

WBA5

Opening consultation paper

August 2022





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1. WBA5 opportunity

As we communicated on Monday 23 May 2022 in our WBA5 Timing RSP Update, we understand that the primary focus for RSPs will be the SAU variation process and that is where you prefer to direct your efforts.

Since that time, recognising the need for an SAU that reflects the changes in the policy landscape and operating environment since the original SAU variation was lodged, **nbn** has withdrawn its original SAU variation proposal and will shortly lodge a new SAU variation proposal. The ACCC has indicated it will review **nbn**'s new SAU variation once submitted and commence consultation as quickly as possible so that the ACCC's statutory process can be finalised by early 2023.¹ The Minister for Communications the Hon Michelle Rowland MP, and Minister for Finance Senator the Hon Katy Gallagher, indicated that the objective of the SAU process should be to secure an outcome as soon as possible with the aim for this to occur by early 2023. This would allow **nbn** the time to develop new systems and prepare to implement a varied SAU on 1 July 2023.

We are committed to working constructively with the ACCC and the industry to arrive at an accepted SAU variation by early 2023 and to implementing that varied SAU on 1 July 2023.

The ongoing nature of that SAU variation process does not stop **nbn** and RSPs from beginning the preparation, planning, and engagement work now in relation to WBA5. There is a lot of work we as an industry need to do to translate the benefits of a varied SAU into the commercial and operational detail of WBA5. It is important that we establish the right engagement framework from the outset to ensure that the WBA5 process is conducted optimally. Beginning that work now will help ensure that RSPs have an ample opportunity to provide input into how the SAU variation proposals are deployed and contractually implemented and put the industry in the best position to offer the new pricing constructs to customers on 1 July 2023.

On that basis, we are pleased to begin discussions with you on WBA5. While the primary focus of WBA5 will be implementing the changes covered in the revised SAU variation, it also represents an opportunity to continue to work with RSPs to address any challenges that are best addressed during the WBA renewal process.

We look forward to embarking on this journey with you.

2. WBA5 engagement process

We wish to ensure the WBA5 engagement process is conducted optimally. We are committed to:

- keeping you informed on progress, timing and next steps throughout the process;
- working with you directly in person wherever possible and limiting the exchange of documents;
- identifying early and reaching a common understanding on the items being negotiated; and
- keeping our engagement with you nimble and administratively light.

In addition to that, we would like to hear from you on how best we could engage with you in WBA5 discussions.

Consultation question: How does your organisation prefer that we engage with you on WBA5? We welcome your feedback on all aspects of WBA engagement.

We welcome your responses in your preferred format (verbally in a meeting, in a written response, or otherwise).

¹ <https://www.accc.gov.au/media-release/nbn-co-withdraws-special-access-undertaking-variation>

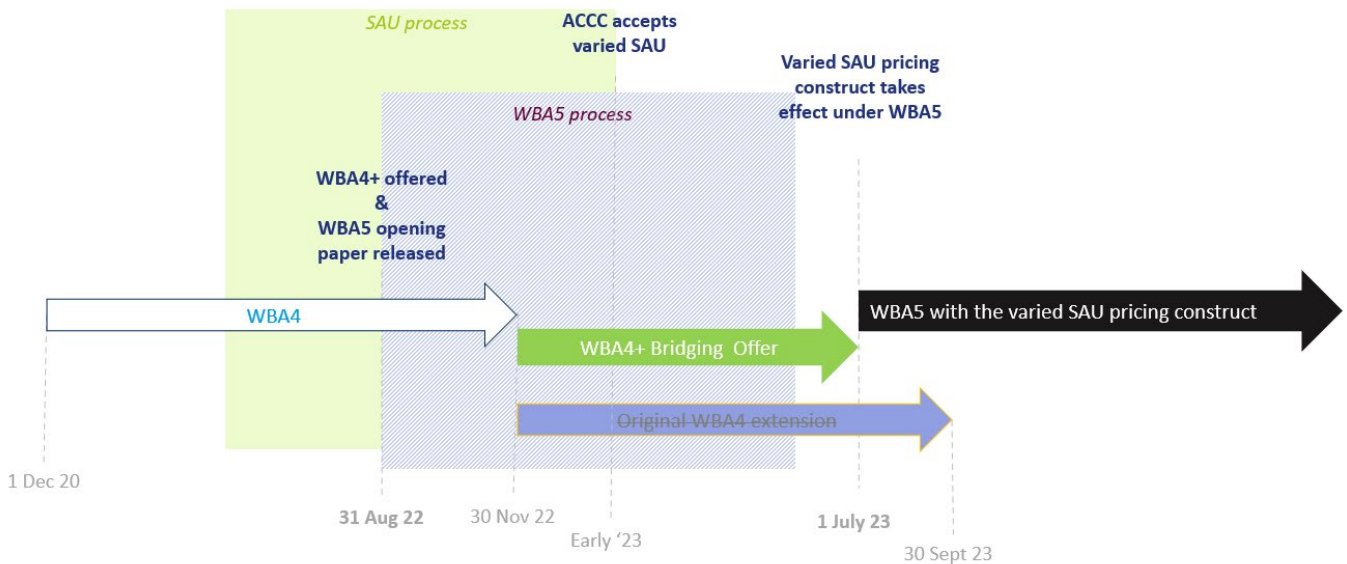


3. WBA5 and WBA4+ timeline

As illustrated in the below timeline, our goal is to have a revised SAU variation accepted by the ACCC in early calendar year 2023 and to implementing the new pricing construct on 1 July 2023.

While beginning WBA5 discussions with RSPs now will put us in the best position to achieve this goal for the benefit of the industry and end customers, this timeline is based on a forecast that the ACCC will accept nbn’s revised SAU variation proposal in early calendar year 2023.

As we embark on the revised SAU variation process and the WBA5 consultation process, the WBA4+ Bridging Offer will provide certainty and additional benefits to RSPs during the bridging period between WBA4 expiry and when a varied SAU is implemented. We have released details of the WBA4+ Bridging Offer in parallel with this consultation.



4. Next steps

We look forward to your feedback to this opening consultation paper which is due by **5pm on Wednesday 28 September 2022**.

Please contact your nbn™ Account Manager so that we can arrange an appropriate forum for your feedback to be provided in your preferred format.

If you wish to provide your feedback verbally in a meeting, please ensure that you contact your nbn™ Account Manager in advance of the due date to allow time for scheduling.

If you wish to provide your feedback in a written response, please email your written response to contractmanager@nbnco.com.au.