

IDA's reference: IDA.INTC.05.0011

*(Please quote this in all correspondence on this matter)*

7 May 2012

OpenNet Pte Ltd  
152 Beach Road  
#31-05/08 Gateway East  
Singapore 189721

Attention: Mr Khoo Chin Hean  
Chief Executive Officer

**By Hand & Email**

No. of pages: 3  
(Including this page)

Dear Sirs

**DIRECTION IN RESPECT OF OPENNET PTE LTD'S ("OPENNET") PROPOSED MODIFICATIONS TO SCHEDULE 12 (CO-LOCATION SERVICE), SCHEDULE 12B (CO-LOCATION SUPPLEMENTARY COOLING SERVICE), SCHEDULE 15 (CHARGES) AND SCHEDULE 18 (DICTIONARY) TO ITS INTERCONNECTION OFFER ("ICO")**

1. We refer to:
  - a. Direction of the Info-communications Development Authority of Singapore ("**IDA**") dated 27 October 2011 made pursuant to Section 27(1) of the Telecommunications Act (Chapter 323) (the "**Act**") and Condition 32.1 of OpenNet's Licence to Provide Facilities-Based Operations issued on 1 April 2009 ("**Licence**"), requiring OpenNet to propose modifications to Schedule 12 (Co-Location Service), Schedule 12B (Co-Location Supplementary Cooling Service) and Schedule 15 (Charges) in relation to OpenNet's proposed Co-Location Supplementary Cooling Service under its ICO ("**Direction on Directed Modifications**");
  - b. OpenNet's letter dated 24 November 2011 submitting its proposed modifications to Schedule 12 (Co-Location Service) and Schedule 18 (Dictionary) to its ICO;
  - c. Direction of the IDA dated 6 March 2012 made pursuant to Section 27(1) of the Act requiring OpenNet to submit the outstanding proposed modifications to the relevant ICO service schedules to IDA within thirty (30) calendar days, i.e. by 5 April 2012; and
  - d. OpenNet's letter dated 5 April 2012 submitting its proposed modifications to Schedule 12B (Co-Location Supplementary Cooling Service) and Schedule 15 (Charges) to its ICO, except for the pricing of the Co-Location Supplementary Cooling Service at OpenNet's Co-Location

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Spaces at the Ang Mo Kio, Bukit Panjang, East and Jurong West Central Offices.

- e. OpenNet's letter dated 23 April 2012 submitting its revised Schedule 12B (Co-Location Supplementary Cooling Service) to its ICO ("**OpenNet's Letter**"); and
- f. IDA's letter to OpenNet dated 27 April 2012 in response to OpenNet's Letter.

For the avoidance of doubt, unless the context requires otherwise or unless specifically defined herein, all capitalised terms herein shall have the same meanings ascribed to them in the Direction on Directed Modifications and the Explanatory Memorandum to the Direction on Directed Modifications.

- 2. Having carefully reviewed OpenNet's proposed modifications to Schedule 12 (Co-Location Service), Schedule 12B (Co-Location Supplementary Cooling Service), Schedule 15 (Charges) and Schedule 18 (Dictionary) to its ICO (collectively referred to herein as the "**Proposed ICO Modifications**") pertaining to OpenNet's Co-Location Spaces at the Ayer Rajah, Bedok, Orchard, Tampines and Tuas Central Offices (collectively referred to herein as the "**Five COs**"), IDA views that OpenNet's Proposed ICO Modifications have failed to give full effect to IDA's Direction on Directed Modifications.
- 3. With regard to OpenNet's Co-Location Spaces at the Ang Mo Kio, Bukit Panjang, East and Jurong West Central Offices (collectively referred to herein as the "**Remaining COs**"), IDA is of the view that the terms and conditions of the finalised ICO for the Five COs shall also apply to the Remaining COs.
- 4. Accordingly, pursuant to Section 27(1) of the Act, IDA hereby directs OpenNet to modify its Proposed ICO Modifications to incorporate the specific drafting language set out in the enclosed appendices comprising:
  - a. Appendix 1 – Directed Amendments to Schedule 12 (Co-Location Service) to the ICO;
  - b. Appendix 2 – Directed Amendments to Schedule 12B (Co-Location Supplementary Cooling Service) to the ICO; and
  - c. Appendix 3 – Directed Amendments to Schedule 15 (Charges) to the ICO.

OpenNet is required to make the necessary amendments to the relevant Schedules such that the finalised ICO applies to both the Five COs and the Remaining COs (collectively referred to herein as the "**Nine COs**") and must further make all necessary editorial corrections for possible typographical, cross referencing and pagination errors.

(together, the "**Directed Amendments**")

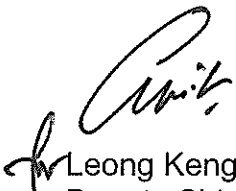
(the "**Direction**")

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The grounds for IDA's determination of the Directed Amendments are annotated in the respective appendices.

5. Subject to paragraph 4 , IDA hereby approves OpenNet's revised Schedule 12 (Co-Location Service), revised Scheduled 12B (Co-Location Supplementary Cooling Service) and revised Schedule 15 (Charges) incorporating the Directed Amendments (the "**Approved Revised ICO Amendments**") as well as its revised Schedule 18 (Dictionary) to the ICO with effect from the date of this Direction. IDA reserves the right to require OpenNet to review and modify the said ICO service schedules from time to time to improve OpenNet's implementation and operation of the Co-Location Supplementary Cooling Service to meet the needs of the industry and end-users as well as in the public interest.
6. In connection with the above, IDA further directs OpenNet to submit to IDA for posting on IDA's website, one (1) clean softcopy of the Approved Revised ICO Amendments within **two (2) working days** from the date of the Direction. The softcopy submission must be in Microsoft Word format and emailed to IDA\_ILO@ida.gov.sg.
7. OpenNet is reminded of its obligation to comply with the Direction under Section 27(5) of the Act.
8. If you should require any clarification, please direct your written queries to our Ms Aileen Chia (Deputy Director-General (Telecoms & Post)) via email at IDA\_ILO@ida.gov.sg. Please note that any request from OpenNet to IDA for clarification shall not affect OpenNet's obligation to fully comply with the Direction.

Yours faithfully



Leong Keng Thai  
Deputy Chief Executive Officer and Director-General (Telecoms & Post)