

Friday, 7<sup>th</sup> September 2012

Mr Michael Cosgrave  
Group General Manager  
Communications Group  
Australian Communications & Consumer Commission

By email: [michael.cosgrave@accc.gov.au](mailto:michael.cosgrave@accc.gov.au)

Dear Mr Cosgrave,

### **NBN Co Special Access Undertaking lodged 5 December 2011**

We refer to the Special Access Undertaking (SAU) lodged by NBN Co with the ACCC on 5 December 2011 and note that the ACCC must make a decision in relation to that SAU by 17 September 2012. Please accept this as notification that NBN Co withdraws that SAU. We understand this withdrawal means the ACCC no longer needs to make a decision in respect of it.

NBN Co has been working with the ACCC and industry stakeholders in relation to the preparation of a revised SAU in accordance with the outline released by the ACCC on 20 June 2012 (*'Incentive Based Modular SAU: Design Principles'*).

These discussions have been of considerable assistance to NBN Co as we have progressed the detailed drafting of the revised SAU, and we anticipate lodging the revised SAU with the ACCC for assessment very shortly. We will keep you informed as to our timing.

Yours sincerely,



Jim Hassell  
Head of Product Management & Industry Relations