



AUSTRALIAN COMPETITION
& CONSUMER COMMISSION

Review of the National Broadband Network Services in Operation Record Keeping Rules – Disclosure Direction

Consultation Paper
December 2017



© Commonwealth of Australia 2017

This work is copyright. Apart from any use permitted by the *Copyright Act 1968*, no part may be reproduced without permission of the Australian Competition and Consumer Commission. Requests and inquiries concerning reproduction and rights should be addressed to the Director Publishing, Australian Competition and Consumer Commission, 23 Marcus Clarke Street, Canberra, Australian Capital Territory 2601.

1 Introduction

1.1 Purpose

The purpose of this consultation paper is to seek views from stakeholders on the Australian Competition and Consumer Commission's (ACCC) proposed variations to the NBN Services in Operation Record Keeping and Reporting Rules (NBN SIO RKR) Disclosure Direction and NBN Market Indicators Report.

1.2 Reasons for consultation

In July 2017 the ACCC received submissions from stakeholders on the proposed extension and variation of the NBN SIO RKR, including in relation to any changes that may be made to the Disclosure Direction given to NBN Co that forms the basis of the NBN Market Indicators Report.

In December 2017 the ACCC varied the RKR to incorporate the Multi Technology Mix changes and to include additional reporting obligations in relation to CVC records.

This consultation seeks views from NBN Co and stakeholders on proposed amendments to the Disclosure Direction and accompanying NBN Market Indicators Report.

1.3 Submission process

Submissions should be provided by **5.00pm on 7 February 2018**.

Submission of commercial-in-confidence material

All submissions will be considered by the ACCC as public submissions and will be posted on the ACCC website. Interested parties wishing to submit commercial-in-confidence material to the ACCC should submit both a public version and commercial-in-confidence version of their submission. The ACCC has issued a guideline setting out the process parties should follow when submitting confidential information to communications inquiries commenced by the ACCC. The guideline is available on the ACCC website at:

<http://www.accc.gov.au/publications/communications-inquiries-submitting-confidential-material>

Contact officer and submission lodgement details

Inquiries in the first instance should be directed to Grahame O'Leary at (02) 9230 3832.

Please email submissions to: RKRinbox@acc.gov.au

Mr Grahame O'Leary

Director

ACCC

(02) 9230 3832

grahame.oleary@acc.gov.au

Mr David Hinitt

Senior Analyst

ACCC

(02) 9230 9148

david.hinitt@acc.gov.au

2 The NBN Services in Operation RKR

2.1 Regulatory framework

Under section 151BU of the CCA, the ACCC can make record keeping rules (RKR) that require one or more specified carriers to keep and retain records and give reports to the ACCC consisting of information contained in those records.

Sections 151BUA, 151BUB and 151BUC of the CCA give the ACCC the power to disclose, or to require carriers or carriage service providers to disclose reports, or extracts of reports, prepared in accordance with an RKR.

In deciding whether to issue a disclosure notice, the ACCC must have regard to the legitimate commercial interests of the carrier(s) or carriage service provider(s) that provide the report and any other matter it considers relevant.

Before issuing a disclosure direction, the ACCC must also invite any carrier or carriage service provider concerned to make a submission on a draft of the disclosure notice and the ACCC must consider any submission made by it.

2.2 Background

NBN SIO RKR

In September 2014, the ACCC issued the NBN SIO RKR to NBN Co requiring it to keep and report information relating to its wholesale products including Access Virtual Circuits (AVC) and Connectivity Virtual Circuits (CVC) supplied to access seekers.

The NBN SIO RKR allows the ACCC to, amongst other things, monitor the development of competition over the NBN and assess the factors that may affect the long-term interests of end-users (LTIE), particularly residential broadband consumers. In addition, the information reported by NBN Co under the NBN SIO RKR may be used in other ACCC regulatory processes, such as investigations under Part XIC.

The NBN SIO RKR requires NBN Co to keep records and report on:

- the total number of AVCs by traffic class, speed tier, point of interconnect (POI), POI location and access seeker for each access technology
- the total number and amount of CVC acquired by each access seeker by POI, POI location and traffic class, and
- average CVC utilisation by traffic class for each access seeker at each POI, on a daily basis and during peak periods.

The NBN SIO RKR requires NBN to report this information to the ACCC on a quarterly basis.

The ACCC extended the operation of the NBN SIO RKR on 18 September 2017 for a further three years. On 18 December 2017 the ACCC varied the NBN SIO RKR. The current NBN SIO RKR incorporating the extension and variation is available on the [ACCC website](#).

NBN Wholesale Market Indicators Report – Disclosure Direction

In July 2015 the ACCC released a discussion paper proposing publication of an NBN Wholesale Market Indicators Report. Following that consultation the ACCC, pursuant to subsection 151BUC(2) of the CCA, issued a Disclosure Direction to NBN Co in March 2016 requiring it to provide public summary tables for publication on the ACCC website.

The current Disclosure Direction requires NBN Co to report on various categories of information it is required to keep, including the:

- number of AVCs for each access technology type and traffic class
- total CVC capacity by state grouping and CVC traffic class
- number of access seeker groups at each POI
- number of broadband AVCs (traffic class 4) where an access seeker group has more than 5 per cent of the services, and
- number of AVCs by speed tier, state grouping and metropolitan/regional designation for each access seeker group with more than 5 per cent of services.

The purpose of the NBN Market Indicators Report is to provide visibility of the development of the wholesale market for NBN access services. The information that is included in the NBN Market Indicators Report is recorded and prepared by NBN Co pursuant to the NBN SIO RKR. NBN Co is required to provide the NBN Market Indicators Reports at the same time as it provides the confidential reports required under the NBN SIO RKR.

3 Matters for consultation

In the June 2017 consultation paper, the ACCC proposed variations to the Disclosure Direction including:

- publication of various access seeker CVC metrics
- changing from state groups to state and territory specific reporting
- lowering the threshold for naming access seeker groups in the market share tables
- publication of additional tables outlining the number of AVCs on a POI by POI basis, and
- any further transparency measures that would promote competition.

Variation of published CVC information

The ACCC proposed the publication of additional CVC related information in the NBN Market Indicators Report, including average CVC to AVC ratio for access seekers and more detailed information about CVC utilisation. Submissions from Telstra, Optus, NBN Co and Comms Alliance indicated that due to variations on how access seekers acquired and provisioned CVC across their NBN services, such information might be misinterpreted if published.

For example, Telstra provided an explanation of its views regarding CVC provisioning. Telstra stated that CVC capacity can be divided into two component parts based on the time averaged utilisation in a given busy hour:

1. The average total capacity used by all end users on the CVC (demand); and

2. The average capacity that is unused (headroom).

Telstra indicated that the total CVC capacity acquired by an access seeker is a function of both actual demand (which is in turn influenced by the size, characteristics and acquired service speeds of their customer base) and the various decisions that access seekers make about 'headroom'. Telstra concluded that the average CVC capacity per end user can thus be expected to vary considerably between access seekers.¹

Other submissions from ACCAN, CCC and New Street Research indicated that publishing the proposed CVC related metrics will improve transparency and improve public understanding of NBN product provisioning.

The ACCC has considered stakeholder submissions on these matters and on balance, has decided not to proceed with the CVC related proposals because of the sensitivity of the information and potential for misinterpretation of the different CVC provisioning levels between access seekers.

The ACCC will continue to internally monitor and analyse the confidential CVC information that NBN Co reports under the NBN SIO RKR. This analysis will be improved further by the implementation of the recent NBN SIO RKR variation to require more detailed reporting of CVC information. The ACCC considers that its other consumer focussed projects, such as the Broadband speed claims: Industry guidance and Broadband performance monitoring & reporting program, currently provide significant public awareness of NBN provisioning, reducing the need for further transparency of access seeker CVC information.

Variation of published market share data

State based groupings

Submissions to the June 2017 consultation from Comms Alliance, Optus, New Street Research, ACCAN and Telstra agreed that information should be published by state or territory, rather than state based grouping. The ACCC notes that the original state grouping related to the operation of the Interim POIs, but since these account for a very small number of services, the importance of, and rationale for, the state groupings is reduced.

The ACCC therefore considers that reporting information in Tables 2 and 6 of the NBN Wholesale Market Indicators Report should be on a state and territory basis and that the requirement to report on state based grouping be removed.

Lowering the threshold for access seeker inclusion in tables

Submissions from ACCAN, Comms Alliance and New Street Research supported a reduction in the threshold for identifying individual access seekers to 1 per cent for Tables 4, 5, 6 and 7.

The ACCC notes that the current 5 per cent threshold means that for most technology types, only the top four access seeker groups are reported. The ACCC considers that lowering the threshold for naming access seeker groups in the relevant tables in the Disclosure Direction may promote competition through increased transparency as to the level of competition developing on the NBN.

¹ Telstra – Letter to the ACCC - *Re: Review of the National Broadband Network Services in Operation Record Keeping Rules (NBN SIO RKR) and NBN Wholesale Market Indicators Report (WMIR)*, [28 July 2017](#).

However, the proposed 1 per cent market share limit may still be too high and would only add a few additional access seekers that were not previously listed. The ACCC considers that there may be benefits in naming access seekers that meet a much smaller 0.1 per cent market share threshold. If this 0.1 per cent threshold was implemented the number of access seekers named in the market indicators tables would likely double.

The ACCC is cognisant that this may be of concern to the smaller access seekers and therefore seeks views from all NBN Co access seekers regarding this proposed variation.

Extension of publication of geographic data

The ACCC also noted that the Disclosure Direction could provide for the publication of additional tables outlining the number of AVCs acquired for each network access service on a POI basis. Accordingly, the ACCC is seeking submissions from stakeholders on the inclusion of the following information for each Listed POI in the Market Indicators Report.

For each Listed POI, it is proposed that a new table (Table 8) setting out the following information is included in the Market Indicators Report:

1. number of TC-1 AVCs for FTTP, FTTB, FTTN, and HFC access services
2. number of TC-1 AVCs for fixed wireless access services
3. number of TC-2 AVCs for FTTP, FTTB, FTTN, and HFC access services
4. number of TC-2 AVCs for fixed wireless access services
5. number of TC-4 AVCs for FTTP, FTTB, FTTN, and HFC access services
6. number of TC-4 AVCs for fixed wireless access services
7. total amount of TC-1 CVC capacity being acquired
8. total amount of TC-2 CVC capacity being acquired
9. total amount of TC-4 CVC capacity being acquired
10. number of NBN Access Seeker Groups with contracted CVC capacity at the POI

The table will not include information relating to Satellite AVCs or CVC as satellite services are delivered via a central POI. However, Satellite AVCs are already reported in Table 1 of the NBN Market Indicators Report. The table will not include information relating to interim POIs because the ACCC considers that the reduced AVCs at interim POIs will soon mean that very few services are not at Listed POIs. The proposed table aggregates fixed services (FTTP, FTTB, FTTN, and HFC), however the ACCC seeks submissions regarding further disaggregating the table by technology type or speed tiers.

The ACCC considers that the proposed information will expand transparency of the NBN wholesale markets and provide access seekers, potential access seekers (new entrants), upstream providers (e.g. backhaul) and downstream NBN service acquirers (e.g. aggregation acquirers) with valuable information.

We note the potential value derived from the information in the current NBN Wholesale Market Indicators Report and consider that a more detailed POI by POI table would reduce information asymmetries and may reduce barriers to entry without impacting on the legitimate commercial interests of access seekers or access seeker groups.

Other submissions on the Disclosure Direction

Optus submitted that a minor amendment could be introduced to indicate how the observed take-up of AVC services compares against the corresponding metric of serviceable premises at the same point in time. The ACCC considers this would require additional variations to the NBN SIO RKR and that the proposal to introduce the new Table 8 will enable the comparison of AVC services with the number of serviceable premises independently.

Comms Alliance sought clarification regarding the accounting of wholesale customers of NBN aggregation providers and NBN Co submitted that all superfast broadband access providers, not just services provided by NBN Co, should be subject to the NBN SIO RKR.

The ACCC notes that it will begin considering the monitoring of non-NBN superfast broadband networks and downstream NBN services (including aggregation services) (see Proposed action 7 of the draft Market Study report) in 2018.

ACCAN suggested that more frequent NBN Market Indicator reports would be valuable, but the ACCC notes that the Disclosure Direction requires NBN Co to make copies of extracts of reports that are prepared pursuant to the NBN SIO RKR, which are provided quarterly and therefore the Disclosure Direction must match the NBN SIO RKR period..

ACCAN also suggested that more reporting of TC1 and TC2 information would improve understanding of NBN product differentiation, particularly by voice only and business products by access seeker group. The ACCC notes this submission and considers that TC1 and TC2 may be considered for inclusion in Table 4 in the future, particularly once TC2 services expand in take-up.

4 Conclusion

The ACCC notes that the current NBN Market Indicator Report was developed at a time when the NBN was in its initial development. The NBN has now rolled out to over 6 million premises with approximately half of these activated, the ACCC considers that more detailed reporting will provide all stakeholders with valuable information.

A marked-up version of NBN SIO RKR Disclosure Direction that shows the proposed variations is at **Attachment A**. A draft set of NBN Market Indicator Report tables for publication is at **Attachment B**. A consolidated list of questions is set out below. After considering submissions from NBN Co and stakeholders, the ACCC will make a decision on whether to vary the NBN SIO RKR Disclosure Direction.

Questions on which the ACCC seeks views:

1. Should the threshold for market share reporting be set at 1 per cent of the total market, or another level, such as 1000 AVCs or 0.1 per cent market share? If another metric is favoured, please explain why.
2. Should the report set out AVCs and CVC information on a POI by POI basis, as proposed in Table 8?
3. Should Table 8 be related to Listed POIs only?
4. Are the proposed metrics in Table 8 appropriate for improving transparency of the development of the NBN wholesale market?
5. In proposed Table 8, should the information be further disaggregated by access technology type or speed tier?

ATTACHMENT A

Draft Disclosure Direction (marked-up)

DISCLOSURE DIRECTION

Issued by the Australian Competition and Consumer Commission

To

NBN Co Limited

ACN 136 533 741

*Pursuant to section 151BUC of the
Competition and Consumer Act 2010 (Cth)*

Direction

1. Pursuant to paragraph 151BUC(2)(c) of the *Competition and Consumer Act 2010* (the CCA), the Australian Competition and Consumer Commission directs NBN Co Limited to:
 - a) make copies of extracts of reports that are prepared pursuant to the NBN Services in Operation Record Keeping and Reporting Rules (NBN SIO RKR) that are to be prepared in accordance with Schedule 1;
 - b) prepare accompanying explanatory material in accordance with Schedule 2; and
 - c) make those extracts and explanatory material available for inspection and purchase by the public by marking them as available for public disclosure and providing them to the ACCC:
 - i. each calendar quarter;
 - ii. within twenty eight calendar days of the end of the calendar quarter to which the extract relates, or if that day is not a business day in the State of New South Wales, from the business day next following; and
 - iii. in an open file format able to be read by Microsoft Excel.
2. This Direction expires when the NBN SIO RKR ceases to be in effect.

Interpretation

3. The following terms have the meaning set out in this clause:
 - a) **'Listed POI'** means a POI that is set out in the document titled "Listed Points of Interconnection – NBN Corporation", published by the ACCC on 2 November 2012.
 - b) **'NBN Access Seeker Group'** means two or more Access Seekers which are acquiring Network Access Services and that are related to each other at the end of the relevant calendar quarter.

- c) **‘Network Access Service’** means each of the Existing Network Access Services and New Network Access Services included in the report NBN Co provides to the ACCC pursuant to the NBN SIO RKR in respect of the relevant calendar quarter.
- d) **‘Satellite Access Service’** means a Network Access Service supplied by NBN Co over a satellite network, including the Interim Satellite access services.

A capitalised term used in this Direction that is also used in the NBN SIO RKR has the same meaning in this Direction as it does in the NBN SIO RKR.

Rodney Graham Sims

Chairman

Date:

DRAFT

Schedule 1 – Extracts from NBN Services in Operation Record Keeping and Reporting Rules (NBN SIO RKR) reports

NBN Co is to prepare the following tables by aggregating data points that are drawn from the reports it prepares pursuant to the NBN SIO RKR in accordance with the methodology contained in this schedule.

Table 1 Count of AVCs by Network Access Service, and by AVC traffic class and data transfer rate tier

This table is to provide as at the end of the calendar quarter for each Network Access Service by AVC traffic class:

- a) the count of the total number of AVCs; and
- b) the sub-count of AVCs for each data transfer rate ‘tier’.

Table 2 Sum of contracted CVC capacity by ~~Sstate~~ or territory grouping and by CVC traffic class

This table is to provide as at the end of the calendar quarter the sum of contracted CVC capacity for each CVC traffic class by ~~Sstate~~ grouping or territory, including a count of total contracted CVC capacity for each CVC traffic class.

~~For the purpose of preparing this table, the following State groupings are to be used: New South Wales and the Australian Capital Territory; Queensland; South Australia and Northern Territory; Victoria and Tasmania; Western Australia.~~

A CVC is to be allocated to ~~each Sstate~~ grouping or territory based upon the ~~Sstate~~ or territory listed in respect of the CVC in the report NBN Co provides to the ACCC pursuant to the NBN SIO RKR for the relevant calendar quarter.

Table 3 Count of NBN Points of Interconnect (POIs) by count of NBN Access Seeker Groups present

This table is to provide as at the end of the calendar quarter:

- (a) the count of NBN POIs that are Listed POIs; and
- (b) the count of NBN POIs that are not Listed POIs, e.g. Temporary POIs,

that have a specified number of NBN Access Seeker Groups with contracted CVC capacity at the POI.

The specified number of NBN Access Seeker Groups to be included in the table is to range from zero to the number of Access Seeker Groups that are present at the NBN POI with the most NBN Access Seeker Groups present.

That is, this table is to record the number of NBN POIs without Access Seeker Groups present, followed by the number with 1 NBN Access Seeker Group present, followed by the number with 2 NBN Access Seeker Groups present, and so on, until the number of NBN Access Seeker Groups that are present at the NBN POI with the most NBN Access Seeker

Groups is reached, and to do this for Listed POIs and POIs that are not Listed POIs, respectively.

Table 4 Count of TC-4 AVCs by Network Access Service and by NBN Access Seeker Group

This table is to provide as at the end of the calendar quarter the count of TC-4 AVCs by NBN Access Seeker Group for each relevant Network Access Service.

If the count of the TC-4 AVCs acquired by a NBN Access Seeker Group is equal to or more than 51 per cent of the total TC-4 AVCs for that Network Access Service as at the end of the calendar quarter, the count of TC-4 AVCs for that NBN Access Seeker Group for that Network Access Service shall be reported as a single line item that is titled by the name of the NBN Access Seeker Group.

If the count of TC-4 AVCs acquired by any NBN Access Seeker Group is less than 51 per cent of the total TC-4 AVCs for that Network Access Service as at the end of the calendar quarter, the count of TC-4 AVCs for the relevant NBN Access Seeker Group(s) for that Network Access Service shall be aggregated and reported in the table as a single line item that is titled 'Other Access Seekers'.

Table 5 Count of TC-4 AVCs by download data transfer rate and by NBN Access Seeker Group

This table is to provide as at the end of the calendar quarter the count of TC-4 AVCs by NBN Access Seeker Group and by download data transfer rate across all Network Access Services.

If the count of TC-4 AVCs acquired by a NBN Access Seeker Group is equal to or more than 15 per cent of the total TC-4 AVCs as at the end of the calendar quarter, the count of TC-4 AVCs shall be reported as a single line item that is titled by the name of the NBN Access Seeker Group.

If the count of TC-4 AVCs acquired by any NBN Access Seeker Group is less than 51 per cent of the total TC-4 AVCs as at the end of the calendar quarter, the count of TC-4 AVCs for the relevant NBN Access Seeker Group(s) shall be aggregated and reported in the table as a single line item that is titled 'Other Access Seekers'.

For the purpose of preparing this table, AVCs that are supplied with a data transfer rate tier that comprises a single specified download data transfer rate are to be aggregated with all other AVCs that are supplied with a data transfer rate tier with the same specified download data transfer rate, even if different upload data transfer rates may apply.

For the purpose of preparing this table, a data transfer rate tier that comprises a range of download data transfer rates is to be treated as though it comprised a single download data transfer rate that NBN offers on a data transfer rate tier. The single download data transfer rate selected is to be equal to the maximum of the range of download data transfer rates that are available on the relevant data transfer rate tier.

For instance, where NBN Co offers data transfer rate tiers on a Network Access Service with download data transfer rates of 12 mbps, 25 mbps, 25-50 mbps and 25-100 mbps; and offers

data transfer rate tiers with download data transfer rates of 12 mbps, 25 mbps, 50 mbps and 100 mbps on another Network Access Service, the contracted download data transfer rate of the 25-50 mbps data transfer rate tier is to be treated as though it was 50 mbps, and the contracted download data transfer rate tier of the 25–100 mbps data transfer rate tier is to be treated as though it was 100 mbps.

Table 6 Count of TC-4 AVCs by ~~s~~State ~~or territory grouping~~ and by NBN Access Seeker Group

This table is to provide as at the end of the calendar quarter the count of total TC-4 AVCs by ~~s~~State ~~grouping or territory~~ and by NBN Access Seeker Group across all Network Access Services, including a count of total TC-4 AVCs for each ~~S~~state ~~grouping or territory~~.

If the count of TC-4 AVCs acquired by a NBN Access Seeker Group is equal to or more than ~~5~~1 percent of the total TC-4 AVCs as at the end of the calendar quarter, the count of TC-4 AVCs for that NBN Access Seeker Group shall be reported as a single line item that is titled by the name of the NBN Access Seeker Group.

If the count of TC-4 AVCs acquired by any NBN Access Seeker Group is less than ~~5~~1 percent of the total TC-4 AVCs as at the end of the calendar quarter, the count of TC-4 AVCs for the relevant NBN Access Seeker Group(s) shall be aggregated and reported in the table as a single line item that is titled ‘Other Access Seekers’.

~~For the purpose of preparing this table, the following State groupings are to be used: New South Wales and the Australian Capital Territory; Queensland; South Australia and Northern Territory; Victoria and Tasmania; Western Australia.~~

An AVC that is supplied on a Network Access Service that is not a Satellite Access Service is to be allocated to a ~~S~~state ~~grouping or territory~~ based upon the ~~S~~state ~~or territory~~ listed in respect of the AVC in the report NBN Co provides to the ACCC pursuant to the NBN SIO RKR for the relevant calendar.

An AVC that is supplied on a Satellite Access Service is not to be reported in this table.

Table 7 Count of TC-4 AVCs by metropolitan/regional designation and by NBN Access Seeker Group

This table is to provide as at the end of the calendar quarter the count of TC-4 AVCs by NBN Access Seeker Group and by metropolitan/regional designation across all Network Access Services.

If the count of TC-4 AVCs acquired by a NBN Access Seeker Group is equal to or more than ~~5~~1 percent of the total TC-4 AVCs as at the end of the calendar quarter, the count of TC-4 AVCs for that NBN Access Seeker Group shall be reported as a single line item that is titled by the name of the NBN Access Seeker Group.

If the count of TC-4 AVCs acquired by any NBN Access Seeker Group is less than ~~5~~1 percent of the total TC-4 AVCs as at the end of the calendar quarter, the count of TC-4 AVCs for the relevant NBN Access Seeker Group(s) shall be aggregated and reported in the table as a single line item that is titled ‘Other Access Seekers’.

An AVC that is supplied on a Satellite Access Service is to be designated as 'regional' in all cases.

If an AVC is supplied on a Network Access Service that is not a Satellite Access Service and is connected to a Listed POI, the AVC is to be designated as 'metropolitan', 'outer metropolitan' or 'regional' based upon the designation that is given to the POI in the document titled "Listed Points of Interconnection – NBN Corporation", published by the ACCC on 2 November 2012.

If an AVC is supplied on a Network Access Service that is not a Satellite Access Service and is connected to a POI that is not a listed POI, e.g. a Temporary POI, the AVC is to be designated as 'non-Listed POI'.

Table 8 Count of AVCs, CVC and access seekers per Listed POI

This table is to provide as at the end of the calendar quarter the count of TC-4 AVCs and amount of contracted CVC across the specified Network Access Services for each Listed POI.

For each Listed POI the table will include the following information:

1. number of TC-1 AVCs for FTTP, FTTN, FTTB and HFC access services
2. number of TC-1 AVCs for the fixed wireless access service
3. number of TC-2 AVCs for FTTP, FTTN, FTTB and HFC access services
4. number of TC-2 AVCs for the fixed wireless access service
5. number of TC-4 AVCs for FTTP, FTTN, FTTB and HFC access services
6. number of TC-4 AVCs for the fixed wireless access service
7. total amount of TC-1 CVC capacity being acquired
8. total amount of TC-2 CVC capacity being acquired
9. total amount of TC-4 CVC capacity being acquired
10. number of NBN Access Seeker Groups with contracted CVC capacity at the POI

The table will not include information relating to Satellite AVCs or CVC.

Schedule 2 – Explanatory material

The extracts may be accompanied by explanatory material that NBN Co considers relevant to explain the data that are presented in the extracts in the relevant calendar quarter. Such matters could include:

- a) that certain services have been excluded from a table in accordance with the methodology specified in the Direction, e.g. Satellite Access Services have been excluded from Table 6 in accordance with the methodology;
- b) the commencement or ceasing of supply of services over a Network Access Service, or services of different traffic class or data transfer rate tier;
- c) a significant change in NBN Co's commercial or operational arrangements that could reasonably be expected to influence demand for services supplied by NBN Co over one or more Network Access Services; and/or
- d) a glossary of terms used in the extracts.

Draft NBN Market Indicator report tables

Available for Public Disclosure

Extracts of reports prepared under the Disclosure Direction provided to nbn co limited on (date of Direction to Disclose made) in relation to the NBN Services in Operation Record Keeping and Reporting Rules

(date) Reporting Date

The data presented in the extracts relate to 'Network Access Services' supplied by nbn, and do not include any services that are supplied over other access networks.

The AVC and CVC data presented in the extracts do not separately identify access services that are used by access seekers to supply retail or wholesale services. Hence the data presented in the extracts are not intended to provide a reliable view of the share of total nbn Network Access Services, or of total services, that a provider supplies in the retail market.

Capitalised terms have the same meaning as in the NBN Services in Operation Record Keeping and Reporting Rules (NBN SIO RKR).

Table 1 - Count of AVCs by Network Access Service, and by AVC traffic class and data transfer rate tier, (date)

Class	FTTP		FTTB		FTTN		HFC		Wireless		Satellite	
	Tier (Mbps)	SIO	Tier (Mbps)	SIO	Tier (Mbps)	SIO	Tier (Mbps)	SIO	Tier (Mbps)	SIO	Tier (Mbps)	SIO
1	0.15		0.15		0.15		0.15		0.15		0.15	
	0.3		0.3		0.3		0.3		0.3			
	0.5		0.5		0.5		0.5					
	1		1		1		1					
	2		2		2							
	5		5		5							
	Total		Total		Total		Total		Total		Total	
2	5		5		5							
	10		10		10							
	20		20		20							
	30											
	40											
	100											
	Total		Total		Total							
4	12/1		12/1		12/1		12/1		12/1		12/1	
	25/5		25/5		25/5		25/5		25/5		25/5	
	25/10		25/5-10		25/5-10		25/10					
	50/20		25-50/5-20		25-50/5-20		50/20		25-50/5-20			
	100/40		25-100/5-40		25-100/5-40		100/40					
	250/100											
	500/200											
	1000/400											
	Total		Total		Total		Total		Total		Total	

Table 2 – Sum of contracted CVC capacity by state and territory and by CVC traffic class, (date)

State	Class		
	1 Mbps	2 Mbps	4 Mbps
NSW			
ACT			
QLD			
SA			
NT			
VIC			
TAS			
WA			
Total			

Notes:
1. This table was changed from the March 2018 quarter onwards to listing each state and territory, rather than State groupings.

Table 3 - Count of NBN Points of Interconnect (POIs) by count of NBN Access Seeker Groups present, (date)

# Access Seeker Groups	Listed POIs	non-listed POIs
	#	#
0		
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14+		

Notes:

1. As defined in the Disclosure Direction (clause 3), 'Listed POI' means a POI that is set out in the document titled "Listed Points of Interconnection - NBN Corporation", published by the ACCC on 2 November 2012.
2. For the purposes of this table, the 'non-Listed POIs' comprise the five interim POIs in Sydney, Melbourne, Brisbane, Adelaide and Perth.
3. An NBN Access Seeker Group is counted as being present at a POI if it has contracted CVC capacity at that POI.

DRAFT

Table 4 - Count of TC-4 AVCs by Network Access Service and by NBN Access Seeker Group, (date)

FTTP		HFC		Satellite	
Access Seeker Group	SIO	Access Seeker Group	SIO	Access Seeker Group	SIO
Access Seeker one		Access Seeker one		Access Seeker one	
Access Seeker two		Access Seeker two		Access Seeker two	
Access seeker three		Access seeker three		Access Seeker three	
Access Seeker four		Access Seeker four		Access Seeker four	
etcetera		etcetera		Access Seeker five	
Total		Total		etcetera	
				Total	

FTTB		Wireless	
Access Seeker Group	SIO	Access Seeker Group	SIO
Access Seeker one		Access Seeker one	
Access Seeker two		Access Seeker two	
Access seeker three		Access Seeker three	
Access Seeker four		Access Seeker four	
etcetera		Access Seeker five	
Total		etcetera	
		Total	

FTTN	
Access Seeker Group	SIO
Access Seeker one	
Access Seeker two	
Access seeker three	
Access Seeker four	
etcetera	
Total	

Notes:

1. As defined in the Disclosure Direction (clause 3), 'NBN Access Seeker Group' means two or more Access Seekers which are acquiring Network Access Services and that are related to each other at the end of the relevant calendar quarter.
2. If the count of TC-4 AVCs acquired by any NBN Access Seeker Group is less than 1% of the total TC-4 AVCs for that Network Access Service as at the end of the calendar quarter, that count is aggregated in the 'Other Access Seekers' line item.

Table 5 - Count of TC-4 AVCs by download data transfer rate and by NBN Access Seeker Group, (date)

Access Seeker Group	12 Mbps	25 Mbps	50 Mbps	100 Mbps	250 Mbps	500 Mbps	1000 Mbps
	SIO	SIO	SIO	SIO	SIO	SIO	SIO
Access Seeker one							
Access Seeker two							
Access seeker three							
Access Seeker four							
etcetera							
Total							

Notes:

1. As defined in the Disclosure Direction (clause 3), 'NBN Access Seeker Group' means two or more Access Seekers which are acquiring Network Access Services and that are related to each other at the end of the relevant calendar quarter.
2. If the count of TC-4 AVCs acquired by any NBN Access Seeker Group is less than 1% of the total TC-4 AVCs as at the end of the calendar quarter, that count is aggregated in the 'Other Access Seekers' line item.
3. AVCs that are supplied with a data transfer rate tier that comprises a single specified download data transfer rate are aggregated with all other AVCs that are supplied with a data transfer rate tier with the same specified download data transfer rate. A data transfer rate tier that comprises a range of download transfer rates is treated as though it comprised a single download data transfer rate that nbn offers on a data transfer rate tier, and this is selected to be equal to the maximum of the range of download data transfer rates available on the relevant data transfer rate tier.

Table 6 - Count of TC-4 AVCs by state and territory and by NBN Access Seeker Group, (date)

	NSW	ACT	QLD	SA	NT	VIC	TAS	WA
Access Seeker Group	SIO	SIO	SIO	SIO	SIO	SIO	SIO	SIO
Access Seeker one								
Access Seeker two								
Access seeker three								
Access Seeker four								
etcetera								
Total								

Notes:

1. Excludes AVCs supplied on a Satellite Access Service.
2. As defined in the Disclosure Direction (clause 3), 'NBN Access Seeker Group' means two or more Access Seekers which are acquiring Network Access Services and that are related to each other at the end of the relevant calendar quarter.
3. AVCs are allocated to a State grouping based upon the State listed in respect of the AVCs in the report nbn provides to the ACCC pursuant to the NBN SIO RKR for the relevant calendar quarter.
4. If the count of TC-4 AVCs acquired by any NBN Access Seeker Group is less than 1% of the total TC-4 AVCs as at the end of the calendar quarter, that count is aggregated in the 'Other Access Seekers' line item.

Table 7 - Count of TC-4 AVCs by metropolitan/regional designation and by NBN Access Seeker Group, (date)

	Metro	Outer Metro	Regional	non-Listed POI
Access Seeker Group	SIO	SIO	SIO	SIO
Access Seeker one				
Access Seeker two				
Access seeker three				
Access Seeker four				
etcetera				
Total				

Notes:

1. As defined in the Disclosure Direction (clause 3), 'NBN Access Seeker Group' means two or more Access Seekers which are acquiring Network Access Services and that are related to each other at the end of the relevant calendar quarter.
2. With the exception of Satellite Access Services, AVCs are designated as 'Metro', 'Outer Metro' or 'Regional' based upon the designation that is given to the POI to which they are connected in the document titled "Listed Points of Interconnection - NBN Corporation", published by the ACCC on 2 November 2012.
3. For the purposes of this table, an AVC that is supplied on a Satellite Access Service is designated as 'Regional'.
4. For the purposes of this table, the 'non-Listed POIs' comprise the five interim POIs in Sydney, Melbourne, Brisbane, Adelaide and Perth.
5. If the count of TC-4 AVCs acquired by any NBN Access Seeker Group is less than 1% of the total TC-4 AVCs as at the end of the calendar quarter, that count is aggregated in the 'Other Access Seekers' line item.

DRAFT

Available for Public Disclosure

Extracts of reports prepared under the Disclosure Direction provided to nbn co limited on (date of Direction to Disclose made) in relation to the NBN Services in Operation Record Keeping and Reporting Rules

(date) Reporting Date

The data presented in the extracts relate to 'Network Access Services' supplied by nbn, and do not include any services that are supplied over other access networks.

The AVC and CVC data presented in the extracts do not separately identify access services that are used by access seekers to supply retail or wholesale services. Hence the data presented in the extracts are not intended to provide a reliable view of the share of total nbn Network Access Services, or of total services, that a provider supplies in the retail market.

Capitalised terms have the same meaning as in the NBN Services in Operation Record Keeping and Reporting Rules (NBN SIO RKR).

DRAFT

Table 8 - Count of AVCs and CVC capacity by Listed POI and AVC traffic class and count of Access Seeker Groups by Listed POI, (date)

POI	TC1 AVCs		TC2 AVCs		TC4 AVCs		Total CVC (Mbps)			Access seekers
	Fixed	Wireless	Fixed	Wireless	Fixed	Wireless	TC1	TC2	TC4	CVC
Acacia Ridge										
Albury										
Applecross										
Aspley										
Aspley Depot										
Asquith										
Ballarat										
Bassendean										
Bendigo										
Bentley										
Berkeley Vale										
Blacktown										
Bundaberg										
Bundamba										
Caboolture										
Cairns										
Camp Hill										
Campbelltown										
Campsie										
Cannington										
Carramar										
Castle Hill										
Caulfield										
Chatswood										
Cheltenham										
City South										
Civic										
Coffs										
Cranbourne										
Dalley										
Dandenong										
Darwin										
Doubleview										
Dubbo										
Eastern										
Edgecliff										
Edwardstow										
Eight Mile										
Elizabeth										
Exhibition										
Footscray										
Frenchs										
Geelong										
Geraldton										
Glebe										
Goodna										
Gosford										
Grafton										
Greenfields										
Hamilton										
Hawthorn										
Hilton										
Hobart										
Horsham										
Ipswich										
Karingal										

Whealers Hill										
Windsor										
Wollongong										
Woolloongab										

Notes:

1. Excludes AVCs and CVC supplied on a Satellite Access Service.
2. 'Fixed' includes FTTP, FTTN, FTTB and HFC services.
3. An NBN Access Seeker Group is counted as being present at a POI if it has contracted CVC capacity at that POI.

DRAFT