



Australian
Competition &
Consumer
Commission

ITU/ACMA Training Program

Day 3 Competition Issues

ACCC

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Communications regulation

The ACCC is Australia's economic regulator of the communications industry, as well as Australia's competition regulator and national consumer agency.

The ACCC's key goals in the communications sector are to:

- maintain and promote competition
 - protect the interests of consumers and fair trading, and
 - support the economically efficient investment in, and use of, infrastructure.
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The ACCC works closely with the industry's technical regulator, the ACMA, where there are cross-overs on related matters

Discussion topics

Market structure in Australia

Transitioning to the NBN

Challenges for the future

Market structure in Australia

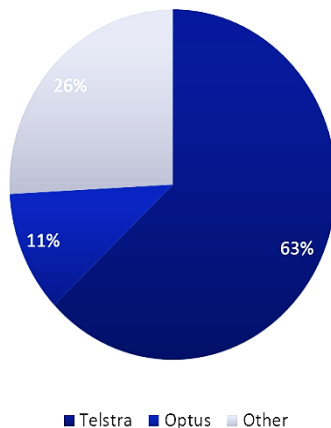
Fixed line
markets

Telecommunications infrastructure has natural
monopoly characteristics

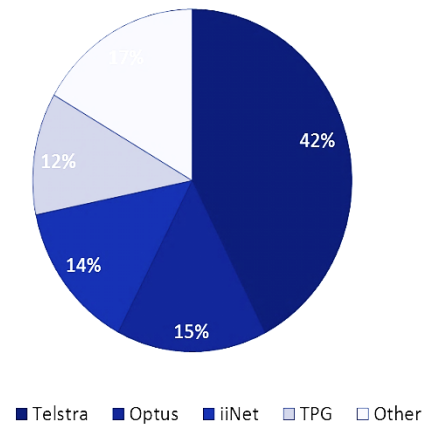
Vertical integration of Telstra has been central to
the development of markets

Telstra has maintained a dominant position in
downstream markets

Retail fixed voice market share



Retail fixed broadband market shares



Market structure in Australia

Regulatory framework

Industry-specific legislation in Parts XIB and XIC of the *Competition and Consumer Act 2010*.

Part XIB – anti-competitive conduct

Part XIC – telecommunications access regime

Part XIC access regime

Service declaration – creates an obligation to offer the service

Terms and conditions of access can be:

- agreed between the parties
- set out in an access undertaking, or
- made by the ACCC in an access determination.

**** This framework is currently the subject of a review by the Vertigan Committee.**

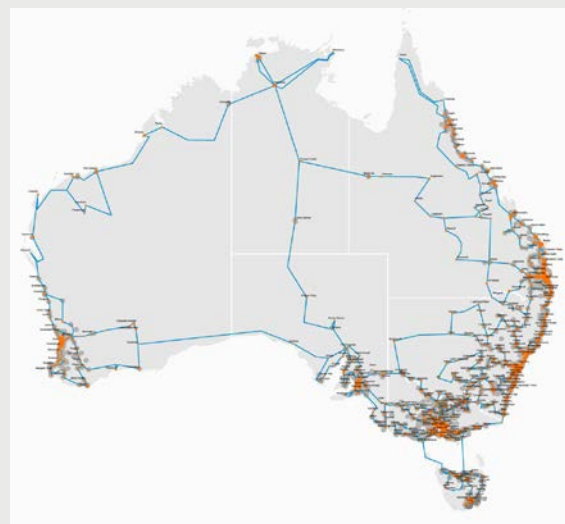
Transition to the NBN

Structural
reform

Policy-induced structural change

The ACCC accepted a Structural Separation Undertaking from Telstra in 2012

Key outcome will be a structurally separated wholesale-only access network



Transition to the NBN

Consumer issues

Service continuity issues are a key priority

Consumer education and engagement is important

Cease sale and disconnection issues

Competition issues

NBN Co will be a wholesale only monopoly

Other networks

Non-discrimination

Challenges in the future

Policy reviews

Vertigan review

Harper review

Possible structural or regulatory changes

NBN

Network operation issues

Facilities access in an NBN environment

Use of NBN infrastructure for mobile backhaul?

Consumer issues

Shifting to the new network

Interaction with retail service providers

Who is responsible when problems arise – NBN Co, RSPs, others?
