

## Media release

20 November 2013

### NBN Co adopts ACCC's proposed changes to the Special Access Undertaking

The document that will govern the way the National Broadband Network is regulated for the next three decades is a step closer to being finalised.

NBN Co has told the Australian Competition and Consumer Commission (ACCC) that it will accept all the variations to the Special Access Undertaking (SAU) that have been proposed by the regulator.

The SAU forms a key part of the framework that will govern the prices NBN Co, as a wholesale open access telecommunications network, can charge for the services it supplies to retail telecommunications companies, as well other terms.

The revised document provides a greater role for the ACCC in relation to the prices NBN Co can charge for new products, and gives the regulator the ability to disallow product withdrawals and a power to rebalance NBN Co's prices.

The SAU also maintains NBN Co's commitment to freeze the wholesale price of key consumer and business products until mid 2017 and to peg any future price rises to below the rate of inflation.

NBN Co Head of Regulatory Affairs and Industry Analysis, Caroline Lovell said the SAU sets a baseline for NBN Co's ongoing engagement with the regulator and the telecommunications industry at a time when the shape of the NBN rollout is under review.

"While the SAU was developed in the context of previous government policy, NBN Co considers – and the ACCC acknowledges – that the SAU should be flexible enough to be varied to respond to any future technology changes that are required.

"Having an accepted SAU in place establishes a baseline from which future regulatory decisions can be made," Ms Lovell said.

The ACCC is expected to conduct an expedited consultation process with other industry participants, and then make a final decision on the varied SAU.

The ACCC's Notice to Vary was issued on 8 October 2013.

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#### Notes to editors

- The ACCC's announcement: <http://www.accc.gov.au/media-release/accc-publishes-nbn-co's-varied-special-access-undertaking-for-consultation>
- NBN Co is tasked with fulfilling the Commonwealth's policy goal of ensuring all Australians have access to very fast broadband as soon, cost-effectively and affordably as possible
- The Terms of Reference and the timing for the Strategic Review were communicated to NBN Co on 3 October 2013
- The interim Statement of Expectations directs the company to continue to roll out fibre to the premises while the review process is underway. It also gives NBN Co the flexibility to use a wider range of technologies to connect homes and businesses to the National Broadband Network
- For more information, visit [nbnco.com.au](http://nbnco.com.au)