

Questions on Notice

There were 2 questions on notice:

Agency	Question No	Hansard Page or Written	Senator	Question
Optus	Optus-1	ECA 13m	McEwen	<p>CHAIR— ... Just before I go to Senator Lundy: has Optus received the government's discussion paper that was issued on Friday?</p> <p>Mr Sheridan—We have received that.</p> <p>CHAIR—Have you had an opportunity to have a look at it?</p> <p>Mr Sheridan—We have looked at it very briefly, but we will need to give it some further detailed consideration.</p>
Optus	Optus-2	ECA 14-15	Lundy	<p>Senator LUNDY—This is my final question. What is your view on the fibre versus fibre ready threshold that has been set in the instrument that was distributed on Friday?</p> <p>Mr Sheridan—We have not had an opportunity to really consider it in any detail as yet, but we are aware that, for a number of the concerns that we have raised, the subordinate instrument has put forward further detail that may address those concerns—but we need to give further consideration to it.</p> <p>Senator LUNDY—I think we were hoping for it by next Tuesday. Is that right, Chair? Is that the deadline for answers?</p> <p>CHAIR—That is for questions on notice, but the paper requires responses or input from stakeholders by, I think, 2 May or something like that.</p> <p>Mr Sheridan—3 May.</p> <p>CHAIR—3 May.</p> <p>Senator LUNDY—If you were able to give the committee an indicative view from Optus by our deadlines for reporting, that would be helpful.</p>

Optus response is as follows.

Whilst we consider that the additional clarification set out in the position paper on the proposed subordinate legislation is useful, it does not ultimately satisfy the main concerns raised by Optus in its submission to the Senate Select Committee of 10 April 2010. Optus stands by its main recommendations in its submission that;

- NBN Co should be required to deploy fibre into all new developments from 1 July 2010; and

- That, in the event that fibre is to be deployed by third parties other than NBN Co, then clearer rules are required to specify the open access arrangements that will apply to alternate third party fibre.

However, Optus welcomes clarification of the threshold limits above which developments will be required to deploy optical fibre. Clarification of this detail would appear to address Optus' concern relating to the sub-division of existing properties.

Optus also welcomes clarification of the types of "conditions" that will apply to fibre deployments, as set out on page 12 of the position paper. These clearly indicate recognition of the need to ensure standardisation between fibre deployed by third parties and that deployed by NBN Co, an issue raised in Optus' submission of 10 April. Nevertheless, further details will need to be issued in respect of a number of these obligations. For example, greater clarity will be required on what should be deemed the minimum requirements to fulfil an obligation provide "open access" to optical fibre in new developments.