



December 4, 2006

Hon David Cunliffe
Minister of Communications
Parliament Buildings
Private Bag 18-888
Wellington

Copied to: Prime Minister Helen Clark, Deputy Prime Minister Dr Michael Cullen,
FEC Chair Shane Jones

Re: Suggested Amendments to Telecommunications Amendment Bill

Dear Minister

ISPANZ (The ISP Association of New Zealand) welcomes the recommendations from the Select Committee regarding the Telecommunications Amendment Bill. The Government has taken the correct action in respect to the telecommunications market and can now claim broad support for the legislation.

We are aware that InternetNZ has sent a letter with proposed minor changes that will enhance the legislation at this late stage.

We endorse that letter, including the amendment to Section 69AAD(1)(f) on Equivalence. It is a key issue for our ISP members that we are treated the same as Telecom's own ISP Xtra, with no opportunity or loophole left open for Telecom to game the regulatory environment on this point. This will help to ensure the competitive market that is being sought, with its resultant consumer benefits.

We also concur with the request for a higher degree of consultation to be built into the process of creating a Separation Plan in section 69AAF-69AM. We are wary of Telecom's negotiating skills and encourage the Government to involve more expertise and experience through public scrutiny.

We would like to see increased opportunity for consultation with global experts, including British Telecom and Openreach, and UK and Australian regulators. At the expense of time, New Zealand must take this opportunity to learn from overseas counterparts in this key implementation phase.

In these respects, InternetNZ's proposals of adding further requirements for public consultation are sound and have our full support. We strenuously urge the

Government to consider these as input into a Supplementary Order Paper as proposed.

ISPANZ is heavily supportive of the Bill and seeks the best quality outcome. We are available for any further assistance we can provide.

Regards

A handwritten signature in black ink, appearing to read 'David Diprose', written in a cursive style.

David Diprose
ISPANZ President
P +64 9 962 9894
M +64 21 275 0003
E david.d@ihug.co.nz

--ENDS--