

Process paper on Chorus' proposed New UBA Variants

Date: 30 May 2014

Purpose

1. This paper outlines our process for deciding whether the New UBA Variants proposed by Chorus fall within the existing UBA Service Description outlined in Schedule 1 of the Standard Terms Determination for Chorus' Unbundled Bitstream Access Service (UBA STD).¹

Chorus' Notice of New UBA Variants

2. Chorus provided the Commission with Notice on 14 May 2014 that it is proposing to offer two commercial UBA services (referred to here as New UBA Variants), Boost HD and Boost VDSL, in accordance with Clause 10 UBA STD.
3. Chorus intends to launch these New UBA Variants on 1 September 2014. For more information on these services, please see Chorus' Notice and supporting documents available [here](#).

Our process

4. We previously set out a process for assessing New UBA Variants in May 2010. We followed that process when assessing Telecom's proposed Wholesale VDSL2 Service later that year.²
5. We propose to follow a modified version of that process in which we will publish, and seek submissions on, a draft decision regarding whether Chorus' proposed New UBA Variants fall within the existing UBA Service Description, compared to only seeking submissions on Chorus' proposal.
6. This approach recognises the substantial level of industry interest in the current final pricing principle review of the UBA price. We believe that it is important that all interested parties are able to comment on any Commission decision that may be relevant to the scope of the regulated service.

¹ Commerce Commission, "Standard Terms Determination for Chorus' Unbundled Bitstream Access Service", 13 December 2007, available [here](#). Following this decision, we may exercise our powers under the Act, including a review under section 30R, to amend the UBA terms, as outlined in clause 10.3 of the UBA STD.

² Commerce Commission, "Final Decision of the Commerce Commission on the applicability of the UBA STD to Telecom's Wholesale VDSL2 Service", 20 December 2010, available [here](#).

7. Table 1 sets out our process and the indicative dates :

Table 1: Indicative dates for key publications and events

Indicative date	Publication / event
30 May 2014	Process paper and Chorus' Notice published
Late June 2014	Draft Decision published *
Mid July 2014	Submissions on Draft Decision due
Late July 2014	Final Decision published

* Denotes publications that will seek written submissions.