

ACCAN Economic Regulation Quarterly Progress Report

Period: 1 July – 31 December 2024

Please note: this report contains developments after the end of the quarter (up until 31 January 2025) to account for the completion of key milestones.

All activities undertaken within this report represent ACCAN's actions to meet the objectives and intended outcomes of the Funding Agreement (**the Grant**) signed by the Minister for Communications on 5 November 2024. As stated in the Grant, the objectives and intended outcomes are to:

- provide funding to allow ACCAN to participate in Special Access Undertaking activities including NBN Co's consultation on the company's Replacement Module Application
- enable the SAU to support the long-term interests of end-users through the provision of consumer perspectives from ACCAN.

Specifically, ACCAN's activities are part of its efforts to ensure consumers are represented during the **pre-lodgement consultation and input** stage of the regulatory reset process, chiefly through ACCAN's participation in NBN Co's Regulatory Proposal Forum.

Activity 1 – Represent the views and interests of telecommunications consumers from a range of sectors.

Since the approval of the SAU Variation in October 2023, ACCAN has worked proactively with the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (**the Department**) to ensure that consumers are effectively represented throughout this regulatory reset process. To this end, ACCAN has widely consulted with its membership base and undertaken preparatory research to inform our consumer representation.

Since the convening of the Regulatory Proposal Forum (**RPF**) in October, ACCAN has been an active member of the panel, using its expertise to ensure that consumers have an active say in NBN's expenditure proposals, with particular regard for low-income, First Nations, and regional, rural and remote consumers. ACCAN has supported efforts from other panellists to seek further information on NBN expenditure and the future of satellite services.

ACCAN has represented the views and interests of communications consumers through the following activities:

- Participation in the first, second and third meetings of the Regulatory Proposal Forum, in which ACCAN is one of seven members, representing consumer views in advocating for greater transparency and stronger investment governance frameworks over NBN Co expenditure.
- Observation over two meetings of the End-User Panel, conducted by NBN Co, and observed by ACCAN and other members of the RPF.
- Submitting to NBN Co's Consultation Paper 1.
- Providing comment on NBN Co's outline of Consultation Paper 2.
- Meeting in-person with Sydney and Melbourne-based members of the RPF, in order to canvass their views and ensure the effective representation of general consumers, low-income consumers and First Nations consumers.

Activity 2 – Provide funding for representation projects and/or conduct research into social, economic, environmental or technological implications of developments relating to telecommunications.

Since ACCAN's funding contract was approved on 5 November 2024 by the Minister for Communications, ACCAN's immediate priority has been to gain support from a consultancy firm with expertise in the communications sector. In January, ACCAN has signed a contract with FTI Consulting, whose wealth of domestic and international expertise in the economic regulation of communications infrastructure services will support our engagement with the Replacement Module Application (RMA) process.

ACCAN is in the process of actively scoping research projects with FTI Consulting's support, which are expected to launch in the next quarter. This research will inform ACCAN's engagement with NBN Co as it prepares its RMA and ensure that consumer advocacy throughout this process is reliably informed by up-to-date expert advice.

Activity 3 – Educate consumers and organisations on telecommunications issues.

Given significant aspects of the NBN RMA process are commercial-in-confidence, ACCAN's ability to inform and educate consumers and organisations on telecommunications issues is limited at this stage. At present, ACCAN's most public contribution is in its submission to NBN Co's Consultation Paper 1, which contains significant regulatory and consumer context to promote a broader awareness of issues facing NBN in this regulatory reset process.

To ensure that ACCAN members as well as non-member stakeholders and consumers more broadly are effectively represented within this regulatory reset process, ACCAN is currently developing a stakeholder engagement and consultation plan in order to meet with underrepresented community members across the country and ensure that NBN Co expenditure meets the needs of all Australian consumers.

Activity 4 – Develop and maintain effective and productive relationships with stakeholders.

Given the condensed nature of the regulatory reset project, ACCAN is working closely with other RPF panellists in order to effectively address key issues within the process. For this purpose, ACCAN has conducted a range of in-person meetings with various RPF panellists to workshop ideas, engage with each other's concerns and agree on approach to ensure that consumer issues are being efficiently addressed in the available meeting time.

ACCAN has also conducted bilateral meetings with industry stakeholders in order to better understand industry's views on how the RSP Webinar and NBN engagement process has been proceeding.

ACCAN has continued to engage extensively with NBN Co through active attendance at its scheduled panel sessions, observing its end-user panel meetings, as well as our regulatory scheduled bilateral meetings. In addition, ACCAN has continued to be an active member of the Low Income and Digital Inclusion Forum, ensuring that there are consumer voices throughout NBN's consultation processes. ACCAN also continues to meet regularly with the Department, briefing the Broadband and Emerging Communications Branch on ACCAN participation at NBN Co events as well as providing regular reporting updates.

ACCAN is currently developing a stakeholder engagement implementation plan to advance throughout this calendar year, to inform our submissions to the ACCC as part of the RPF, as well as independently in the subsequent ACCC-led consultation process, and will provide further updates in future reports.

Activity 5 – Maintain sound governance and reporting arrangements

ACCAN has established appropriate internal governance arrangements to promote effective oversight of the economic regulation project. To this end, ACCAN's Board has established a committee of economic regulation to provide expert advice and guidance on ad-hoc developments, ensuring that ACCAN staff deliver against their goal of effectively representing consumer interests in the economic regulation of NBN Co. ACCAN has further created an individual project budget in order to effectively monitor and administer the Australian Government's financial grant.

ACCAN has established appropriate reporting arrangements with the Department to promote transparency and accountability of our activities under the grant. In agreement with the Department, ACCAN has established monthly meetings with Department officials to track the progress of the grant and report back on ACCAN consumer engagement activities and participation in the RPF. In addition, ACCAN has established quarterly financial reporting arrangements as per the agreement with the Department, to ensure effective oversight and the smooth operation of the grant.

Further, ACCAN will continue to upload public-facing quarterly reports of its activities to its website, to ensure that its activities are transparent and accessible by relevant stakeholders, including government, industry and the general public.

Activity 6 – Proactively and positively engaging with the media

For the first two quarters there has been limited engagement with media, given the early stage of the project. ACCAN expects that media engagement will increase following the lodgement of the RMA on 2 July 2025. ACCAN also expects to promote aspects of the project in local and community media as part of our broader consultation strategy, expected to be implemented over the coming quarters.