



18th July 2014

Ms Aileen Chia
Deputy Director-General (Telecoms & Post)
Infocomm Development Authority of Singapore (IDA)
10 Pasir Panjang Road
#10-01 Mapletree Business City
Singapore 117438

By email: IDA_Consultation@ida.gov.sg

Dear Ms Chia,

RE: REVIEW OF OPENNET PTE LTD's INTERCONNECTION OFFER

1. We refer to the consultation document released on 13th June by IDA, and we appreciate the opportunity to comment.

BACKGROUND

2. Viewqwest Pte Ltd is a Facilities-Based Operator in Singapore, who is an OpenNet Network Company Qualifying Person. We are a Requesting Licencee and a Retail Service Provider.

3. As a customer of OpenNet, the Interconnection Offer ("ICO") manages our interactions with OpenNet and the level of service we should expect. This, in turn, affects the experience our own customers will have. Therefore any proposed changes are of great interest to us.

SUMMARY OF OUR POSITION

4. We believe:
- providing OpenNet with a Requesting Licencee's audited financial statements is unnecessary
 - OpenNet should not be able to reject a circuit after two months
 - Reclassification should not be made into an onerous process that discriminates against tenants
 - electronic means should be used to handle "Address Not Found" situations
 - demand forecasting and penalties for failing to meet targets, stifles adoption of the NGNBN and hurts customers
 - Quota adjustment method changes are mostly acceptable
 - the calculation of the Service Level Guarantees ("SLG") should allow for increased penalty caps
 - providing fortnightly reporting on circuit activations and terminations is substantial burden to Requesting Licencees ("RLs")
 - requiring a circuit to always be activated within two weeks is not feasible as customers have reasons for delaying this
 - the Enhanced Fibre TakeOver process is unacceptable in its current form without extensive trialling. Our preference is that second port activations are used.



GENERAL COMMENTS

5. OpenNet has been in operation for four years now. Changes to the ICO should seek to encourage greater adoption of the NGNBN and to incentivize better performance from all parties involved.

6. Our customers should have the best experience we can provide. These changes should always be helping us to provide a better experience for our customers. That is what we keep in mind when evaluating these proposed changes.

7. Whilst the revision to the ICO has included items of interest to OpenNet there are a few additions which we would suggest be included:

NBAPs

8. The current adoption of NBAPs has been far below our expectation. It is the existing process where there is no certainty about the cost of installing the circuit which prevents customers from taking up this service.

9. OpenNet should offer a fixed one-time installation charge. This will give customers certainty and will encourage the take up of this service.

Testing of circuits

10. It is reasonable that OpenNet must test that its circuits are working before handing them over to RLs.

Insufficient capacity

11. OpenNet should be using the second fibre where there is sufficient capacity.

12. OpenNet also needs to provide more meaningful explanations when "insufficient capacity" is encountered, and the timeframe in which it will be resolved.

13. Customers are reasonable; they do not like uncertainty though. Being able to provide them with a confirmed date when a service can be delivered, even if it is a longer wait than desired, is preferable to either telling them no date, or promising an earlier date which then gets delayed again.

VIEWS REGARDING SPECIFIC PROVISIONS OF THE DRAFT REVISED ICO

Main Body Clause 1.8 (h)

14. OpenNet to be provided with "the Requesting Licensee's latest audited financial statements" as part of the Notification of Acceptance of the ICO.

15. We disagree with this proposal. We hold the view that the provision of the latest audited financial statements to OpenNet is both: a) unnecessary, due to the reporting requirements required of Service-Based Operators and Facilities-Based Operators to iDA annually; and b) represents the potential for conflict of interest, due to the ownership structure of OpenNet.

16. Private limited companies are private entities and should not be required to show their financial information to unrelated parties.



Schedules 1 to 11 Clause 2.6

17. We disagree with this proposal. Being able to reject the circuit after two months does not give OpenNet any incentive to work at resolving this issue. It can be allowed to drag then rejected once the time limit is met.

18. It does not encourage the take up of NGNBN circuits. It also does not resolve the underlying issue, so future customers in this location will experience similar problems, instead of it being resolved the first time, thereby creating a template for how the issue can be resolved for future customers.

19. This would be bad for customers.

20. As for the counter-proposal by iDA put forward in the Consultation Document in clause 6, we agree that fixed timeframes should be provided, and are generally in agreement with your proposal. We would also ask that OpenNet be required to give more meaningful explanations of the issues encountered instead of using a broad term like "BM issue" to obscure a variety of problems.

Schedules 1 to 2 Clause 4.3

21. We disagree with this proposal. Reclassification is intended to be a quick and simple method to ensure the right type of service required by the customer is available, given a property may have been misclassified. Changes to the reclassification procedure would make it more difficult for customers to reclassify where they are occupying. A customer who does not own the residence in which they are occupying may have difficulty obtaining the documentary evidence required.

Schedules 1 to 2 Clause 4A

22. "Address not found". We disagree with this proposal as it is inefficient and contrary to the Universal Service Obligation ("USO"). A separate manual process will lead to delays, extra work being placed onto the RLs and frustration for the customers.

23. Incorporating this by an electronic means should allow for better tracking and reporting, and avoiding potential sources of problems.

Schedules 1 to 11 Clause 5.2 "Long term approach", Schedule 15 Clauses 1.17 & 2.18

24. "Demand Forecast". We disagree with this proposal. It is not possible to guarantee the market demand and adoption. This would only cause RLs to minimize their quota forecast to avoid penalties. Such behavior would slow the adoption of NGNBN circuits and would be bad for customers by creating artificial delays in delivering the service.

25. It is also not clear what would happen where OpenNet fails to deliver a circuit on time under this regime.

26. It makes more sense for OpenNet to manage its resources based on the overview it has of the market.

27. Confidentiality is another concern, when providing forecasting information, given the ultimate ownership of OpenNet by SingTel.

Schedules 1 to 11 Clause 5.2 "Current approach"

28. We accept the proposal for the Quota adjustment method, though we would suggest that a rolling basis is better than a fixed twelve week basis.



Schedule 1 Clause 6.9, Schedule 2 Clause 6.12

29. We disagree with this proposal. We agree that the overall penalty cap for failing to meet Service Level Guarantees should increase to incentivize the resolution of issues with long delayed circuits. However the penalty should stay the same or increase, to encourage faster resolution of these issues.

Schedules 1 to 11 Clause 16.1

30. We disagree with this proposal. To provide fortnightly reporting on activation and termination of circuits, is too much of an operational burden.

Schedules 1 to 11 Clause 16.2

31. We disagree with this proposal. The requirement to activate a circuit within two weeks down from six months far too short a timeframe. Customers do request to delay the service activation for a variety of reasons, and this would adversely affect them.

Schedule 1 Clause 20.1 to 20.5

32. "Enhanced Fibre TakeOver process". We disagree with this proposal in its current form. We have concerns about OpenNet being able to manage a more complex process such as outlined here, when they have regularly been unable to deliver on their requirements within the timeframes specified in the existing ICO.

33. For this process to be adopted, it needs to be trialled thoroughly, and flaws experienced in OpenNet's ability to deliver the service either addressed or adequately compensated.

34. Being able to deliver to the second port of the fibre termination point ("FTP") should be the preferred solution.

35. In the case of 20.2 (f) outlining the only two conditions on which a rejection is acceptable is limiting. We would suggest that aside from bundling, the customer having settled their account in full with the RL, should be a consideration about whether the request is rejected or not.

36. Otherwise a loophole would be created where a customer could force an RL to let go of the circuit so they can move to another RL. They could continually do this with the various RLs leaving behind outstanding accounts with each previous RL. Such behavior would be unfair to customers who settle their accounts and who genuinely have a reason to change provider.

Thank you for your consideration.

Yours Sincerely,

A handwritten signature in black ink, appearing to be the initials "CW" or a similar stylized name.

Chris Williams
Chief Operating Officer
chris.williams@viewqwest.com
DID +65 6866 1989