Opticomm welcomes the opportunity to respond to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts April 2025 Consultation Paper " Statutory Infrastructure Provider regulated broadband speeds".

Overview of Opticomm

Opticomm is part of Uniti Group, who is a core infrastructure and solutions provider, aiming to create the infrastructure and technology that connects people, business, buildings, cities and things to each other and a world of possibilities. We are proudly owned by a consortium of highly regarded core infrastructure investors, led by Morrison & Co, Brookfield Asset Management and Commonwealth Superannuation Corporation.

Uniti Group includes a number of licensed carriers whom, in aggregate, operate under the Opticomm brand, and build, own and operate wholesale access networks over multiple technologies (including FTTP, HFC, FTTN) providing superfast broadband services. Opticomm is one of the largest independent providers of fibre network infrastructure for greenfield housing. Opticomm provides wholesale access to its network on open access non-discriminatory commercial terms to over 60 retail service providers, who use the network to supply consumers and businesses with telecommunications services.

Set out below are our responses to each of the questions posed in the Consultation Paper.

1. Do you support an increase to SIP speed requirements?

Opticomm are broadly supportive of an increase to the legislated Statutory Infrastructure Provider (SIP) peak download speeds of at least 25 Mbps to at least 100 Mbps.

Opticomm maintains that, for any newly established network, the SIP (Statutory Infrastructure Provider) must ensure that all premises within the designated service area are capable of fully supporting a minimum bandwidth of 100 Mbps. This requirement should apply uniformly across the area and must not be subject to variability arising from the underlying access technologies, such as differences in transmission media. This requirement should require networks to be capable of a minimum 100Mbps and not capable of up to 100Mbps.

Opticomm recommends that the implementation of this bandwidth standard be approached in a measured and pragmatic manner. Consideration should be given to technical feasibility, commercial viability, and geographical constraints.

A reasonable transition period should be provided to SIPs to allow for the upgrade of existing networks to meet the new bandwidth requirements. This is particularly relevant for legacy networks, which may face limitations due to backhaul capacity or outdated network infrastructure.

To avoid unnecessary disruption to end users, areas that can be brought into compliance with the bandwidth standard through minimal upgrades—particularly those involving only the replacement of on-premises equipment—should be deemed compliant. In most cases, this would involve upgrading the Network Termination Device (NTD) at the customer premises. Such upgrades can typically be completed within a single day by a technician and scheduled through standard appointment processes initiated by the Retail Service Provider (RSP).

2. What benefits would this deliver to consumers?

Opticomm agree with the statements made by the Department in the consultation paper regarding the benefits of increased bandwidth to customers.

3. Should there also be an increase to the current legislated peak upload speeds from 5 Mbps?

Opticomm are broadly supportive of increasing the upload speed from 5Mbps. Currently Ethernet Broadband Service plans at 25Mbps offer 10Mbps upload and 50Mbps offer a 20Mbps upload. As we noted in question 1, any increase should apply across all technology types. It would be reasonable to increase minimum upload speeds to be a minimum of 20 Mbps.

4. Are there any other changes that you think the department should consider to support better consumer outcomes?

We consider that the timing for submission of anticipatory notices should be reconsidered as part of this process. Our view is that the obligation to submit anticipatory notices should be linked to when there are agreed stage plans and/or engineering approvals for the network build, rather than at the time that a contract is signed with a Developer. By waiting until the detailed plans and approvals are in place, the details on the SIP register will be more accurate when accessed by a consumer. These is no disadvantage to the consumer in the timing change, because consumer interest in connecting their broadband service is unlikely to arise prior to construction commencing in a greenfield development.

We also consider that all carriers, including NBN Co, should be required to submit anticipatory notices – and that the same trigger should apply to NBN Co as applies to all other carriers. This will give consumers access to equivalent information from all carriers.

To accommodate the new bandwidth requirements—which may necessitate substantial infrastructure upgrades — SIP providers should be permitted to exclude affected SIP areas from regulatory reporting obligations during the upgrade period. Given the potential for service disruptions during the transition to these new standards, SIP providers should not be unduly penalised in regulatory reporting for interruptions that arise as a direct result of implementing regulatory changes.

5. What do you consider would be an appropriate timeline for an increased SIP requirement?

New Greenfield Networks

Opticomm support the concept that all newly contracted and delivered SIP sites have a minimum capability of 100Mbps effective at the time of legislation. The Fibre to the Premise (FTTP) networks implemented by Opticomm on new sites surpass the 100Mbps requirement suggested.

Legacy Networks

Legacy SIP locations that are not already 100Mbps capable should be categorised based on the difficulty of change. As noted above in Question 1 this would exclude NTD upgrades.

The following table is a suggestion of how such a category system could work. This type of framework will be familiar to RSP and SIP providers in the industry.

Category	Definition	Timeframe to upgrade to meet the 100Mbps requirement
1	SIP site requiring some minor upgrades to infrastructure and no major capital works	12 months
2	SIP site requiring upgrade and capital works	18 months
3	SIP site requiring significant capital works	24 months

This table sets out the timeframes from the time of the announcement of the upgrade to consumers to the completion of the upgrade; rather than starting from the time that the SIP regime has been put in place.

In addition, there should be exemptions:

- Remote and regional sites should be provided with an additional 12 months.
- An exemption process should be a part of this process where unforeseen circumstances arise to allow a SIP provider in these limited circumstances to ask for extensions to the upgrade of sites.

6. Do you consider there would be a need for a staged approach that allows networks to be upgraded before being subject to the new speeds?

Opticomm are in favour of a staged approach to the implementation of this change to the SIP as outlined in question 5 above.

7. Do you anticipate any difficulties meeting the requirement, including for networks which have existing capability to meet the requirement?

For sites that are already meeting this requirement Opticomm does not foresee any issues with meeting the 100Mbps requirement. These networks use FTTP networks that exceed these requirements.

Opticomm also operates Legacy FTTP, HFC and VDSL networks which Opticomm obtained through legacy deployments and acquisition of networks. Opticomm has been working to upgrades these networks but there is still a substantial amount of work required to complete this upgrade at all sites. It is likely that these legacy sites will require at least 3-4 years to fully upgrade these networks and replace or upgrade infrastructure and hardware.

8. Would you need to upgrade infrastructure or equipment? Please provide details of any upgrades that would be required and how long these would take to complete?

Where Opticomm would need to upgrade communities to meet the 100Mbps requirement on legacy sites there are potential upgrades to backhaul, routers, interfaces and optical termination equipment.

With current resources, taking into consideration BAU build activities, the upgrade of the entire network would take around 3-4 years.

A key consideration for this is backhaul build lead times for services which can be between 3-6 month and possible longer for some regional sites.

Other considerations relate to sourcing of equipment, which is often imported, available resources to undertake upgrades whilst BAU construction takes place and financial capital sourcing and management to fund the upgrades.

9. Should different speed standards apply across different technologies?

Opticomm holds the view that speed standards should be uniformly applied across all access technologies. There should be no differentiation based on the type of technology used to deliver fixed-line or equivalent services within a SIP-designated area. These technologies should be capable of supplying the standard as a minimum to all end users at a given site, even in scenarios where every customer only subscribes to the standard bandwidth tier. The requirement should be a minimum capability of 100 Mbps for all premises within a designated SIP area and should allow for contention issues which may arise with certain technologies. Furthermore, compliance should not be constrained by inherent limitations of the access or transmission medium.

10. What are your views on when the obligation should take effect for specific technology?

For SIP areas that meet the standard the obligation should commence immediately. Any network in construction should also meet the standard immediately. For other sites it is suggested as per response to question 5.

11. Are there other factors which would impact on how soon you could meet the requirement, such as cost or availability of contractors?

There are a number of factors impacting the upgrade of the network. Access to skilled resources to carry out installations and upgrades is a key factor. The upgrade project is significant and without dedicated project resourcing would be delayed. Other factors include sourcing backhaul, access to hardware and the overall capital required to fund these upgrades. In some SIP sites a cost benefit analysis will need to take place on the long term viability based on an ROI assessment. Some of the considerations are set out in Table 5 of Question 5 above.