

9 March 2007

Mr Douglas Webb  
Telecommunications Commissioner  
New Zealand Commerce Commission  
44-52 The Terrace  
PO Box 2351  
Wellington New Zealand

Dear Mr Webb

## **Telecommunications Act 2001: Schedule 3 Investigations into Amendments to the Roaming & Co-location Services**

### **Background**

With around 1400 communications towers throughout Australia, Crown Castle is the largest independent tower owner in Australia. 85% of Australians live within 10kms of a Crown Castle tower.

Crown Castle's towers are used by telecommunications carriers and other communication service providers on a shared basis. As an independent shared infrastructure supplier (**ISIS**), Crown Castle facilitates the maximum use of towers (by way of co-location) on a competitively neutral basis as between individual service providers.

Crown Castle is majority owned by Crown Castle International Corp (**CCI**). CCI is publicly listed on the New York Stock Exchange and owns, operates and manages approximately 22,000 tower sites in the US. CCI is also a major shareholder in Modeo, which has deployed a dedicated mobile TV network in New York City.

Crown Castle's Australian customers include all the major mobile telecommunications carriers in Australia – Optus, Telstra, Vodafone and Hutchison – together with broadband wireless players such as Unwired, Personal Broadband (iBurst), CommsLogic and Austar.

### **Submission**

Crown Castle makes the following points in relation to your investigations into co-location in New Zealand:

1. Pricing should only be regulated where there is market failure. No market failure exists where an independent infrastructure owner provides shared access to wireless operators (e.g. Australia, US and the UK).
2. Given 1 above, any regulation should only impact on licensed carriers (i.e. those providing wholesale or retail wireless services in the New Zealand market).



If you have any questions please contact myself on + 61 2 9495 9009 or Rachel Mahon-Castles on + 61 2 9495 9012.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David McKean', with a long horizontal line extending to the right.

David McKean  
Director, Corporate & Legal Affairs  
Crown Castle International  
Phone: + 61 2 9495 9009  
Fax: + 61 2 9495 9109  
Email: [david.mckean@crowncastle.com](mailto:david.mckean@crowncastle.com)