



# Vodafone response to the Commerce Commission consultation on Specified Points of Interconnection

16 September 2022

## Introduction

1. Thank you for the opportunity to provide our views on the Specified Points of Interconnection (**SPOI**) – Draft framework and decision relating to amending the s 231 notice and changes since 2019.
2. We have engaged with the Commission on this issue in the past and our views from our previous submission<sup>1</sup> still stand, particularly that the Commission should not allow for new POIs to be established while physical capacity for the handover service remains at the existing. While the LFCs will still be free to move their aggregation equipment to a new exchange, they should bear the cost of creating a backhaul link to the POI. In this response, we provide some additional points relating to the proposed change requests process.
3. Vodafone New Zealand is one of Aotearoa's leading connectivity companies and we offer a range of broadband, mobile and technology products. We are focused on creating a better future for Aotearoa New Zealand through remarkable technology solutions that simplify lives and businesses and operate New Zealand's largest 5G network. We maintain almost three million connections with consumer, business, public sector and

---

<sup>1</sup> [Vodafone-Submission-on-specified-points-of-interconnection-26-November-2019.PDF \(comcom.govt.nz\)](#)



wholesale customers via Vodafone and Farnside, New Zealand's rural broadband specialist. We're proud to help other Kiwi businesses to thrive by partnering with world-leading brands to offer best-in-class ICT services. Vodafone New Zealand is owned by Infratil and Brookfield Asset Management and we are a partner market in the Vodafone Group, one of the world's largest telecommunications companies. For more information, please visit [www.vodafone.co.nz](http://www.vodafone.co.nz).

## Our response

4. Our response relates to Part A of the consultation – the Commission's proposed framework for exercising their powers under s 231 of the Act, in particular the change request process.
5. We support the Commission's proposal that any POI change requests should be considered by the Change Management Forum, administered by the TCF. This sits well with the Change Management Forum's intended purpose, which is outlined in the standard agreement between Chorus and service providers as:
  - a. 'encourage open communication, consultation and collaboration between the LFC, the Service Provider and Other Service Providers, and between the Service Provider and Other Service Providers, relating to this Agreement and Wholesale Services Agreements; and
  - b. allow for a formal vote on any proposed Agreement Change (other than a Bilateral Agreement Change), and any other type of change which this Agreement requires to first be approved by the Change Management Forum, with each such vote to take place once the LFC has concluded consultation with the Change Management Forum in accordance with clauses 24 and 25; and
  - c. allow for a formal vote on any other matter that this Agreement expressly requires to be determined by a vote of the Change Management Forum.<sup>2</sup>
6. We note that the Commission's proposal appears to suggest that there is a role for both the Change Management Forum and the Product Forum as vehicles for industry consultation on SPOI change requests. However, the two forums are not interchangeable and operate differently from a process perspective.
7. The Change Management Forum offers higher potential for genuine industry engagement and consultation on proposed changes, as well as scope for oversight by the Commission where appropriate, particularly because the Change Management

---

<sup>2</sup> [chorus-ufb-general-terms-2022-01.pdf](#)



Forum process incorporates a formal voting mechanism. Having a formal voting mechanism will help to determine and present the industry's position on SPOI change requests in a very clear manner for consideration by the Commission under Steps 4 and 5 of the proposed process. The Product Forum, on the other hand, holds more of a discussion forum role in practice and doesn't include a formal voting process.

8. As such, we suggest that the Commission specifies the Change Management Forum as the forum for industry consultation. Step 2 of the Commission's proposed 'Process owned by the industry' should be amended to reflect this, i.e. 'Product Forum (sub Forum) discusses and votes on the change request' should be changed to 'Change Management Forum discusses and votes on the change request'.
9. Using the Change Forum as the vehicle for industry consultation will also provide adequate opportunities for all interested parties to comment on any proposed change requests, which the Commission has noted as an important consideration. As per the standard agreement between Chorus and service providers, the Change Management Forum is 'open to the Service Provider and all Other Service Providers.'<sup>3</sup>
10. Furthermore, we support the Commission's proposal that industry evaluation should be part of the information that must be included in change requests submitted to the Commission.

## Contact

Questions regarding this submission should be directed to:

*Tom Thursby*  
*Head of Legal and Regulatory*  
*Vodafone New Zealand Limited*



*Kamile Stankute*  
*Senior Public Policy Advisor*  
*Vodafone New Zealand Limited*



---

<sup>3</sup> [chorus-ufb-general-terms-2022-01.pdf](#)