

## Notice to supply information and documents to the Commerce Commission Sections 98(a) and (b) Commerce Act 1986

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**To:**

Chorus Limited  
Level 9  
North Tower  
Datacom House  
68-86 Jervois Quay  
Wellington 6011

Attention: Mark Ratcliffe, Chief Executive Officer

### **Purpose of the Notice**

1. We (the Commerce Commission) are reviewing the price to be paid for the Unbundled Bitstream Access (UBA) service provided by Chorus Limited, as defined in subpart 1 of Part 2 of Schedule 1 of the Telecommunications Act 2001 (Act). We are required to make reasonable efforts to make a price review determination before the expiry of three years from separation day, which is 30 November 2014 (refer s78(3) of the Telecommunications (TSO, Broadband, and Other Matters) Amendment Act 2011).
2. The purpose of this Notice is to obtain information and documents relevant to our price review.
3. The Notice is issued under sections 98(a) and (b) of the Commerce Act, and s15(f) of the Act.
4. We consider it is necessary and desirable for Chorus Limited to provide us with the information and documents specified in **Attachment A** to this Notice to assist us in making the price review determination.

### **Date and place of response**

5. The information and documents in response to this Notice must be delivered to the Commission's Wellington office at Level 6, 44 The Terrace for the attention of Keston Ruxton, or by email to [telco@comcom.govt.nz](mailto:telco@comcom.govt.nz) with the subject "Response to section 98 Notice – UBA", by 5pm on Friday 7 March 2014.

6. Chorus Limited must provide all information and documents in clauses 2 and 3 of Attachment A in electronic .csv format via email or on a flash drive. The information and documents in clause 4 of Attachment A must be provided in pdf format via email or flash drive.
7. Chorus Limited must label and identify all information and documentation, explaining to the Commission how it relates to this Notice.
8. Chorus Limited must supply the requested information and documents under cover of a letter on Chorus Limited's letterhead, signed by a person with the appropriate authority.

Dated at Wellington *7th* February 2014

Signed by:



Elisabeth Welson  
Commissioner

## Attachment A

1. For the purposes of this Notice, the following terms have the following meanings:
  - 1.1 **Chorus Limited** means Chorus Limited, its interconnected bodies corporate (as defined in section 2(7) of the Commerce Act), business units or joint ventures, and any current or former agents, employees, officers and directors thereof.
  - 1.2 **BUBA** means Basic UBA.
  - 1.3 **EUBA** means Enhanced UBA.
  - 1.4 **FTTN** means Fibre-to-the-Node.
  - 1.5 **DSLAM** mean both Digital Subscriber Line Access Multiplexer (DSLAM) and Multi-Service Access Node (MSAN) equipment.
  - 1.6 **EAS** means Ethernet Aggregation Switch.
  - 1.7 **ATM** means Asynchronous Transfer Mode.

### Information and documents requested

2. Please provide the following:
  - 2.1 For all end-users of Chorus' UBA service;
    - 2.1.1 Each unique end-user connection identifier;
    - 2.1.2 The UBA variant i.e. BUBA (Ethernet or ATM), or EUBA 40, 90, 180 provided to each end-user (as specified in 2.1.1);
    - 2.1.3 The geographic location (X, Y co-ordinates) of each end user premise; and
    - 2.1.4 End-user-DSLAM mapping that identifies the DSLAM identifier (as specified in 2.2.1) the end-user is served off.
  - 2.2 For all Chorus' DSLAMs and cards;
    - 2.2.1 For each DSLAM, the unique identifier, its technical specification and historic capital cost per unit (specify if purchase or installed cost is used);
    - 2.2.2 Node identifier and geographic location (X, Y co-ordinates) where each DSLAM is located, and whether this is in an FTTN cabinet or Exchange building;
    - 2.2.3 For the cards deployed at each DSLAM (by reference to the unique identifier provided in response to paragraph 2.2.1), their technical

specification, port utilisation, and historic cost per unit. This should include cards serving both line and trunk-side functions, which we expect will include, but may not be limited to:

- (a) xDSL (split out commercial (SHDSL, VDSL2 etc) port information from regulated ADSL);
- (b) voice (Baseband IP);
- (c) point-to-point fibre; and
- (d) backhaul.

2.3 For each Local Aggregation Path (LAP) in Chorus' network used to provide the UBA service;

2.3.1 DSLAM-EAS mapping. This should include the EAS unique identifier (as specified in 2.4.1) the DSLAM is connected to. If this EAS is not a UBA handover point, additionally provide the EAS unique identifier where the UBA Service is handed over;

2.3.2 Provide the geographic start and end points (X, Y co-ordinates) – either DSLAM to exchange and exchange to EAS where the DSLAM is located in a FTTN cabinet, or DSLAM to EAS where the DSLAM is located in an exchange;

2.3.3 Traffic profiles by variant applied on the fibre(s) providing UBA - BUBA (Ethernet or ATM), or EUBA 40, 90, 180. This should include historical time series (by month), and connection and traffic forecasts;

2.3.4 Traffic profiles by service and variant applied on the fibre(s) not providing UBA. This should include historical time series (by month), and connection and traffic forecasts; and

2.3.5 For each LAP identified in response to paragraph 2.3.2, the number of (copper and/or fibre) access links contained in the duct(s) used to house the LAP.

2.4 For all EAS;

2.4.1 Each unique EAS identifier, its technical specification and historic capital cost per unit (specify if purchase or installed cost is used);

2.4.2 Node identifier and geographic location (X, Y co-ordinates) where each EAS is located; and

2.4.3 The technical specification, port utilisation and services provided by each line-side card deployed at each EAS.

3. The Commission seeks cost information relating to services provided by third-parties in relation to UBA installations as follows:
  - 3.1 All provisioning codes and descriptions of the activity to which that code relates;
  - 3.2 Charges, as at the date of this Notice, by service company patch; and
  - 3.3 The geographic boundaries (X, Y co-ordinates) of each service company patch area.
4. To the extent that Chorus holds this information, the Commission seeks cost information relating to the deployment of fibre to Vodafone RBI sites:
  - 4.1 The geographic start and end points (X, Y co-ordinates) and distance of each duct; and
  - 4.2 Itemised trenching and associated deployment costs of each duct, and the completion date.
5. Please provide copies of all written reports by equity research analysts (for example, First NZ Capital and Forsyth Barr) in Chorus's possession , in relation to:
  - 5.1 Chorus shares; and
  - 5.2 Telecom shares for the period from 1 January 2011 to 1 December 2011.

