

Annex 4
Consolidated List of Public Consultation Questions

Question 1:

Do you agree with the new defined term of “Access Provider” and related amendments in the Regulation? If not, why not?

Question 2:

Do you agree with the proposed addition of “undue risk to health and safety” to Article 3.2 as a further basis for an Access Provider to lawfully refuse Access? If not, why not?

Question 3:

Do you agree with the proposed amendments to make the list of Access services in Article 3.5 a non-exhaustive list, and the amendments to reflect the definition of “Facility” under the Bnet Reference Offer, as well as the addition of backhaul as a further example of Access services? If not, why not?

Question 4:

Do you agree with the amendments to simplify Article 4? If not, why not?

Question 5:

Do you agree with the proposed amendment in Article 5.1 to the minimum timeframe for submission of a revised RAO? If not, why not?

Question 6:

Do you agree with the proposed amendments to:

- (a) align Article 5.2 with the wording of Article 57(e) of the Law;
- (b) make reference to other instruments forming part of the regulatory framework which the RAO must comply?
- (c) allow the Authority to specify a different effective date from the date of approval of the RAO?
- (d) always require the Authority to consult on an RAO that it proposes to approve?

If not, why not?

Question 7:

Do you agree with the proposed amendments to Article 5.3:

- (a) to require the Authority to publish a draft order for consultation where it proposes to not approve an RAO?
- (b) setting out the process following the issuance of an order?

If not, why not?

Question 8:

Do you agree with the proposed amendment to Article 5.4 to clarify the effective date of the terms and conditions of Access in circumstances where an Access Provider is not cooperative? If not, why not?

Question 9:

Do you agree with the proposed amendment to Article 5.6 to:

- (a) clarify that Access Providers must make copies of their approved RAOs or deemed final RAOs available upon request to any Access Seeker within a reasonable time frame?
- (b) remove the obligation on Licensed Operators to keep a hard copy of their RAOs available for inspection at their head office?

If not, why not?

Question 10:

Do you agree with the proposed amendments to Articles 6.1 and 6.2 that simplify the provisions on tariffs? If not, why not?