

30 January 2013

Mr Paul Warren  
Sent via email: [foi+request-48-5eac8087@righttoknow.org.au](mailto:foi+request-48-5eac8087@righttoknow.org.au)

Our Ref: FOI1213/10.06

Dear Mr Warren,

### FOI Application

I am writing in relation to your request made under the *Freedom of Information Act 1982 (the FOI Act)*. In particular, you were seeking access to:

1. *Any documents relating to the processes and policies for compiling and releasing your quarterly construction statistics.*
2. *Any documents that list the completion status of the Points of Interconnect (POIs).*
3. *Premises Passed and Connected Services statistics for the final quarter of 2012.*

### Information Already in Public Domain

As previously advised, it is NBN Co's standard practice to consider information in the public domain as to be out of scope of an FOI request. In that regard, NBN Co already provided you with information relating to the 2<sup>nd</sup> point above, found at: <http://www.nbnco.com.au/getting-connected/service-providers/network-rollout.html>, with the most recent POI statistics found at the following link: <http://www.nbnco.com.au/assets/documents/rollout-info-pois-dec-2012.pdf>. In addition, NBN Co published a media release on 29 January 2013, which included [key NBN Co metrics](#). Those metrics included statistics relating to the 3<sup>rd</sup> point, with data current to end of December 2012.

### Request to narrow scope of application

In relation to the remaining point (1) above, I am unclear as to the scope of the FOI application. In particular, your request refers to "any documents relating to the processes and policies for compiling and releasing your quarterly construction statistics". In that context, it is unclear as to the type of documents that you are seeking.

In addition, the current FOI request terms would require NBN Co staff to search through the company's hard and soft copy records, as well as approximately 1800 staff members' email records over an approximately three year period. As you can imagine, this would involve a very substantial amount of review and processing time, particularly as the above terms are uncertain. Moreover, this would not take into account the time required to identify and review relevant documents, as well as make a formal decision in relation to such documents. Without sufficient clarity, any searches would likely constitute an unreasonable diversion of NBN Co's resources. It would be of assistance to limit your request to:

- Specific types of documents, such as policies, briefs, etc.;
- Only specific versions of documents, such as final or milestone drafts; and
- Excluding certain documents, such as draft version of reports, documents subject to legal privilege, etc.

In light of the above points – and as per section 15(2)(b) of the FOI Act, I am of the opinion that the scope of this request is not sufficiently precise to enable NBN Co to identify relevant documents. As such, our company cannot commence the processing of this application. **In that context, I would ask that you contact the writer on the numbers listed below and discuss the terms of this application.** Until I have clarified the scope of this request, the 30-day processing period will not begin to run.

If you have any questions or need to discuss your application, please feel free to contact the writer on Tel. (02) 8918 8596 or via email on [davidmesman@nbnco.com.au](mailto:davidmesman@nbnco.com.au).

Sincerely,

**David J Mesman**  
FOI Officer