



Section 30R reviews of Five regulated Telecommunications services
Standard Terms Determination

Cross Submission to Commerce Commission

PUBLIC VERSION

5 November 2019

ABOUT VOCUS

1. Vocus New Zealand is the third largest fixed line operator employing over 600 staff in New Zealand. Our retail operation includes a number of challenger brands - Slingshot, Orcon, Flip, Vocus Communications and 2Talk. We are also an active wholesaler of services including access, voice and broadband over both fibre and copper.
2. Vocus has made significant investments in New Zealand. We operate 4,200km fibre optic network transits between virtually all major towns and cities and connects directly into all major peering exchanges. In addition, we are the largest copper unbundler with a presence in over 200 exchanges throughout New Zealand.
3. Our customers in New Zealand range from government agencies, integrators, large corporate, SME and residential households. We are committed to New Zealand's fibre future.
4. Vocus is committed to New Zealand and is one of the few large NZ telecommunications companies to base all its customer service call centres here in New Zealand rather than outsourcing its customer service operations overseas.
5. Vocus Group is one of the fastest growing telecommunications companies in Australasia and a major provider of voice, broadband, domestic and international connectivity and data centers throughout New Zealand and Australia.
6. Thank you for the opportunity to make this brief cross-submission. If you would like any further information about the topics in this submission or have any queries about the submission, please contact:

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PROPOSED AMENDMENTS SHOULD BE CONSISTENT WITH ACT AND ENSURE CONSUMER PROTECTION APPLIES TO CONSUMERS ON UNBUNDLED COPPER LINES

7. Vocus welcomes the opportunity to respond to the Commission's email to the industry on 29 October by way of this cross-submission on the Commission's Section 30R reviews of five regulated Telecommunications services.
8. Vocus has a significant number of its customers on Unbundled Copper Lines, accordingly Vocus is concerned that any changes to the Standard Terms Determination need to ensure, and not undermine, the consumer protections that the Act intends continue to apply.
9. Section 69AD of the Act specifically covers the withdrawal of the Unbundled Copper Local Loop (UCLL) services: -

*"(4) In this section, **relevant service** means either of the following:*
 - (a) Chorus's unbundled copper local loop network:*
 - (b) Chorus's unbundled copper local loop network backhaul (distribution cabinet to telephone exchange)'*
10. Whilst these services cease to be designated access services on and after 1 January 2020 s69AD (2) makes it clear that there are conditions that need to be met before Chorus can consider withdrawing the service: -

"(2) Chorus may stop supplying the service only if —
 - (a) a copper withdrawal code has been approved and Chorus complies with the requirements of the code in relation to stopping the supply of the service; or*
 - (b) the end-user chooses to have the service disconnected (other than a temporary disconnection). "*
11. Vocus' understanding is that whilst UCLL services will become commercial services once they are no longer designated services under the Act, Chorus will still be subject to the conditions of the Copper Withdrawal Code and existing consumers of UCLL services will still be protected under the Copper Withdrawal Code - including any conditions regarding changes to non-price and price conditions that may be contained in the Copper Withdrawal Code when it comes into place in 2022, or earlier.
12. Vocus is actively encouraging fibre take-up and recognises that it needs to transition users off its unbundled copper local loop network, however as the Act intends, those end-users who are serviced off non-Chorus MSANs should be afforded the same protections as users on Chorus MSANs.
13. Vocus is concerned that if the UCLL services are removed in their entirety without ensuring clarity on the above that Chorus may have a different interpretation and attempt to make changes that result in issues and disputes that impact on end-users of UCLL services. As

such, it may be that the requirements of section 69AD need to be explicitly noted in some manner.

VOCUS SUPPORTS SPARKS SUBMISSION

14. Vocus agrees with Spark's submission (23 October 2019) on the following points: -
 - (i) STD services continue until the copper review (para 6-7);
 - (ii) The retention of protections for end-users during the transition (para 10-12);
 - (iii) Spark's suggestions with respect to the Operations Manual and SLA's (para 15-19).