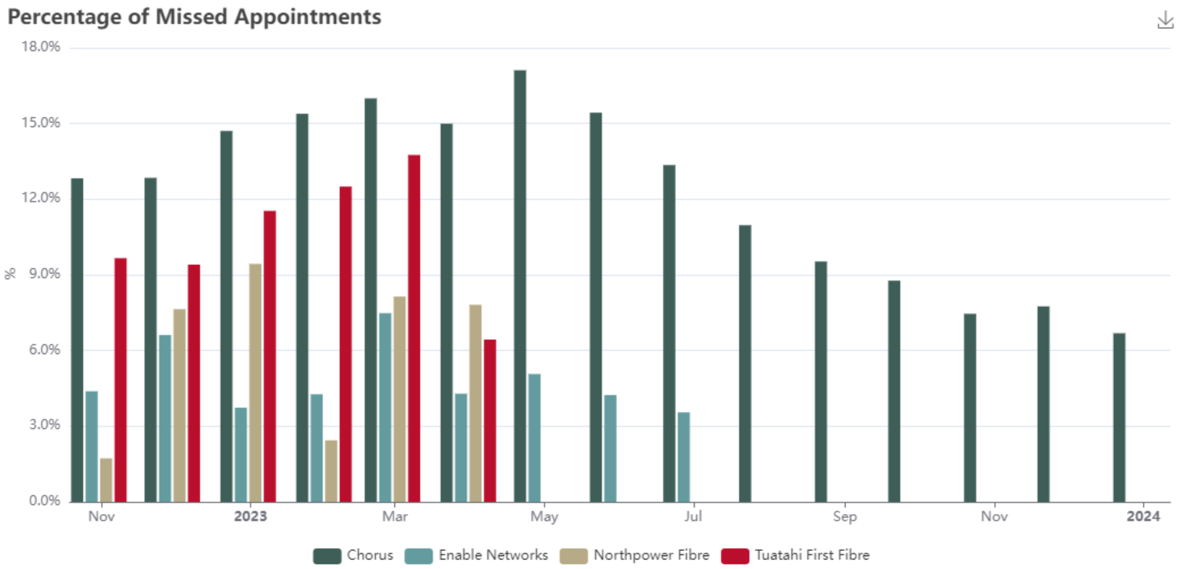
[22] Commerce Commission, "Fibre Performance Visualisations", (September 2024) https://comcom.govt.nz/regulated-industries/fibre/regulated-fibre-provider-performance-and-data/fibre-performance-visualisations

Quality - Faults

A total connection weighted average of faults per 100 connections by Layer.







61.4. Our profits go back to the ratepayers of Christchurch City, that represent the vast majority of our end-user base.

61.5. In November we will have provided three years of full disclosures. This creates a large baseline of information. The Commission has the powers at any time to request information if it has pricing or quality concerns about Enable.

62. If the Commission's final decision is to not to complete a deregulation review, we urge the Commission to consider reducing the information disclosure requirements. For example, there is some information that could be disclosed every three years, rather than every year, with minimum impact.

Conclusion

63. Enable's submission to the Commission is that, for the reasons set out above, there is significant and growing competition for Bitstream PON services, and constraint on LFCs from the conduct of RSPs. Accordingly, there are reasonable grounds for the Commission to start a review of the deregulation of fibre fixed line access services.

64. We recognise the regulatory regime is relatively young, but this is not a reason to counter the reality of the speed of technology change in telecommunications. In November 2024 there will be three years of information disclosure data that sets a baseline. There is a low risk of removing Enable's information disclosure requirements, given the Commission has the ability to request information as any time. Enable is also subject to a range of other disclosures from its Statement of Intent and contractual obligations.