



26 March 2020

MG

foi+request-6193-07ae0401@righttoknow.org.au

Our Ref: 1920/68.03

Dear MG

FOI Act Application – Access Decision

I am writing in relation to your application made under the *Freedom of Information Act, 1982 (FOI Act)* seeking access to Downstream Power Back Off.

The Statement of Reasons (**attached**) outlines the specific terms of the FOI request, the decision-maker's findings and the access decision.

An FOI decision may be reviewed, subject to sections 53A and 54 of the FOI Act. The Office of the Australian Information Commissioner's website at the following [link](#), which provides details about your rights of review and other avenues of redress under the FOI Act.

Please feel free to contact me if you have any questions, or if you would like to discuss your FOI application.

Yours sincerely

Rohan Singh

Senior Legal Counsel

FOI Privacy & Knowledge Management



FREEDOM OF INFORMATION REQUEST – 1920/68.03

ACCESS DECISION

STATEMENT OF REASONS - 26 March 2020

Application Chronology and Terms of Request

1. On 1 March 2020, **nbn** received an email from MG (**Applicant**), making an application under the *Freedom of Information Act, 1982 (FOI Act)* requesting:

“the following information:

1. The total number of Nodes (within all Fibre to the Node [FttN] rollout areas across Australia) where NBNco will NOT turn-off the DPBO (Downstream Power Back Off) facility in the Node/micronode.

2.. Please breakdown the total of the above using NBNco's Node/micronode identifier. (EG: The Node/Micronode affected is: 3SOM-22-12-FNO-001)”

2. On the date above, I completed my FOI decision and subsequently forwarded this decision to the Applicant.

Access Decision

3. Following receipt of the Applicant's request, **nbn** staff undertook searches, and enquiries of relevant subject matter experts (**SMEs**), so as to locate any relevant documents falling within the scope of the Applicant's request.

4. Per section 24A(1) of the FOI Act, all reasonable steps have been taken to find relevant documents within the scope of this request and I am satisfied that such documents **do not exist**.

5. **nbn** staff spent approximately three hours conducting searches for documents falling within the scope of the application and making enquiries of relevant SMEs. In addition, I spent another approximately one hour in drafting and finalising this FOI decision.

6. Given that the FOI Group identified no documents falling within the scope of the Applicant's request, I have determined to waive all processing fees in relation to this FOI application. This is permitted by Regulation 3 of the *Freedom of Information (Charges) Regulations 1982*, which provides decision-makers with a general discretion to impose or not impose a charge, or impose a reduced charge for the processing of an FOI request.

7. If you are dissatisfied with this decision, you have certain rights of review. Details regarding your rights of review and appeal are outlined in the covering letter, provided with this Statement of Reasons.