

# CLASS DETERMINATION in respect of the PSTN OA

## TRADE PRACTICES ACT 1974

### Determination under subsection 152AS(1) by the Australian Competition and Consumer Commission

#### Class exemption from standard access obligations in respect of PSTN OA

##### 1. Title

This Determination may be cited as Class Exemption Determination No. 3 of 2008.

##### 2. Commencement and Expiry

- (1) This Determination comes into effect on 29 October 2009.
- (2) This Determination will expire on 31 December 2012 or the expiry or revocation of the PSTN OA Declaration or the ULLS Declaration, whichever occurs first.

##### 3. Interpretation

- (1) Unless the contrary intention appears, where the words or phrases used in this Determination are defined in the Act, the *Telecommunications Act 1997*, or the instrument declaring the declared service, those words or phrases have the same meaning in this Determination.
- (2) In this Determination, unless the contrary intention appears –

*ACMA* means the Australian Communications and Media Authority.

*Attachment A ESAs* means the ESAs listed in Attachment A to this Determination.

*Carrier or Carriage Service Provider Specific Access Code* means:

- i. an international Special Service Code (an 001X or 009X code or other equivalent code determined by ACMA); or
- ii. a VPN Access Code (an 188X code or other equivalent code determined by ACMA)

*Commission* means the Australian Competition and Consumer Commission.

*Declared Service* means PSTN OA.

**Exchange Service Area** or **ESA** has the meaning given to that phrase by the Australian Communications Industry Forum Limited definition in ACIF C559:2006, Part 1.

**PSTN OA** means the Domestic PSTN Originating Access service declared by the Commission under subsection 152AL(3) of the Act pursuant to the PSTN OA Declaration.

**PSTN OA Declaration** means the declaration made by the Commission under section 152AL(3) of the Act in respect of the Domestic PSTN OA with effect from 1 August 2006 and published in the *Commonwealth of Australia Gazette* No. GN 31 of 9 August 2006, as varied from time to time.

Note: The Commission may extend or further extend the expiry date of the PSTN OA Declaration under subsection 152ALA(4) of the Act.

**Special Services Global Code** means:

- a. a freephone service code (180X code)
- b. a charge card service code (189XX code)
- c. an information service code (190X code);
- d. a 13 and 1300 code; and
- e. other equivalent or replacement codes determined by ACMA.

**Specified Class of Carriage Service Provider** means the class of carriage service provider specified in Item 5 of this Determination.

**Specified Class of Carrier** means the class of carrier specified in Item 4 of this Determination.

**Standard Access Obligations** means the standard access obligations in section 152AR of the Act.

**Telstra** means Telstra Corporation Limited (ACN 051 775 556)

**the Act** means the *Trade Practices Act 1974*.

**ULLS** means the Unconditioned Local Loop Service declared by the Commission under subsection 152AL(3) of the Act pursuant to the ULLS Declaration.

**ULLS Declaration** means the declaration made by the Commission under section 152AL(3) of the Act in respect of the ULLS with effect from 1 August 2006 and published in the *Commonwealth of Australia Gazette* No. GN31 of 9 August 2006, as varied from time to time.

Note: The Commission may extend or further extend the expiry date of the ULLS Declaration under subsection 152ALA(4) of the Act.

#### **4. Specified class of carrier**

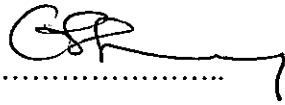
The class of carrier which is specified for the purpose of this Determination is the class of all carriers except Telstra.

#### **5. Specified class of carriage service provider**

The class of carriage service provider which is specified for the purpose of this Determination is the class of all carriage service providers except Telstra.

#### **6. Exemption**

Each member of the Specified Class of Carrier and each member of the Specified Class of Carriage Service Provider is exempt from the Standard Access Obligations in respect of the supply of PSTN OA within the Attachment A ESAs, except where PSTN OA is being provided in conjunction with a call dialled using a Special Services Global Code or a Carrier or Carriage Service Provider Specific Access Code.



.....  
Graeme Julian Samuel

Chairman

DATED: 29<sup>th</sup> October 2008

## ATTACHMENT A

**Table 1: Metropolitan ESAs**

ESA Code	ESA NAME	STATE
AARE	ACACIA RIDGE	QLD
ABON	ALBION	QLD
ACOT	ASCOT	QLD
APPX	APPLECROSS	WA
ARMD	ARMADALE	WA
ASCT	ASCOT	VIC
ASHF	ASHFIELD	NSW
ASOT	ASCOT	WA
ATTA	ATTADALE	WA
BALC	BALACLAVA	VIC
BALG	BALGOWLAH	NSW
BALM	BALMAIN	NSW
BANK	BANKSTOWN	NSW
BATA	BATEMAN	WA
BAYR	BAYSWATER	VIC
BBEG	BUNDABERG	QLD
BEEL	BEENLEIGH	QLD
BELG	BELGRAVE	VIC
BELM	BELMONT	VIC
BEND	BENDIGO	VIC
BKWD	BLACKWOOD	SA
BLAC	BLACKTOWN	NSW
BLBN	BLACKBURN	VIC
BLCN	BELCONNEN	ACT
BOND	BONDI	NSW
BOTA	BOTANY	NSW
BRAT	BALLARAT	VIC
BRIH	BRIGHTON	SA
BRUK	BRUNSWICK	VIC
BSDN	BASSENDEAN	WA
BURD	BURWOOD	NSW
BURL	BURLEIGH HEADS	QLD
CAMP	CAMPSIE	NSW
CANN	CANNINGTON	WA
CARR	CARRAMAR	NSW
CAST	CASTLE HILL	NSW
CAUL	CAULFIELD	VIC
CBRG	COBURG	VIC
CBTN	CAMPBELLTOWN	NSW
CFSH	COFFS HARBOUR	NSW
CHAT	CHATSWOOD	NSW
CHDE	CHERMSIDE	QLD
CHPL	CHAPEL HILL	QLD
CLAY	CLAYTON	VIC
CLVL	CLEVELAND	QLD
CMLL	CAMBERWELL	VIC

ESA Code	ESA NAME	STATE
CNVL	CANNING VALE	WA
COOG	COOGEE	NSW
CPHL	CAMP HILL	QLD
CPRO	COORPAROO	QLD
CRBY	CANTERBURY	VIC
CRCF	CRACE	ACT
CREM	CREMORNE	NSW
CRON	CRONULLA	NSW
CRSX	CAIRNS	QLD
CRYD	CROYDON	SA
CSEA	CHELSEA	VIC
CTAM	CHELTENHAM	VIC
CTOE	COTTESLOE	WA
CTON	CARLTON	VIC
CVIC	CIVIC	ACT
CWOD	COLLINGWOOD	VIC
DAND	DANDENONG	VIC
DBLV	DOUBLEVIEW	WA
DEEW	DEE WHY	NSW
DKIN	DEAKIN	ACT
DONC	DONCASTER	VIC
EAST	EAST	NSW
EDGE	EDGECLIFF	NSW
EDWN	EDWARDSTOWN	SA
ELSK	ELSTERNWICK	VIC
ELTM	ELTHAM	VIC
EMPS	EIGHT MILE PLAINS	QLD
EPPI	EPPING	NSW
ERPK	EDENSOR PARK	NSW
ESPK	ERSKINE PARK	NSW
EWOO	EASTWOOD	NSW
EZBH	ELIZABETH	SA
FIVE	FIVE DOCK	NSW
FMTL	FREMANTLE	WA
FREN	FRENCHS FOREST	NSW
FSRY	FOOTSCRAY	VIC
FTON	FLEMINGTON	VIC
GBRH	GREENSBOROUGH	VIC
GEEM	GEELONG	VIC
GIRR	GIRRAWHEEN	WA
GLEB	GLEBE	NSW
GLLG	GLENELG	SA
GNGE	GOLDEN GROVE	SA
GPCS	GEPPS CROSS	SA
GRAN	GRANVILLE	NSW
GSFD	GOSFORD	NSW
GUGA	GLENUNGA	SA
GULL	GULLIVER	QLD

ESA Code	ESA NAME	STATE
HAMN	HAMILTON	NSW
HAMS	HAMERSLEY	WA
HARB	HARBORD	NSW
HAWN	HAWTHORN	VIC
HDBG	HEIDELBERG	VIC
HGTT	HIGHETT	VIC
HILN	HILTON	WA
HNLY	HENLEY BEACH	SA
HOLS	HOLSWORTHY	NSW
HOME	Homebush	NSW
HORN	HORNSBY	NSW
HPSD	HAMPSTEAD	SA
HTLL	HARTWELL	VIC
HURS	HURSTVILLE	NSW
IALA	INALA	QLD
INGL	INGLEBURN	NSW
IPSW	IPSWICH	QLD
JKOT	JANDAKOT	WA
JREE	JAMBOREE HEIGHTS	QLD
KELL	KELLYVILLE	NSW
KENS	KENSINGTON	NSW
KLGR	KALLANGUR	QLD
KOGA	KOGARAH	NSW
KSLY	KINGSLEY	WA
KYNG	KOONYONG	VIC
LAKE	LAKEMBA	NSW
LANE	LANE COVE	NSW
LCHE	LUTWYCHE	QLD
LIDC	LIDCOMBE	NSW
LIVE	LIVERPOOL	NSW
LNYN	LANYON	ACT
MADD	MADDINGTON	WA
MALV	MALVERN	VIC
MANL	MANLY	NSW
MARO	MAROUBRA	NSW
MASC	MASCOT	NSW
MAYM	MAYLANDS	WA
MCHN	MITCHELTON	QLD
MDBY	MODBURY	SA
MDLD	MIDLAND	WA
MENA	MENAI	NSW
MGAT	MOUNT GRAVATT	QLD
MHAW	MOUNT HAWTHORN	WA
MILD	MILDURA	VIC
MILL	MILLER	NSW
MINT	MINTO	NSW
MIRA	MIRANDA	NSW

ESA Code	ESA NAME	STATE
MITM	MITCHAM	VIC
MLBA	MELBA	ACT
MLEY	MORLEY	WA
MLND	MORELAND	VIC
MLOC	MORDIALLOC	VIC
MLOO	MULLALOO	WA
MNNG	MANNING	WA
MONA	MONA VALE	NSW
MOSM	MOSMAN	NSW
MWSN	MAWSON	ACT
NALE	NORTH ADELAIDE	SA
NAWN	NARRE WARREN	VIC
NCOE	NORTHCOTE	VIC
NDAH	NUNDAH	QLD
NDLN	NEDLANDS	WA
NEWT	NEWTOWN	NSW
NLTN	NEW LAMBTON	NSW
NMEL	NORTH MELBOURNE	VIC
NMKT	NEWMARKET	QLD
NPAR	NORTH PARRAMATTA	NSW
NPRT	NEWPORT	VIC
NRWD	NORWOOD	SA
NRYD	NORTH RYDE	NSW
NSYD	NORTH SYDNEY	NSW
NWFM	NEW FARM	QLD
OAKL	OAKLEIGH	VIC
ORGF	ORANGE	NSW
ORMD	ORMOND	VIC
PARR	PARRAMATTA	NSW
PDTN	PADDINGTON	QLD
PEND	PENDLE HILL	NSW
PENN	PENNANT HILLS	NSW
PETE	PETERSHAM	NSW
PMEL	PORT MELBOURNE	VIC
PNTH	PENRITH	NSW
PRDS	PARADISE	SA
PROT	PROSPECT	SA
PRTN	PRESTON	VIC
PTAD	PORT ADELAIDE	SA
PYMB	PYMBLE	NSW
QUAK	QUAKERS HILL	NSW
RAND	RANDWICK	NSW
RCMD	RICHMOND	VIC
REDF	REDFERN	NSW
RELA	REYNELLA	SA
REVE	REVESBY	NSW
RIVT	RIVERTON	WA

ESA Code	ESA NAME	STATE
ROCK	ROCKDALE	NSW
ROOT	ROOTY HILL	NSW
RSVR	RESERVOIR	VIC
RWOD	RINGWOOD	VIC
RYDA	RYDALMERE	NSW
RYDE	RYDE	NSW
SALA	SALISBURY	SA
SALB	ST ALBANS	VIC
SCLN	SCULLIN	ACT
SCOY	SCORESBY	VIC
SEAF	SEAFORD	VIC
SEMC	SEMAPHORE	SA
SEVE	SEVEN HILLS	NSW
SHPN	SHEPPARTON	VIC
SILV	SILVERWATER	NSW
SLAC	SLACKS CREEK	QLD
SMEL	SOUTH MELBOURNE	VIC
SMRN	SOUTH MORANG	VIC
SOAK	SOUTH OAKLEIGH	VIC
SOPT	SOUTHPORT	QLD
SOTH	SOUTH BRISBANE	QLD
SPLV	SPRINGVALE	VIC
SPTH	SOUTH PERTH	WA
SRWD	SHERWOOD	QLD
SSBY	SALISBURY	QLD
STKA	ST KILDA	VIC
STLE	ST LEONARDS	NSW
STMA	ST MARYS	NSW
STMF	ST MARYS	SA
STPE	ST PETERS	SA
SUBT	SUBIACO	WA
SURF	SURFERS PARADISE	QLD
SYBK	SUNNYBANK	QLD
SYRA	SOUTH YARRA	VIC
THTN	THOMASTOWN	VIC
TMNE	TULLAMARINE	VIC
TNBY	THORNBURY	VIC
TOBF	TOOWOOMBA	QLD
TRAK	TOORAK	VIC
TUTT	TUART HILL	WA
TWOG	TOOWONG	QLD
TYHO	TALLY HO	VIC
UNDE	UNDERCLIFFE	NSW
UNLY	UNLEY	SA
VICP	VICTORIA PARK	WA
VLLY	VALLEY	QLD
WAVE	WAVERLEY	NSW



ESA Code	ESA NAME	STATE
WDVL	WOODVILLE	SA
WESA	WEST ADELAIDE	SA
WETH	WETHERILL PARK	NSW
WHLL	WHEELERS HILL	VIC
WIRC	WINDSOR	VIC
WLGG	WOLLONGONG	NSW
WMBY	WEMBLEY	WA
WOBB	WOOLLOONGABBA	QLD
WOLF	WOLFE	NSW
WOYY	WOY WOY	NSW
WRNA	WANTIRNA	VIC
YRGA	YERONGA	QLD
ZMRE	ZILLMERE	QLD

**Table 2: CBD ESAs**

ESA Code	ESA NAME	STATE
BATM	BATMAN	VIC
BWER	BULWER	WA
CHLT	CHARLOTTE	QLD
CYSH	CITY SOUTH	NSW
DALL	DALLEY	NSW
EDSN	EDISON	QLD
EXHN	EXHIBITION	VIC
FLNF	FLINDERS	SA
HMKT	HAYMARKET	NSW
KNST	KENT	NSW
LONS	LONSDALE	VIC
PIER	PIER	WA
PITT	PITT	NSW
RASH	ROMA STREET	QLD
SGHL	SPRING HILL	QLD
WAYM	WAYMOUTH	SA
WLTE	WELLINGTON	WA