

Telecommunications Carriers' Forum Incorporated
Extension to Project Scope for the
UCLL, UCLL Co-location and UBA Working Parties
to form the
STD Operations Manual & SLA Change Control Working Party

Date Submitted: December 2008

A. Background

The Telecommunications Amendment Bill was introduced into Parliament on 26 June 2006. This Bill implements the Government's Telecommunications Stocktake announcements of 3 May 2006, including the proposed regulation of unbundled services at both the exchange and the cabinet. The Amendment Bill was passed at the end of 2006.

Following this the Commerce Commission, with industry input, has delivered the UCLL, UCLL Co-location and UBA Standard Terms Determinations (STDs). Access Seekers have now begun to actively install equipment in exchanges in accordance with the terms outlined by the Commerce Commission.

B. Issue

The STDs incorporated the respective Operations Manual and Service Level Terms along with a formal change mechanism process defined in each of the STD's General Terms. This change process requires parties to put forward proposals for amendment and other parties' have a specified timeframe in which to respond prior to Commission approval. Any disagreement in relation to this submission process is to be dealt with through the TCF (For an example of this refer to clause 10.5 of the UCLL General Terms).

As STD's such as UCLL, UCLL Co-location, Backhaul, UBA and Subloop Unbundling are progressively rolled out by the industry, a number of issues related to the respective Operations Manuals and Service Level Terms have been identified that require amendment. Many of the amendments proposed to date are minor editorial changes and/or changes that are not considered to be controversial by the industry. The Commission's formal change mechanism process defined in the STDs can be lengthy and drawn out, and which may not be ideal for the type of amendments required to the Operations Manual and Service Level Terms.

It is proposed that the TCF co-ordinate a TCF managed change control mechanism for the amendments to the Operations Manual and Service Level Terms referred to in the STDs.

C. Working Party Project Brief

The proposal is to combine the UCLL, UCLL Co-location and UBA Working Parties to form the STD Operations Manual & SLA Change Control Working Party. The focus of the Working Party is to:

- a) take a proactive approach where parties in up-front informal discussion can discuss proposed changes to the UCLL, UCLL Co-location, Backhaul, Subloop and UBA Operation Manuals and Service Level Terms; and
- b) provide an ongoing forum for industry discussions with the Commerce Commission or the independent recommendation maker (as that term is defined in the STDs) in relation to any proposed changes to the Operations Manuals or Service Levels forming part of the STD's.

This Working Party would:

- Meet bi-monthly;
- Identify and define the proposed amendment to the Operations Manual and/or Service Level Terms;
- Seek the views of working party members on the proposed amendment and document these for review;
- Seek to reach agreement in a timely manner on the proposed amendment;
- Document what has been agreed by the working party members in the TCF context and seek approval of the TCF Board;
- Prepare a TCF submission to the Commerce Commission;
- The TCF administration will co-ordinate the appropriate changes to the Operations Manual and/or Service Level Terms and communicate the change to the industry as appropriate;
- If agreement is not achieved then the process will be dealt with through the TCF as outlined in the STDs General Terms (for an example of this see clause 10.5 of the UCLL General Terms); and
- Liaise with Commerce Commission and the independent recommendation maker as required.

D. Legislative Obligations

To ensure any changes made are consistent with the STDs.

E. Deliverables

To provide an on-going forum to manage changes required to the Operations Manual and Service Level Terms. The Working Party will also act as a forum to address ideas or concerns around the Operation Manuals and Service Level Terms and suggest ways in which processes could be improved.

F. Working Party Membership

Each party to the UCLL, UCLL Co-location, Backhaul, Sub-loop and UBA STDs will be entitled to participate in this Working Party. The Working Party will be co-ordinated by a TCF Forum Administrator.

Working Party members are expected to:

- attend all of the meetings for their Working Party;
- have reviewed all documents in advance of the meeting;
- actively and constructively participate;
- complete agreed action points on time; and

- have authority to agree to policy decisions on behalf of their respective organisation.

The Commerce Commission will also be invited to attend as an observer. The Commission's participation is separate from its formal role in approving any proposed changes under the process provided in the STDs.

F. Voting

The TCF Rules and Handbook will apply in relation to voting by the Working Party with the amendments/clarifications to the clauses 12.4 and 12.7 to 12.12 of the TCF Handbook as follows:

- a) The Working Party members entitled to vote must be active Working Party members who are:
 - i. TCF Members; or
 - ii. Access Seekers for the relevant STD who are not TCF Members¹.
- b) For the avoidance of doubt, any Independent Chair and the Forum Administrator will not have a vote.

I. Resources

[to be discussed]

J. Recommendations

The Working Party recommends that the TCF Board:

- a. Approve this amendment to the UCLL, UCLL Co-location and UBA project scope; and
- b. Instruct the Forum Administrator to invite all TCF Members, TUANZ, Commerce Commission and Access Seekers for the STDs referred to in this project scope to the STD Operations Manual Change Control Working Party and co-ordinate the schedule of meetings.

¹ If an Access Seeker is entitled to be an eligible person or is an eligible person, they will be required to join the TCF in order to participate in the Working Party