

Please refer to: 13.03/16554

30 April 2020

Dear Stakeholder

Telecommunications: new timeline for consultation on draft equivalence and non-discrimination guidance in light of COVID-19

1. The COVID-19 pandemic brings with it many challenges. The Commerce Commission is committed to doing what it can to ensure that the telecommunications sector is focused on providing essential services to New Zealanders during these unprecedented times, particularly considering the substantial increase in use of our telecommunications networks during the lockdown.
2. The purpose of this letter is to advise stakeholders that we have updated our timeline for submissions and cross-submissions on the draft equivalence and non-discrimination guidance.

What we previously said about this timeline

3. We published the draft equivalence and non-discrimination guidance on 4 March 2020.¹ At the time, we said that we would accept submissions on the draft until 28 April 2020, and cross-submissions until 12 May 2020. We said that we expected the final guidance to be published in Q3 2020.
4. On 2 April 2020, in light of the emergency measures stakeholders were having to adopt in order to deal with the COVID-19 pandemic, and recognising that they would hamper the ability of some to engage with the consultation process, we removed the deadlines for submissions and cross-submissions on the draft guidance. We were keen to ensure that stakeholders had sufficient opportunity to provide their submissions and cross-submissions. We said we expected to contact stakeholders at the end of April with new deadlines.
5. We also published on 2 April 2020 our response to submissions received on Ingo Vogelsang's expert report on equivalence and non-discrimination, and an overview

¹ The project page is at <https://comcom.govt.nz/regulated-industries/telecommunications/projects/unbundled-layer-1-fibre-service>

of fixed line telecommunications regulation in New Zealand. We said that we expected that those documents would assist stakeholders in preparing their submissions on the draft guidance.

New timeline

6. We have decided to set the following new timeline for the draft equivalence and non-discrimination guidance process:
 - 6.1 Submissions on draft guidance due: **5pm on Tuesday, 2 June 2020;**
 - 6.2 Cross-submissions on draft guidance due: **5pm on Tuesday, 23 June 2020;**
and
 - 6.3 Publication of final guidance: **still expecting Q3 2020.**

Next steps and getting in touch

7. Thank you for all the work you are doing to ensure New Zealanders remain connected.
8. We remain open and responsive to further industry feedback, to ensure that companies can focus on providing essential goods and services during the COVID-19 pandemic.
9. Please contact Simon Thomson on (04) 974 3791 or Simon.Thomson@comcom.govt.nz if you have any questions about this letter or if you would like to make a submission but face difficulties in doing so within the timeframe.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'S. Gale', with a large, stylized initial 'S' and a period at the end.

Dr Stephen Gale
Telecommunications Commissioner