

Fibre Input Methodologies (base capex and connection capex baseline allowance determination dates) Amendment Determination 2021

[2021] NZCC 17

The Commission:

Tristan Gilbertson
Elisabeth Welson
John Crawford
Sue Begg

Date of decision:

29 September 2021



Tristan Gilbertson, Telecommunications Commissioner

Dated at Wellington this 29th day of September 2021

COMMERCE COMMISSION

Wellington, New Zealand

Fibre Input Methodologies (base capex and connection capex baseline allowance
determination dates) Amendment Determination 2021

[Drafting notes:

- This amendment determination amends the Fibre Input Methodologies Determination 2020, as amended on 3 November 2021, ('principal determination').
- The included amendments are made under s 181 of the Telecommunications Act 2001.]

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Under Part 6 of the Telecommunications Act 2001 (the **Act**) the Commerce Commission makes the following determination:

1. DETERMINATION AMENDED

This determination amends the *Fibre Input Methodologies Determination 2020* [2020] NZCC 21, as previously amended, referred to in this determination as the “principal determination”.

2. COMMENCEMENT

2.1 This determination comes into force on the date on which notice of the determination is given in the New Zealand Gazette in accordance with section 180 of the **Act**.

3. INTERPRETATION

3.1 Terms in bold type have the meaning given to those terms in the principal determination.

4. FIBRE IM AMENDMENTS

4.1 In the principal determination amend clause 3.7.12(1) to read:

“(1) After the **Commission** evaluates a **base capex proposal** in accordance with Subpart 8, the **Commission** must determine a **base capex allowance** for each **regulatory year** of that **regulatory period**:

- (a) for the **first regulatory period**, as soon as practicable, but no later than before the start of that **regulatory period**; and
- (b) for the **second regulatory period** and subsequent **regulatory periods**, no later than 6 months before the start of that **regulatory period**.”.

4.2 In the principal determination amend clause 3.7.20(1) to read:

“(1) After the **Commission** evaluates a **connection capex baseline proposal** in accordance with Subpart 8, the **Commission** must determine a **connection capex baseline allowance**:

- (a) for the **first regulatory period**, as soon as practicable, but no later than before the start of that **regulatory period**; and
- (b) for the **second regulatory period** and subsequent **regulatory periods**, no later than 6 months before the start of that **regulatory period**.”.