

14 August 2014

Mr Sean Riordan  
General Manager – Industry Structure & Compliance Branch  
Infrastructure Regulation Division  
Australian Competition and Consumer Commission  
GPO Box 520  
Melbourne VIC 3001

Via email: [rkrinbox@accc.gov.au](mailto:rkrinbox@accc.gov.au)

Dear Mr Riordan,

### **NBN Services in Operation Record Keeping Rules – Consultation Draft**

NBN Co welcomes the opportunity to review the ACCC's consultation draft of the NBN Services in Operation Record Keeping Rules (**RKR**) and the accompanying explanatory statement.

NBN Co notes that, if finalised in its current form and once in effect, the RKR would require NBN Co to disclose to the ACCC certain information which is generated within NBN Co's systems in connection with the supply of services to NBN Co's customers. NBN Co notes that such disclosures would be required by law under the RKR and s 151BU of the Competition and Consumer Act 2010 (Cth) and would make the required disclosures on that basis.

In making such disclosures, NBN Co notes that the draft RKR would require NBN Co to provide reports to the ACCC by email. NBN Co suggests that Rule 20 be amended to allow NBN Co to propose, and for the ACCC to agree to, reports being provided by alternative means.

Please let me know if you would like any further information or to arrange a meeting.

Yours sincerely



Caroline Lovell  
Chief Regulatory Officer