

COMMONWEALTH OF AUSTRALIA

Trade Practices Act 1974 (Cth)

File No 6 of 2008

RE: APPLICATION UNDER SECTION 152AV OF THE TRADE PRACTICES ACT 1974 (CTH) FOR A REVIEW OF THE DECISIONS MADE BY THE AUSTRALIAN COMPETITION AND CONSUMER COMMISSION UNDER SECTION 152AT(3)(a) OF THAT ACT IN RESPECT OF THE SUPPLY BY TELSTRA CORPORATION LIMITED OF THE PSTN ORIGINATING ACCESS SERVICE (INDIVIDUAL EXEMPTION ORDERS 5 - 6 OF 2008)

BY: AAPT LIMITED, AGILE PTY LTD, CHIME COMMUNICATIONS PTY LTD, MACQUARIE TELECOM PTY LIMITED, POWERTEL LIMITED AND PRIMUS TELECOMMUNICATIONS PTY LIMITED

NOTICE PURSUANT TO SECTION 152AW(6) OF THE TRADE PRACTICES ACT 1974 (CTH)

On 19 November 2008 applications were made to the Australian Competition Tribunal (the Tribunal) to review the decisions of the Australian Competition and Consumer Commission (the ACCC) under section 152AT of the *Trade Practices Act 1974 (Cth)* (the Act) to grant exemption orders to Telstra Corporation Limited (Telstra) from its standard access obligations under section 152AR of the Act. The standard access obligations relate to the supply by Telstra of the public switched telephone network originating access (PSTN OA) service. Section 152AW(5) of the Act requires the Tribunal to make its decision within six months after receiving an application for review (or a later period if extended under s 152AW(6) of the Act) (the statutory period).

The statutory period for each application (which previously has been extended) ends on 20 August 2009. The Tribunal is unable to make its decisions within that period. The reason is as follows. In addition to the applications in relation to PSTN OA Telstra made four applications for exemption orders in relation to the wholesale line rental service and the local carriage service (individual exemption orders 1 – 4 of 2008) (the WLR/LCS applications). The issues that arise in the PSTN OA applications are similar to the issues that arise in the WLR/LCS applications. Until the WLR/LCS applications are finalised it is not possible to hand down a decision on the PSTN OA applications.

The Tribunal's decisions on the WLR/LCS applications will be handed down by 28 August 2009. The Tribunal will deliver its decisions on the PSTN OA applications immediately thereafter.

Accordingly, pursuant to section 152AW(6) of the Act, the Tribunal hereby extends the statutory period for each application until 28 August 2009.

Dated this 19th day of August 2009



Finkelstein J (President)