



31 October 2023

Ms Sarah Proudfoot
Executive General Manager
Infrastructure Division
Australian Competition and Consumer Commission
Level 17, Casselden Place
2 Lonsdale Street
Melbourne VIC 3000

Dear Sarah,

Special Access Undertaking – Regulatory Information for 2022-23

Under Schedule 1F of **nbn's** Special Access Undertaking (SAU) as varied on 17 October 2023, **nbn** is required to submit a set of regulatory information to the ACCC by 31 October 2023 in respect of the 2022-23 Financial Year (**Regulatory Information**).

The ACCC must have regard to the Regulatory Information in issuing its 2022-23 LTRCM Determination under Schedule 1E of the SAU by 30 June 2024. The relevant ACCC decision making process is set out in the SAU.

The SAU variation accepted by the ACCC on 17 October 2023 sets out a revised calculation of the Cumulative Inflation Factor (CIF) for years prior to 2013-14 under clause 1E.8.4. Clause 1E.1.2(c) specifies how this is to be applied by the ACCC in issuing an LTRCM Determination. The attached material includes an updated LTRCM Spreadsheet incorporating the revised CIF.

The Regulatory Information in respect of the 2022-23 Financial Year is attached, together with a range of supporting materials. It comprises the following documents.

1. Cover letter (PDF file) – Public version only
2. Supporting submission (PDF file) – Public version and Confidential version
3. SAU-Regulatory Information (PDF file containing statements pertaining to the Actual and Proposed Financial Information, Expenditure Compliance Report, Procurement Rules Compliance Report and Price Compliance Report) – Public version and Confidential version
4. SAU-Regulatory Information (Excel version of the statements pertaining to the Actual and Proposed Financial Information) – Confidential version only
5. PricewaterhouseCoopers Audit Report on the SAU-Regulatory Information (PDF file) – Confidential version only
6. PricewaterhouseCoopers Report of Factual Findings on the statement of LTRCM and RAB items (PDF file) – Confidential version only
7. PricewaterhouseCoopers Limited Assurance Report in relation to controls applicable to Expenditure Compliance (PDF file) – Confidential version only



8. LTRCM Spreadsheet (Excel file setting out the calculation of the RAB, ABBRR and ICRA from the relevant input values (based on the 2021-22 LTRCM Determination)– Public version and Confidential version
9. Price Compliance Spreadsheet – Public version only
10. **nbn**'s current Chart of Accounts – Confidential version only

Some aspects of the Regulatory Information and supporting materials are confidential. In determining the appropriate treatment of each item of confidential information, **nbn** has applied the ACCC's April 2014 *Confidentiality Guideline for submitting confidential material to ACCC communications inquiries*. **nbn**'s supporting submission provides further details on confidentiality treatments (see Appendix B of that submission).

Please contact me if you would like to discuss anything in this letter or the attached information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Matthew Cole', is positioned below the 'Yours sincerely,' text.

Matthew Cole
General Manager, Regulatory Economics
Legal and Regulatory