

Hon Paul Fletcher MP
Minister for Communications, Urban Infrastructure,
Cities and the Arts
PO Box 6022
Parliament House
Canberra ACT 2600

ACMA2022/105

Dear Minister


**Consultation on proposed exemptions under Part 8 of the
*Telecommunications Act 1997***


Thank you for your letter of 11 February 2022 seeking the ACMA's views on the proposed extension of ministerial exemptions from Part 8 of the *Telecommunications Act 1997* for TPG Telecom in relation to its TransACT upgrade VDSL and TransACT Very Small Scale networks.

I note that the instruments, if made, would have the effect of extending the duration of existing exemptions by a further year, during which time it is expected that the process for considering TPG Telecom's Functional Separation Undertaking is expected to be completed. I also note that the proposed extension is limited in effect, in terms of the size of the networks concerned and its duration.

I consider that it is desirable to enable continuity of service to affected TPG Telecom customers in the period until the Functional Separation Undertaking has been considered. The proposed extension of the exemptions would not appear to have a significant impact on NBN Co's capacity to deliver on its national objectives.

You have asked for the ACMA's view on the competition implications of the requested exemption extensions. I will defer to the Australian Competition and Consumer Commission's view on that aspect of the proposal. Otherwise, I do not consider that the proposed extension to the exemptions raises significant concerns for the ACMA and it provides the benefit of service continuity to affected customers.


Yours sincerely


Creina Chapman

Acting Chair

1 March 2022

cc: Mr Simon Atkinson, Secretary, Department of Infrastructure, Transport, Regional Development and Communications