

29 August 2019

Dear Stakeholder

Disclosure of previous relationship to mitigate any perceived conflict of interest

The Commerce Commission (**the Commission**) has previously advised that Professor Ingo Vogelsang is a member of the expert panel advising us on the fibre regulatory framework currently being implemented under Part 6 of the Telecommunications Act 2001 (**the Act**). In addition, Professor Vogelsang has more recently been providing the Commission with advice on the concepts of equivalence and non-discrimination in telecommunications markets.

The purpose of this email is to inform stakeholders that Professor Vogelsang has notified the Commission of a previous commercial relationship with WIK-Consult GmbH (**WIK**)¹ in Europe, as well as a current intention to join WIK in putting forward a tender proposal in another jurisdiction for general regulatory consulting. Professor Vogelsang disclosed this relationship once he became aware that WIK was providing expert advice to certain parties who are active in the provision of fibre fixed line access services in New Zealand. Professor Vogelsang was not involved in WIK's advice to those parties, and was unaware of WIK's expert advice until the fact of WIK's activities in New Zealand was drawn to his attention by the Commission.

To avoid any perceived conflict of interest, Professor Vogelsang has undertaken to the Commission not to:

- (a) discuss, provide or disclose any information to; or
- (b) receive or be privy to any information from,

WIK that relates to the interpretation and application of equivalence and non-discrimination in the New Zealand telecommunications markets or Part 6 of the Act.

Yours sincerely,



Simon Thomson

Head of Telecommunications

¹ Wissenschaftliches Institut für Infrastruktur und Kommunikationsdienste GmbH, registered at Amtsgericht Sieburg, HRB 7225; and WIK-Consult GmbH, registered at Amtsgericht Sieburg, HRB 7043.