

**Australian
Competition &
Consumer
Commission**

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Our ref: M20043/81-05
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25 February 2008

Ms Anne Hurley
Chief Executive Officer
Communications Alliance Ltd
PO Box 444
MILSONS POINT NSW 1565

By Fax: (02) 9954 6136

Dear Ms Hurley

Unconditioned Local Loop Service migration processes

I write to you regarding the need for industry agreed processes for Unconditioned Local Loop Service (ULLS) migrations and more particular the absence of industry agreed processes for migration from the Line Sharing Service (LSS) to ULLS.

Most recently, the ACCC has raised the issue of ULLS migration processes, including LSS to ULLS connections, in its submission of 21 December 2007 to the Communications Alliance's review of the Unconditioned Local Loop Service – Ordering, Provisioning and Customer Transfer Code.

The ACCC considered the matter of LSS to ULLS migrations in the course of its declaration inquiry into the LSS in 2007. The ACCC found that the lack of migration processes and safeguards may create uncertainty and risk for access seekers wishing to transition to ULLS-based supply. The ACCC noted in its Final Decision on the LSS declaration inquiry that the issue of LSS to ULLS migration processes could be examined further by industry participants through the Communications Alliance.

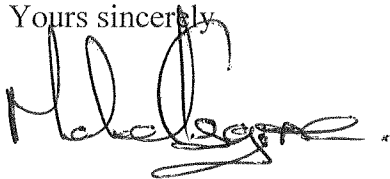
The ACCC has continued to receive representations about the current lack of industry agreed ULLS migration processes (including for LSS to ULLS connections, ULLS to LSS connections and managed network migrations) in the context of a range of matters related to timely access to declared services. These are issues that the ACCC considers the Communications Alliance should examine as a matter of urgency. The ACCC requests that Communications Alliance seek to address the current lack of industry agreed migration processes by the end of August with a progress report to the

ACCC by the end of May. As noted in the submission of 21 December 2007, the ACCC considers that, where possible, these processes should be technology neutral thereby avoiding the need to specify essentially the same processes for multiple service definitions.

While an industry agreed process would be the preferable mechanism for resolving access seeker concerns regarding ULLS migration processes, the ACCC may need to consider options available to it under *Trade Practices Act 1974* if industry participants can not reach a satisfactory resolution in a timely manner.

If you have any questions regarding the matters raised above please feel free to contact my office on (03) 9290 1914.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michael Cosgrave', written over the typed name below.

Michael Cosgrave
Group General Manager
Communications Group