

ENABLE NETWORKS LIMITED

**CROSS-SUBMISSION ON THE SPECIFIED POINTS OF
INTERCONNECTION**

4 December 2019

1. Introduction

- 1.1 This cross-submission is made by Enable Networks Limited in response to submissions received on the Commerce Commission's (**Commission**) Specified Points of Interconnection paper dated 12 November 2019 (**Paper**).
- 1.2 We focus this cross-submission on the following two points raised by Vodafone New Zealand Limited (**Vodafone**).

2. Implications for the Specified POIs

- 2.1 We disagree with Vodafone's statement that "the Commission not allow for new POIs to be established while physical capacity for the handover still remains at the existing POI"¹.
- 2.2 Lack of capacity is not the only reason to establish a new POI. As set out in our submission dated 25 November 2019, a decision on whether to establish a new POI can be determined by the dimension and location of growth and may also relate to the need for increased resilience of network services.

3. Implications for layer 1 services

- 3.1 We further disagree with Vodafone's submission that "[t]he best solution to both of these problems is to specify the same POIs for both layer 1 and layer 2 services."²
- 3.2 The Commission clearly and correctly articulated the intent of the UFB initiative POIs as set out in our Network Infrastructure Project Agreement (NIPA) with the Crown:

The NIPAs consistently make a distinction between layer 2 handover points, which are called POIs, and layer 1 handover points, which are referred to as being located at a Central Office... A Dark Fibre Service is a layer 1 direct fibre access service; a Bitstream Service is a layer 2 service³

- 3.3 Our network is designed in accordance with our contracts with the Crown so that a layer 1 service always terminates at a Central Office, and a layer 2 service terminates at the POIs referred to in our submission.
- 3.4 Vodafone's reference to the Fibre Deed is misconstrued. Our obligations under that deed relate to Part 4AA of the Telecommunications Act and have no relevance to the Commission's notification of specified points of interconnection under Part 6 of the Act.

END

¹ Vodafone, Submission on Specified Points of Interconnection dated 26 November 2019, p3 (Vodafone)

² Vodafone, p5

³ The Commerce Commission, Specified Points of Interconnection Consultation paper dated 12 November 2012, p11