

Competition and Consumer Act 2010

Notice of extension of decision making period for making an access determination under subsection 152BCK(3)

1. Pursuant to subsection 152BCK(3) of the *Competition and Consumer Act 2010*, the Australian Competition and Consumer Commission (Commission) extends the period for making final access determinations for the fixed line services (being the unconditioned local loop service (ULLS), line sharing service (LSS), fixed originating access service (FOAS), fixed terminating access service (FTAS), wholesale ADSL, wholesale line rental (WLR) service and local carriage service (LCS)) to 11 January 2016.
2. The Commission has been unable to make the final access determinations (FADs) for the fixed line services within the inquiry period, as previously extended.
3. The Commission has released a further draft decision for the fixed line services on primary prices on 29 June 2015. The further draft decision identified three outstanding issues where the Commission had insufficient information and evidence to reach a complete draft decision in March 2015–
 - the prudence and efficiency of capital expenditure and operating expenditure
 - the assessment of allocators within the fully allocated cost model
 - Approach to loss of economies of scale due to the NBNThe Commission considers that it will be unable to undertake consultation on these issues unless this inquiry is further extended.
4. The Commission considers that the extension of the decision making period will be necessary to:
 - a. ensure appropriate time for industry consultation on the further draft decision
 - b. consider submissions from stakeholders, and
 - c. prepare the final decision.
5. The Commission intends to release a final decision on primary and supplementary prices by September 2015.

Note 1: The Commission commenced a public inquiry into making access determinations in relation to the seven fixed line services on 11 July 2013.

Note 2: The Commission extended the inquiry on 11 December 2013 from 11 January 2014 to 11 July 2014; on 2 July 2014, extended the inquiry from 11 July 2014 to 11 January 2015; and on 10 December 2015, further extended the inquiry from 11 January 2015 to 11 July 2015.

Dated this 1st day of July 2015.



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Rodney Graham Sims
Chairman
Australian Competition and Consumer Commission