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30 March 2022

Mr Iain Little  
Director of Equivalence  
Sustainability External Affairs & Legal  
Telstra Corporation Limited

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Dear Mr Little

### **Notification of a Force Majeure Event under Telstra's Migration Plan**

I refer to your letter dated 28 March 2022 notifying the ACCC of a Force Majeure Event under clause 4.5 of the Migration Plan due to recent floods in Queensland and New South Wales.

You have advised that the Force Majeure Event is due to the impact of the floods in towns and communities in southern Queensland and northern New South Wales.

A Force Majeure Event under the Migration Plan is defined to include a natural disaster which would be expected to place at risk the health or safety of the employees of Telstra or NBN Co or any other person. The ACCC agrees that the recent floods in Queensland and New South Wales constitute a Force Majeure Event under the Migration Plan.

The ACCC is satisfied that Telstra has met its requirement under clause 4.5(c)(i) of the Migration Plan to advise the ACCC that a Force Majeure Event will affect Telstra's performance under the Plan. Telstra will not contravene the Migration Plan to the extent that the Force Majeure Event causes delays or failure by Telstra to perform its obligations under the Plan. Your letter advises that managed disconnection milestones in Wave 93 of the migration in flood impacted areas are affected by the Force Majeure Event.

I note that Telstra is required to notify the ACCC as soon as reasonably practicable after the Force Majeure Event has ceased to affect its Migration Plan obligations.

Ifa Rushdi can be contacted on (03) 9658 6401 if you would like to discuss this matter.

Yours sincerely

Sean Riordan  
General Manager  
Communications Markets and Advocacy Branch