

29 October 2024

Keston Ruxton
Manager, Fibre PQ Regulation
Commerce Commission

C/o Infrastructure.regulation@comcom.govt.nz

Submission on *Definition of net reported downtime* consultation

Dear Keston,

Enable welcomes the opportunity to make a submission on the *Fibre PQP2 Change to definition of net reported downtime* consultation. We note that none of the information in this submission is confidential.

In summary, Enable:

- Supports the Commission's amendment to "net reported downtime" in Chorus's PQP2 Draft Determination.
- Urges the Commission to keep open the option of changing the definition of "outage" in the Input Methodologies before the full Input Methodology review by end of 2027, noting that:
 - Enable supports Chorus's recommendation of it having two outage measures in Information Disclosure – reported outages, and reported outages plus self-identified outages
 - Notes the issues Chorus and Tuatahi have raised;
 - To address this issue, we have discussed with the other LFCs a suggestion of holding our own workshop. The intention of the workshop would be to recommend to the Commission an industry definition for self-identified outages that is aligned with the intent of the Commission and that all the LFCs agree on.

Detailed comments

As the Commission knows, Enable currently has an exemption for the definition of "outage" in the Input Methodologies for Information Disclosure. This leads to Enable having a qualified audit opinion, which is highly unsatisfactory and something we wish to address as soon as possible.

Enable appreciates the Commission seeking to address this issue in July 2024 by consulting on amending the definition of "outage" in the Input Methodologies. We also understand the concerns that have been raised by Chorus in how its PQP2 would be set.

We note that in its submission Chorus proposed to "develop two separate outage measures that will be reported through information disclosure; one for reported outages (which would continue

to be used for quality standard purposes in the near term at least) and the other for combined outages including self-identified outages”¹.

Enable supports this approach for Chorus, given it needs the first measure for its PQPs. Given Enable has only been reporting under the second measure, it makes sense that we keep one measure and continue this.

There is agreement between the four LFCs to hold a workshop with the aim of creating a definition of “outage” that is workable for us all, and is aligned with the Commission’s intent.

From Enable’s perspective, we would seek to do this over the next four months. Assuming we can agree a workable definition that is to the satisfaction of the Commission and can be applied retrospectively to DY2025, we urge the Commission to be open to amending the Input Methodologies by August 2025, to allow us to apply the new definition to our DY2025 Information Disclosure.

¹ Chorus, *Submission on Proposed Fibre IM Amendments*, 13 August 2024.

https://comcom.govt.nz/_data/assets/pdf_file/0021/362082/Chorus-submission-on-proposed-Fibre-IM-amendments-13-August-2024.pdf