

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 a final access determination (FAD) in relation to the Local Bitstream Access Service (LBAS) to 24 February 2013.
2. The Commission considers that it will be unable to make an FAD by 24 August 2012, i.e. within the six month period from the commencement of the public inquiry. The reason for the extension is that the Commission is waiting on the finalisation of NBN Co regulated prices to assist in the process of determining the price terms for the LBAS FAD.
3. The Commission considers that the extension of the decision making period will allow:
 - a. for progress towards the finalisation of NBN Co regulated prices;
 - b. appropriate time for industry consultation on the content of the FAD for the LBAS; and
 - c. sufficient time for the Commission to make an FAD.

Note: the Commission commenced a public inquiry into making an access determination in relation to the LBAS on 24 February 2012.

Dated this 4th day of July 2012



Michael Theodore Schaper

Acting Chairman

Australian Competition and Consumer Commission