

Douglas Webb  
Telecommunications Commissioner  
NZ Commerce Commission  
PO Box 2351  
WELLINGTON

Dear Douglas,

In relation to the UBS determination as announced in the media, and following on from the lhug and Slingshot press releases last week, I would like to take this opportunity to write to the Commission and request that the UBS determination be concluded as quickly as possible and in good favor for the applicants.

It has been a time of struggle for the Internet Service Providers industry, and while we see improvements via ISPANZ and its related undertakings, I would like to stress that our ability to improve the broadband offerings for everyday New Zealanders is limited by our common supplier. It is at times like these that a particular industry must turn to the Commerce Commission and request intervention, and ours is no different. The determination as issued to Telstra Clear last year is a step in the right direction for broadband in this country, however there is much work to be done in terms of service quality, access to markets, portability of products and equality within the market place.

I know that the Commission has been evaluating the situation, but now is a time for action; action that the Commission has already taken once, and should fast-track again by all able means at your disposal.

Unfortunately not all of the Internet Service Providers industry was able to join with our colleagues from Slingshot and lhug in the application for this determination; but make no mistake; Orcon stands with our industry partners in our level of resolve.

As you are no doubt aware, Telecom has instituted a 'gag' order in its latest UBS offer, which prohibits ISP's who sign the deal from supporting in any way lhug and Slingshot; but please keep in mind that Orcon is a staunch supporter of their application, and we look forward to the determination being issued shortly.

Kind regards,

Scott Bartlett,  
General Manager - O&R  
Orcon Internet Ltd