

23 October 2009

Sean Riordan
Acting General Manager
Strategic Analysis and Development
Communications Group
Australian Competition and Consumer Commission
GPO Box 520
Melbourne VIC 3001

Dear Sean

Draft decision on proposed variation of WLR, LCS and PSTN OA class exemptions

I refer to the ACCC October 2009 draft decision on the proposed variation of wholesale line rental (WLR), local carriage service (LCS) and PSTN Originating Access (PSTN OA) class exemptions.

Optus agrees with the ACCC's proposal to vary the class exemption determinations so that they are consistent with the individual exemption orders handed down by the Tribunal. Optus agrees with the ACCC that it would not be in the LTIE if other access providers could potentially have the SAOs enforced against them by access seekers in ESAs where the individual exemptions applied to Telstra.

Optus agrees with the ACCC that regulatory certainty would be promoted if the class exemptions and the individual exemptions were consistent.

If you would like to discuss this further please contact me on 02 8082 8563.

Yours sincerely



Tim Sparks
Manager, Economic Regulation