



14 July 2020

Henry

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Our Ref: FOI-1920/81.05

Dear Henry

Request for Information

Thank you for your response providing further details about your request. I have discussed this with my subject matter expert colleagues.

You refer to a document which was provided by **nbn** to ISPs. By “ISP”, do you mean a retail service provider of services via the **nbn**[™] network (**RSP**)? I understand that RSPs were provided with HFC release footprint documents around the time of the release of new speed tiers. While similar, these documents do not precisely align with the data in the example you provided in your email sent 24 June 2020. Could you please confirm whether you are requesting access to the HFC release footprint documents provided by **nbn** to RSPs, or a document with the data attributes in your example. If the former is correct, please clarify whether you seek access to the most recent version of such documents, all versions, or something else.

I note your comment regarding commercial activities. Please note however that the relevant issue is whether the document relates to **nbn**'s commercial activities, not whether the public can access certain information in the document on an individual premise basis. I refer you to my earlier comments on **nbn**'s commercial activities carve-out. In particular, while I am not making a formal decision at this time, I note that there is a distinct possibility that documents falling within the terms of this request may be subject to the CAC, among other exemptions from release.

If you wish to proceed with an FOI application, please clarify the above issues. Until you clarify those issues, **nbn** will not formally acknowledge your request, and the statutory period for completing your request will not commence.

Please feel free to contact me on (02) 9031 3022 if you have any questions, or if you would like to discuss your request.

Yours sincerely

Rohan Singh

Senior Legal Counsel

FOI Privacy & Knowledge Management