



Tricia Jennings,
Project Manager,
Regulation Branch
Commerce Commission

Via email: telco@comcom.govt.nz

24th September 2015

RE: Further Draft Pricing Review Determination for UCLL & UBA

We are writing this joint letter in response to the Commerce Commission draft FPP determination dated 2nd July 2015.

We strongly support the Commission's current thinking not to backdate the final FPP prices to December 2014.

We confirm that we made no adjustments to our pricing in response to the Commission's indication in December 2014 that it may backdate. The market conditions and competitive pressure did not permit us to adjust our pricing, nor were we able to predict the possible UBA & UCLL regulated price changes that will occur in December 2015, given the complexity of the modelling and the legal and economic resources required to engage in the process.

We urge the Commission to consider the practicalities of the situation and not to effectively create a wealth transfer from RSPs to Chorus, which we could not foresee and cannot recover retrospectively. We fail to see how this can be in the best interest of consumers.

Signed

Richard Fry, GM Operations
Woosh Wireless (NZ) Ltd

Chris O'Hara, GM Commercial
Trustpower Ltd

Howard Lewis, Chief Executive
Actrix Networks Ltd