



11 September 2018

Jay Dubeu

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Our Ref: 1819/13.02

Dear Jay

### Request for Information

Thank you for your FOI request made by you on the Right To Know website.

### Request to clarify

The terms of your request are not sufficiently clear and should be revised.

- You wrote - **I'm writing to enquire about the proof of occupancy process that NBN Co follows currently and the documents that relate to the handling of these processes.**

It is unclear whether this is intended to form part of your request. What do you mean by documents that "relate to" the handling of these processes. The degree of connection to any relevant processes is uncertain. I suggest that you contact me to discuss the scope of this request.

- You wrote - **I'd currently like to request any reports on NBN connections to a site that have been disconnected and reconnected due to error to date during the rollout.**

Please clarify what you mean by a "site". Your reference to "due to error to date during the rollout" is unclear. Could you please clarify what is meant by this including the type of error that you refer to. In addition, does your request relate to all premises meeting the criteria, or are you seeking information with respect to specific premises. If the latter is applicable, please indicate which premises. Please also request the relevant date or date range.

- You wrote - **As well as any documents that outline the current process for NBN Co to connect to a site that has a current existing NBN connection and that connection would need to be disconnected or removed for the site to be connected to the new connection and what you would expect from the service providers to adhere to the guidelines so that people are not mistakenly disconnected due to error.**

Please clarify what you mean by "connect to a site that has a current existing NBN connection". Please also clarify what you mean by "the new connection". In addition, what are "the guidelines" that you refer to?

Your reference to "any documents" is unclear because it is very broad and could potentially require **nbn** staff to undertake searches through all of its hard copy, digital and email records of more 6000 staff members and a significant number of consultants working with **nbn**. In light of the time likely to be required to process this request in its current form, I am also of the opinion that it would most likely be an unreasonable diversion of



nbn's resources, per [sections 24](#) and [24AA of the FOI Act](#). This is because there are various types of documents that may fit within the scope of your request.

### **Commercial Activities Carve-out**

For your reference, information relating to nbn's commercial activities is exempt, or carved out, from the application of the *Freedom of Information Act 1982* (Cth) (the **FOI Act**), per [section 7\(3A\)](#) and [Part II of Schedule 2](#) of the FOI Act. The following link summarises and provides [General Background Information](#) concerning nbn's commercial activities carve-out (the **CAC**) from the application of the FOI Act. That background document references two Office of the Australian Information Commissioner reviews that considered nbn's CAC in January 2012 (the [Internode Decision](#)) and again in July 2013 (the [Battersby Decision](#)). Please bear this in mind when reframing the terms of your request.

Please feel free to contact me to discuss your request. You may do so through [FOIOfficer@nbnco.com.au](mailto:FOIOfficer@nbnco.com.au). I will assume that you withdraw your request if I do not hear from you within 1 month.

Yours sincerely

**nbn**  
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