

COMMERCE COMMISSION

**CLARIFICATION OF THE STANDARD TERMS DETERMINATION ON  
TELECOM'S UNBUNDLED COPPER LOCAL LOOP  
NETWORK BACKHAUL SERVICE**

**DECISION NO. 698**

Clarification under section 58 of the Telecommunications Act 2001 (the 'Act')  
of Decision 626

**The Commission:**

Dr Ross Patterson  
Anita Mazzoleni  
Gowan Pickering  
Pat Duignan

**Summary of Application and Initiation:** The Commission received an application for clarification from Telecom (Chorus) to clarify Decision 626 to remove five exchanges from the table in Appendix C of Schedule 5, as the exchanges did not exist at the date of Decision 626.

**Date of clarification:**

16 September 2010

### Request for clarification

1. On 27 June 2008, the Commerce Commission acting under the Telecommunications Act 2001 (the **Act**) made a standard terms determination for the designated service Telecom's unbundled copper local loop network backhaul (**UCLL Backhaul STD**).
2. On 8 September 2010, Telecom (Chorus) requested a clarification under section 58 of the Telecommunications Act 2001 (**Act**) to the UCLL Backhaul STD to remove five exchanges from the table in Appendix C of Schedule 5 of the STD, as the exchanges did not exist on 27 June 2008 and had been included in the Schedule in error. This clarification was considered by the Telecommunications Carriers' Forum (**TCF**) Working Party on 26 August 2010 and approval was given for these amendments by the parties in attendance – Vodafone, TelstraClear and Telecom.

### The Commission's Decision

3. The Commission's Decision is that the five exchanges Kaiteriteri (KTI), Piha (PIA), Rotowaro (ROW), Springburn (SB) and Te Akau (TEF) be removed from the table in Appendix C (Radial distances for UCLL Backhaul Service) of Schedule 5 of the UCLL Backhaul STD, given that these were mistakenly included, and did not exist on 27 June 2008 and had been included in the Schedule in error.

### Analysis

4. Schedule 5 of the UCLL Backhaul STD sets out the UCLL Backhaul POI site related information, and as part of this, lists the radial distances to the Parent POI.
5. Telecom (Chorus) has advised that contained in this list are five rural exchanges that should not be listed in this Schedule as they no longer exist. These exchanges were replaced by cabinets before the date of the UCLL STDs due to property consolidation and reduced space requirements, or they had been damaged by fire. The exchanges are listed in the table below.

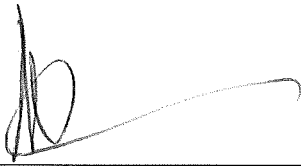
Code	Exchange Name	Parent POI	Radial Distance to Parent POI
KTI	Kaiteriteri	Nelson	34
PIA	Piha	Henderson	16
ROW	Rotowaro	Hamilton	29
SB	Springburn	Christchurch	96
TEF	Te Akau	Hamilton	38

6. It is the Commission's view that it is not necessary, or appropriate, for these exchanges to remain in Schedule 5 of the UCLL Backhaul STD.

**Decision**

7. No appeal is pending in respect of the determinations proposed to be modified in this Decision, satisfying section 58(1)(c) of the Act.
8. In accordance with section 19(c) of the Act, the Commission considers that the clarification set out in this Decision is likely to best give effect to the purpose set out in section 18 of the Act.

**DATED** at Wellington this 16th day of September

A handwritten signature in black ink, appearing to be 'Dr Ross Patterson', written over a horizontal line.

Dr Ross Patterson  
Commerce Commission

