

**STANDARD TERMS DETERMINATION
PROPOSAL FOR CHORUS'S UNBUNDLED
COPPER LOW FREQUENCY SERVICE**

**UCLF IMPLEMENTATION PLAN
PUBLIC VERSION**

24 November 2011

TABLE OF CONTENTS

1	INTRODUCTION AND INTERPRETATION	3
	Interpretation	3
2	OVERVIEW	4
3	TIMELINE FOR DELIVERY OF THE UCLF SERVICE	5
4	IMPLEMENTATION FOLLOWING THE DETERMINATION DATE	5
5	PREREQUISITES FOR SOFT LAUNCHES.....	5
6	SOFT LAUNCHES.....	6
	UCLF Service components to be tested as part of Soft Launches.....	7
	Primary Soft Launch	8
	Additional Soft Launches	8
7	PRIORITISATION OF THE UCLF SERVICE	8
8	KPIS AND SERVICE LEVELS	8
	KPIs	8
	Remedial Actions and Outcomes where Chorus does not meet its KPIs	9
	Mechanism for Chorus to report to the Commission and Access Seekers.....	9
	Implementation of Service Level Terms	10
9	NOTIFICATION OF THE AVAILABILITY OF THE UCLF SERVICE.....	10

1 INTRODUCTION AND INTERPRETATION

- 1.1 This implementation plan for the Unbundled Copper Low Frequency (**UCLF**) Service (**Implementation Plan**) forms part of the UCLF Standard Terms Determination (**UCLF STD**). This Implementation Plan is designed to meet the purposes set out in the Act and in particular section 18 of the Act. This Implementation Plan must be interpreted in light of the Commission's decision report and the purposes set out in the Act.
- 1.2 The Parties must carry out their obligations under this Implementation Plan in good faith and in furtherance of those purposes.
- 1.3 The standard access principles under clause 5 of schedule 1 to the Act apply to this Implementation Plan and all of Chorus's obligations under this Implementation Plan, subject to the limits on the application of those principles under the Act.
- 1.4 For avoidance of doubt, nothing in this Implementation Plan excludes or limits the ability of the Commission, the Access Seeker, any Other Service Provider or Chorus to exercise any rights available to it under the Act or under a standard terms determination.
- 1.5 This Implementation Plan has priority over the Operations Manual for the UCLF Service to the extent there is inconsistency between them.

Interpretation

- 1.6 In this document:
- (a) "Access Seeker Voice Service" means a commercial service offered by Chorus that allows a voice frequency copper path to an end-user via a Distribution Cabinet to the Access Seeker Equipment and which is available where the UBA Service is provisioned on the same line.
 - (b) "**Additional Soft Launch**" or "**Additional Soft Launches**" means, as the context requires, any Soft Launch or all Soft Launches for the UCLF Service (and/or, where applicable, any Soft Launch or all Soft Launches for the UCLF Service when taken in combination with the UBA Service) which is triggered by an Access Seeker placing an Order in accordance with clause 6.9;
 - (c) "**KPIs**" means key performance indicators;
 - (d) "**Primary Soft Launch**" means the soft launch for the UCLF Service (and/or, where applicable, the soft launch for the UCLF Service when taken in combination with the UBA Service) which is triggered by an Access Seeker placing an Order in accordance with clause 6.7;

- (e) **"Service Component"** means a discrete component of the UCLF Service that can be requested of Chorus by an Access Seeker independently of any other discrete components of the UCLF Service, as set out in clauses 6.4 and 6.5 and, for the avoidance of doubt, includes a Service Component for the UBA Service (as described in the UBA Standard Terms Determination) when the UCLF Service is taken in combination with the UBA Service;
- (f) **"Service Levels"** has the meaning given in the relevant UCLF Service Level Terms;
- (g) **"Soft Launch"** means, as the context requires, the Primary Soft Launch or any Additional Soft Launch;
- (h) **"Soft Launches"** means together, the Primary Soft Launch and any Additional Soft Launches;
- (i) **"Sub-loop Extension Service"** means a commercial service offered by Chorus that allows the copper between the Distribution Cabinet and the relevant Exchange to be rented to assist in providing an active analogue telephone service to end-users.

Unless defined otherwise in this clause 1.6, capitalised terms in this Implementation Plan have the meaning given in the UCLF General Terms or the UCLF Operations Manual as the context requires.

2 **OVERVIEW**

2.1 This Implementation Plan includes:

- (a) reporting progress on UCLF implementation;
- (b) implementation milestones;
- (c) prerequisites for the Soft Launches and delivery of the UCLF Service;
- (d) provisions relating to Soft Launches of the UCLF Service , including a description of what components of the UCLF Service form part of the Soft Launches;
- (e) KPIs and Service Levels; and
- (f) remedial actions and outcomes where Chorus does not meet its KPIs.

2.2 The Soft Launches of the UCLF Service enable parties to develop their systems and identify and address any problems with supply of the UCLF Service prior to full launch.

3 **TIMELINE FOR DELIVERY OF THE UCLF SERVICE**

- 3.1 Chorus must make any Service Components of the UCLF Service available as and when they are requested by Access Seekers, subject to a Soft Launch for the relevant Service Component(s) being completed.
- 3.2 The implementation milestones for delivery of the UCLF Service are the KPIs summarised in clause 8.2.

4 **IMPLEMENTATION FOLLOWING THE DETERMINATION DATE**

- 4.1 Following the Determination Date, Chorus will, upon receipt of an Order for the UCLF Service or a transfer to the UCLF Service, provide the UCLF Service using the following process and systems:
 - (a) for the standalone UCLF Service, similar systems and processes to those currently in place for the UCLL Service or the Sub-loop Extension Service and Sub-loop UCLL Service, as relevant; and
 - (b) when the UBA Service is taken in combination with UCLF, the processes and systems that are currently used to provide Telecom Wholesale's UBA with Access Seeker Voice Service.¹
- 4.2 Chorus does not expect that any material changes will be required to its systems or processes to provide the UCLF Service or the UCLF Service in combination with the UBA Service, however Chorus will be required to review its existing systems and processes to ensure that they comply with the UCLF STD and the UBA Standard Terms Determination (**Compliance Review**). Chorus will also be required to prepare Access Seeker collateral related to ordering and provisioning of the UCLF Service and the UCLF Service when taken in combination with the UBA Service.
- 4.3 This Compliance Review period will commence on the first Working Day following the Determination Date and will finish 20 Working Days after the Determination Date.
- 4.4 Once the Compliance Review is completed by Chorus any Access Seeker may initiate the Primary Soft Launch in accordance with clause 6.7.

5 **PREREQUISITES FOR SOFT LAUNCHES**

- 5.1 Before any Soft Launches can commence the following prerequisites must be met:

¹ The UBA with Access Seeker Voice Service is as set out in the Telecom Wholesale Informer TW 2011-06-21: "UBA with Access Seeker Voice to launch 21 July 2011".

- (a) the participating Access Seeker(s) must have satisfied all the relevant prerequisites in the UCLF General Terms, the UCLF Operations Manual UCLF, and, if applicable, the UCLL and UCLF Co-location Access Terms;
- (b) Chorus must have completed its review of systems and processes and prepared Access Seeker collateral related to ordering and provisioning of the UCLF Service (and/or ordering and provisioning when the UBA Service is taken in combination with the UCLF Service), as outlined in section 4, to enable it to provide the UCLF Service; and
- (c) the participating Access Seeker(s) must have provided Chorus with a relevant Access Seeker Forecast at least 20 Working Days before placing an Order that would trigger a Soft Launch.

6 **SOFT LAUNCHES**

6.1 There will be a Soft Launch in respect of every initial request for a particular Service Component (whether requested individually or as part of a request for multiple Service Components) by any Access Seeker, including:

- (a) the Primary Soft Launch, which is initiated when an Access Seeker places the first Order(s) for the UCLF Service in accordance with clause 6.7 and must include a request by an Access Seeker, and delivery by Chorus, of the Service Components listed in clause 6.4, and may include any other Service Components as requested by the relevant Access Seeker; and
- (b) Additional Soft Launches, which are initiated when an Access Seeker places the first Order(s) for any Service Component other than a Service Component that formed part of the Primary Soft Launch or any previous Additional Soft Launch.

6.2 The principles applicable to Soft Launches are as follows:

- (a) completion of a Soft Launch will trigger full implementation in respect of the relevant Service Components at which point this UCLF Implementation Plan will no longer apply to the Service Components included in that Soft Launch;
- (b) the purpose of Soft Launches is delivery of the UCLF Service (or the relevant Service Components) on a small scale for the purposes of testing;
- (c) an objective of the Soft Launches will be to identify any faults in the UCLF Service (or the relevant Service Components) that are subject to a Soft Launch or supporting systems or processes that may prevent an Access Seeker or Chorus from fully implementing the UCLF Service (or the relevant Service Components) in accordance with the UCLF STD; and

- (d) Soft Launches are generally defined as pre-production runs with a gradual ramp up of capability in stages rather than all at once. Accordingly, changes and improvements may be made continuously throughout a Soft Launch.

6.3 Any Soft Launch, including the preparation of any associated reports, must be completed within 100 Working Days from acceptance of an Order.

UCLF Service components to be tested as part of Soft Launches

6.4 The actual makeup of the Primary Soft Launch will depend on the content of the Orders received but must include all of the following Service Components, in accordance with the UCLF Operations Manual:

- (a) placing of Orders, provisioning, assurance and billing of the UCLF Service; and
- (b) placing of Orders for the UBA Service when taken in combination with the UCLF Service (where applicable to the circumstances of the specific Order).

6.5 A migration from the UBA Service with Access Seeker Voice Service to the UCLF Service with the UBA Service will not trigger a Soft Launch. For such a migration to occur, a separate Order for the UCLF Service must be made and all prerequisites to the UCLF Service being made available (as set out in clause 6 of the UCLF General Terms) must be satisfied. Such a migration would not test the provisioning processes, but will test the assurance and billing of the UCLF Service and, therefore, a separate Soft Launch is not required. Such a migration can only occur after the satisfactory completion of the Compliance Review and in accordance with the requirements of the UCLF Terms.

6.6 The Primary Soft Launch and any Additional Soft Launches may also include any of the following Service Components, in accordance with the UCLF Operations Manual:

- (a) placing of Orders and provisioning for the standalone UCLF Service;
- (b) placing of Orders and provisioning for the UCLF Service when taken in conjunction with the UBA Service;
- (c) placing of Orders and provisioning for the UCLF Tie Cable Service;
- (d) placing of Orders and provisioning for the UCLF Co-location Service in respect of:
 - (i) installation of Access Seeker Equipment in an approved configuration in a Chorus exchange; and

- (ii) migration and/or transfer of Access Seeker End Users to the UCLF Service (where applicable given the circumstances of the specific Order).

Primary Soft Launch

- 6.7 The Primary Soft Launch will be triggered by an Order for the UCLF Service from an Access Seeker at any time after 20 Working Days from the Determination Date and will include the Service Components listed in clause 6.4. The Primary Soft Launch will end when the initial Order(s) that triggered the commencement of the Primary Soft Launch are complete or within 100 Working Days of the date on which it commenced, whichever occurs first.
- 6.8 Reports relating to any Soft Launch will be completed 10 Working Days after the completion of the Soft Launch.

Additional Soft Launches

- 6.9 Any Service Components listed in paragraph 6.6 above that do not form part of the Primary Soft Launch may singularly or in groups form an Additional Soft Launch or Additional Soft Launches triggered by a relevant Order from an Access Seeker at any time after 20 Working Days from the Determination Date, including after the expiry of the Primary Soft Launch. Any Additional Soft Launch will end, , when the initial Order(s) that triggered the commencement of the Additional Soft Launch are complete or within 100 Working Days of the date on which it commenced, whichever occurs first.
- 6.10 Reports relating to any Additional Soft Launch will be completed 10 Working Days after the completion of the Additional Soft Launch.

7 PRIORITISATION OF THE UCLF SERVICE

- 7.1 The exchanges that form part of the Soft Launches will be determined by Orders placed by participating Access Seekers on a "first come first served basis". Where further prioritisation of those Orders is required as a result of resource constraints, this will occur in accordance with the relevant UCLF Operations Manual, where applicable.

8 KPIS AND SERVICE LEVELS

KPIs

- 8.1 Chorus's performance under this Implementation Plan will be measured against the KPIs set out in clause 8.2, with remedial actions where KPIs are not met and incentives for meeting KPIs.
- 8.2 Chorus will meet the following KPIs:
 - (a) Chorus will have completed its review of systems and prepare Access Seeker collateral related to ordering and provisioning of the UCLF Service

(and/or the UCLF Service taken in combination with the UBA Service) after 20 Working Days from the Determination Date;

- (b) each Soft Launch is successfully completed within the timeline set down in the specific Soft Launch plan in accordance with clause 8.7(a); and
- (c) the relevant Service Level Terms for the UCLF Service that the Access Seeker has Requested must be complied with during each Soft Launch.

Remedial Actions and Outcomes where Chorus does not meet its KPIs

- 8.3 Where Chorus does not achieve the KPI set out in clauses 8.2(a), 8.2(b) and 8.2(c) it must put in place a plan to remedy the situation and will correct that situation as soon as is practicable in the circumstances. Chorus will provide the plan to the Commission and Access Seekers. In the interim, Chorus will take reasonable remedial action.
- 8.4 Where Chorus does not achieve the KPI set out in clause 8.2(b) it must put in place a plan which identifies the reasons for the delay and proposes any remedial steps necessary to:
- (i) complete the Soft Launch as soon as is practicable in the circumstances; and
 - (ii) ensure that the UCLF Service is implemented by the conclusion of the Soft Launch; and
 - (iii) ensure that the UCLF Service when taken in combination with the UBA Service are implemented by the conclusion of the Soft Launch,
- and Chorus must provide the plan to the Commission and Access Seekers. In the interim, Chorus will take reasonable remedial action in accordance with the plan.
- 8.5 Where Chorus becomes aware that it will not achieve the KPI set out in clause 8.2(c) it will report to the Commission and Access Seekers on why it will not achieve the KPI and what steps it will take to deliver this level of service in the future.
- 8.6 Where Chorus has not met one or more KPIs for the UCLF Service, and it is requested to do so by the Commission, Chorus will provide fortnightly reports to the Commission and Access Seekers setting out the reasons why it has not met the relevant KPIs for the UCLF Service and the steps it intends to take to comply with those KPIs.

Mechanism for Chorus to report to the Commission and Access Seekers

- 8.7 Chorus must provide the following written reports to the Commission and Access Seekers confirming compliance or otherwise with the KPIs set out in clause 8.2:

- (a) a copy of the Primary Soft Launch plan and any Additional Soft Launch plan to be provided within 20 Working Days of Chorus's receipt of the required Forecasts for the relevant Soft Launch; and
 - (b) a report to be provided by the date that is 10 Working Days after completion of a Soft Launch setting out the results of that Soft Launch, identifying compliance with the Service Levels, and any material risks that may impact on ongoing implementation of the relevant UCLF Service and identifying the remedial actions to be taken.
- 8.8 All reports under clause 8.7 must be published on a publicly available Chorus website.
- 8.9 All reports described in clauses 8.3 to 8.7 that are required to be provided to Access Seekers will be deemed to have been provided to Access Seekers when they are notified by email that the report has been published on a publicly available Chorus website.

Implementation of Service Level Terms

- 8.10 For avoidance of doubt, the UCLF Service Level Terms are effective from 20 Working Days after the Determination Date but the Access Seeker is not entitled to claim any Performance Penalties in relation to any Service Component that has not been included in a completed Soft Launch.

9 NOTIFICATION OF THE AVAILABILITY OF THE UCLF SERVICE

- 9.1 Chorus will make available a list of Exchanges and Distribution Cabinets where the UCLF Service is available within 20 Workings Days from the Determination Date. Chorus will publish this list on a publicly available Chorus website.