

**Senate Economics Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**Treasury Portfolio**  
Budget Estimates  
2016 - 2017

**Department/Agency:** ACCC  
**Question:** BET 300-303  
**Topic:** NBN Wholesale Market Indicators Report  
**Reference:** Written - 6 May 2016  
**Senators:** Penny Wong and Chris Ketter

**Question:**

On 30 July 2015, ACCC released a discussion paper titled Proposed NBN Wholesale Market Indicators Report. The consultation paper states that “Following the completion of this industry consultation process, and based on submissions provided, the ACCC will consult with NBN Co and Telstra pursuant to section 151 BUA of the Competition and Consumer Act 2010 on proposed directions to disclose. The ACCC anticipates issuing directions to disclose to NBN Co and Telstra in the final quarter of 2015.”

- 300. How many submissions has the ACCC received into the industry consultation outlined in the Proposed NBN Wholesale Market Indicators Report – Discussion Paper?
- 301. Were these “directions to disclose” issued to NBN Co and Telstra?
- 302. If not, why not?
- 303. Where is the process up to?

**Answer:**

- 300. The ACCC received six submissions in response to its discussion paper on the Proposed NBN Wholesale Market Indicators Report.
- 301. The ACCC issued a direction to disclose to NBN Co on 16 March 2016. The ACCC did not issue a direction to disclose to Telstra.
- 302. In its discussion paper on the Proposed NBN Wholesale Market Indicators Report, the ACCC raised the potential to vary the disclosure direction provided to Telstra that underpins the public reporting of data under the Telstra CAN RKR. This would have provided for a breakdown of ULLS and LSS data already included in those reports by the relevant Access Seeker. However, Telstra raised a strong objection to this proceeding, and other parties raised some practical issues to be considered in further developing this proposal. Consequently, the ACCC decided not to proceed to vary the disclosure direction.
- 303. The ACCC issued a direction to disclose to NBN Co on 16 March 2016.