



29 September 2017

RECEIVED
14 NOV 2017

BY: _____

Mr Derek McKinstry
Strata Manager
Dynamic Property Services Pty Ltd
Locked Bag 22
Sydney NSW 2000

Dear Derek

Thank you for your letter received in my office on 14 September 2017, regarding the installation of and access to telecommunications services, and in particular internet, email and fixed line telephones, within the Prince Henry community at Little Bay.

I have shared this matter with our local Telstra Country Wide team, who have investigated the situation. They have confirmed as you have outlined, that the Prince Henry Community is currently serviced by Pivit Pty Ltd (**Pivit**), who owns the infrastructure at the site.

Telstra's position differs based on the type of service our customer is requesting.

Telstra's position on providing internet services to the Prince Henry community within the Pivit network area

There is an area within Little Bay which has been determined (under Ministerial Determination) to be "adequately served" by fibre to the premises network infrastructure under the Government policy.¹ In relation to that area, it is a condition of Pivit's carrier licence that Pivit connects every Premises in that area to its network for the provision of carriage services (telephone and broadband service) upon reasonable request.

As a general rule, Telstra will not build its own network to duplicate infrastructure in an estate that the Minister for the Department of Communications and the Arts has determined to be "adequately served". If Telstra does not already have fixed infrastructure in place in an area, there are additional legislative and economic considerations that may prevent Telstra from doing so.

In this case, although Telstra could acquire wholesale services from Pivit to supply retail telecommunications services over the Pivit network, Telstra has chosen not to enter into commercial arrangements with Pivit.

Telstra does have some HFC infrastructure in the nearby area. If Telstra is approached by owners' corporations requesting a new network build, Telstra will consider and assess requests on a case by case basis and may agree to build network in those areas under commercial terms at a cost to the owners' corporation, but Telstra cannot guarantee that this option will be available in this case.

Telstra's position on providing voice services to the Prince Henry community within the Pivit network area

If a customer comes to Telstra requesting a voice service, consistent with Telstra's

¹ For more information see: <https://www.communications.gov.au/what-we-do/internet/national-broadband-network/nbn-policy-information>



Universal Service Obligation (**USO**), we will use all reasonable endeavours to fulfil the customer's request for a standard telephone service. We may do this in a variety of ways. If we do not have infrastructure in place, we will usually meet our USO with a wireless service, such as the New Developments Wireless Service.

I appreciate the circumstances of this matter are complex, and in that context would invite interested Owners Corporations on behalf of residents to seek further information by contacting by phoning Telstra's HFC Commercial Works Team on 1800 205 206. Alternatively, residents may request a standard telephone service by contacting us on 1800 676 442.

Thank you for bringing these matters to my attention.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Andrew Penn', with a long vertical line extending downwards from the end of the signature.