

IDA's reference: IDA.INTC.05.0011

(Please quote this in all correspondence on this matter)

20 September 2011

OpenNet Pte Ltd
152 Beach Road
#31-02/04 Gateway East
Singapore 189721

Attention: Mr Khoo Chin Hean
Chief Executive Officer

Dear Sirs

DIRECTION OF THE INFO-COMMUNICATIONS DEVELOPMENT AUTHORITY OF SINGAPORE: PUBLIC CONSULTATION ON THE PROPOSED MODIFICATIONS TO OPENNET PTE LTD'S OBLIGATION TO TEST THE OPTICAL PERFORMANCE OF RESIDENTIAL FIBRE CONNECTIONS UNDER OPENNET PTE LTD'S INTERCONNECTION OFFER

1. Please refer to the following documents:-
 - a. Direction of the Info-communications Development Authority of Singapore ("**IDA**") dated 11 July 2011 ("**Direction**") made pursuant to the Info-communications Development Authority of Singapore Act (Chapter 137A), Section 27(1) of the Telecommunications Act (Chapter 323) ("**Act**") and Condition 32.1 of OpenNet Pte Ltd's ("**OpenNet**") Licence to Provide Facilities-Based Operations issued on 1 April 2009, requiring OpenNet to propose modifications to Schedule 1 (Residential End-User Connection), Schedule 2 (Non-Residential End-User Connection) and Schedule 15 (Charges) to OpenNet's Interconnection Offer ("**ICO**"), in relation to OpenNet's obligation to test the optical performance of residential fibre connections under the ICO;
 - b. OpenNet's request to IDA dated 25 July 2011 ("**Reconsideration Request**") to reconsider the Direction pursuant to Section 69 of the Act; and
 - c. OpenNet's letter dated 4 August 2011 submitting its proposed modifications to Schedule 1 (Residential End-User Connection), Schedule 2 (Non-Residential End-User Connection) and Schedule 15 (Charges) ("**Proposed ICO Modifications**") to its ICO.

For the avoidance of doubt, capitalised terms not specifically defined herein shall have the meanings ascribed to them in the Direction and the Explanatory Memorandum to the Direction.

2. This document comprises two sections. The first section relates to IDA's decision on OpenNet's Reconsideration Request. The second section relates to the direction to OpenNet to incorporate specific drafting language to its Proposed ICO Modifications.

Decision on Reconsideration Request

3. Pursuant to Section 69(6) of the Act, IDA hereby issues its decision on OpenNet's Reconsideration Request ("**Reconsideration Decision**").
4. In arriving at the Reconsideration Decision, IDA has carefully considered the issues that OpenNet has raised in the Reconsideration Request. IDA considers that OpenNet has not raised any compelling reasons in its Reconsideration Request for IDA to vary its Direction. Accordingly, IDA maintains the Direction in its entirety. IDA also reaffirms the reasons previously stated by IDA in the Explanatory Memorandum to the Direction. IDA's Reconsideration Decision and the grounds for the decision are set out in the attached Explanatory Memorandum.

Directed Amendments to Proposed ICO Modifications

5. Having carefully reviewed OpenNet's Proposed ICO Modifications, IDA has found the majority of OpenNet's Proposed ICO Modifications to be in conformance with IDA's requirements as expressed in the Direction. However, IDA views that certain portions of OpenNet's Proposed ICO Modifications have failed to give full effect to IDA's required modifications.
6. Accordingly, pursuant to Sections 27(1)(c) and 27(1)(d) 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 1(Residential End-User Connection);
 - b. Appendix 2 - Directed amendments to Schedule 2 (Non-Residential End-User Connection); and
 - c. Appendix 3 - Directed amendments to Schedule 15 (Charges)

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

(the "**Direction on Directed Amendments**").

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

7. IDA hereby approves OpenNet's revised Schedule 1 (Residential End-User Connection), Schedule 2 (Non-Residential End-User Connection) and Schedule 15 (Charges) to its ICO incorporating the Directed Amendments

(the “**Approved Revised ICO Amendments**”) with effect from the date of this Direction on Directed Amendments.

8. In connection with the above, IDA further directs OpenNet to submit to IDA, for posting on IDA’s website, one (1) clean softcopy of Schedule 1 (Residential End-User Connection), Schedule 2 (Non-Residential End-User Connection) and Schedule 15 (Charges) to its ICO incorporating the Approved Revised ICO Amendments within **three (3) working days** from the date of this Direction on Directed Amendments. The softcopy submission must be in Microsoft Word format and emailed to IDA_ILO@ida.gov.sg.
9. In submitting its Approved Revised ICO Amendments to IDA for public posting, OpenNet must make all necessary editorial corrections for possible typographical, cross referencing and pagination errors.
10. OpenNet is reminded of its obligation to comply with the Direction on Directed Amendments under Section 27(5) of the Act.
11. 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 on Directed Amendments.

Yours faithfully



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