

APPENDIX A: COMPARISON OF TELECOM'S PROPOSALS WITH BT UNDERTAKINGS

BT Undertaking			Telecom Proposed Undertaking
Section	Undertaking	BT Position	
1	Scope	<ul style="list-style-type: none"> ▪ Binding on BT in the UK ▪ Qualifications for Hull and Northern Ireland 	<ul style="list-style-type: none"> ▪ Same as BT
2	Definitions and Interpretation	<ul style="list-style-type: none"> ▪ Defined for the specifics of the BT network 	<ul style="list-style-type: none"> ▪ Same as BT
3	Provision of equivalent products and services	<ul style="list-style-type: none"> ▪ Equivalence of inputs applied to specified BT products ▪ Sliding scale for implementation up to 30 June 2010. 	<ul style="list-style-type: none"> ▪ Telecom will commit to equivalence as set out in our submission and Q and A.
4	Transparency	<ul style="list-style-type: none"> ▪ BT to provide sufficient transparency within 3 months on specific services 	<ul style="list-style-type: none"> ▪ Same as BT
5	Access Services	<ul style="list-style-type: none"> ▪ BT commits to detailed mechanics around the setting up of Openreach 	<ul style="list-style-type: none"> ▪ Telecom will separate its Wholesale division from Retail
6	Management and structure of BT Wholesale	<ul style="list-style-type: none"> ▪ BT commits to a range of governance principles relating to product development, incentive programmes for employees, confidential information and information systems. 	<ul style="list-style-type: none"> ▪ Same as BT
7	Equipment Location	<ul style="list-style-type: none"> ▪ BT commits to certain equipment location requirements specific to UK conditions 	<ul style="list-style-type: none"> ▪ Already regulated or in place in NZ; ▪ Collocation already a regulated service for cellular ▪ Key equipment location requirements are already included in the Bill and will be included in the Undertakings.
8	Separation of Upstream and Downstream Divisions	<ul style="list-style-type: none"> ▪ BT to separate its Wholesale and Retail divisions and to ensure protection of competitor customer information. 	<ul style="list-style-type: none"> ▪ Same as BT

BT Undertaking			Telecom Proposed Undertaking
Section	Undertaking	BT Position	
9	Code of Practice	<ul style="list-style-type: none"> BT to implement within 4 months a code of practice for employees of its Wholesale and Retail divisions 	<ul style="list-style-type: none"> Same as BT
10	Establishment of an Equality of Access Board	<ul style="list-style-type: none"> BT to establish an EAB within 6 months 	<ul style="list-style-type: none"> Same as BT
11	Next Generation Networks	<ul style="list-style-type: none"> BT to provide equal access to its Next Generation Network (21CN) 	<ul style="list-style-type: none"> Same as BT, and we will commit to a timeframe
12	Contract Management Mechanism	<ul style="list-style-type: none"> BT commits within 6 months to working with Ofcom and competitor customers on management of contract terms 	<ul style="list-style-type: none"> Same as BT
13	Northern Ireland	<ul style="list-style-type: none"> Qualifications relating to Northern Ireland 	<ul style="list-style-type: none"> Not relevant to NZ
14	Information Requests and Co-operation	<ul style="list-style-type: none"> BT commits to the manner in which it will handle requests from Ofcom 	<ul style="list-style-type: none"> Same as BT
15	Directions	<ul style="list-style-type: none"> BT commits to the manner in which it will handle Directions from Ofcom 	<ul style="list-style-type: none"> Same as BT
16	Breach of these Undertakings	<ul style="list-style-type: none"> BT commits to getting Ofcom's consent where required 	<ul style="list-style-type: none"> Same as BT
17	Compliance with Other Legal Requirements	<ul style="list-style-type: none"> BT still required to comply with other laws 	<ul style="list-style-type: none"> Same as BT
18	Variation of these Undertakings	<ul style="list-style-type: none"> BT and Ofcom can vary the undertakings 	<ul style="list-style-type: none"> Same as BT
19	Expiry and Termination	<ul style="list-style-type: none"> Undertakings automatically terminate upon certain market conditions being met (as determined by the Competition Commission), or by Ofcom and BT upon application 	<ul style="list-style-type: none"> Same as BT although we are proposing to use High Court.
20	General	<ul style="list-style-type: none"> Boilerplate issues relating to general matters 	<ul style="list-style-type: none"> Same as BT
21	Effective Date of these Undertakings	<ul style="list-style-type: none"> Undertakings take effect on 22 September 2005 	<ul style="list-style-type: none"> As soon as possible once agreed