

From: ABGProviders
Sent: Wednesday, 11 July 2007 3:59 PM
To: ABGProviders
Cc: ABG; ABGPayments
Subject: NOTICE - AUSTRALIAN BROADBAND GUARANTEE - CLARIFICATION OF SERVICE AREA DETERMINATION [SEC=UNCLASSIFIED]

DCITA would like to provide further clarification to assist Applicants seeking registration under the Australian Broadband Guarantee. The clarification relates to Section 3.5.4 of the program Guidelines where DCITA has indicated that it would consider registration of Service Areas where terrestrial infrastructure had been claimed under previous funding programs.

In accordance with the policy rationale underpinning the program, DCITA would generally seek to avoid registration of whole-of-region terrestrial networks in areas existing or planned to be covered by the OPEL network (as detailed at <http://www.broadbandnow.gov.au/opel.htm#coverage>), however, it will consider, on a case-by-case basis, proposals for registration under the program Service Areas relating to existing terrestrial infrastructure networks that provide commensurate or better service solutions (as determined by DCITA) to customers than those proposed under the OPEL network (as detailed at <http://www.broadbandnow.gov.au/opel.htm>) and that satisfy all of the five criteria on page 33 of the Guidelines (and as set out below). In these circumstances, DCITA would consider, in its discretion, for registration under the program those regions as Service Areas under the program if agreement can be successfully reached between OPEL and DCITA to excise this area from its proposed or existing network, and subject to the Applicant satisfying all other remaining assessment criteria for registration, as set out in section 3 of the program Guidelines. As noted in the Guidelines, DCITA would also determine on a case by case basis, and in its absolute discretion, what level of incentive payment (up to \$2,750 GST inclusive) would be applicable to claims made in respect of program Services Supplied and Connected (as defined) to these areas.

DCITA will allow Applicants an extension until **5.00 pm AEST on 20 July 2007** for any additional material they may wish to supply in support of any proposal for a terrestrial Service Area(s) in response to this clarification, as relevant to the selection criteria. **Applicants should note that this extension only applies to additional information that the Applicant may submit for proposed terrestrial Service Area that is directly relevant to this clarification statement. All Applicants are still required to submit their full application by 13 July 2007.**

Criteria for considering terrestrial Service Areas in previously-claimed areas (as outlined in Section 3.4.4, p33 of the ABG Program Guidelines).

1. The proposed Service Area or whole of region network is supported under state/territory and/or local government programs for the expansion of broadband infrastructure; and
2. The whole of region network has community support; and
3. The network is sustainable, scaleable and can provide a quality broadband service beyond the life of the Program; and
4. There were special circumstances applying that prevented the Applicant from claiming the planned amount of incentive payments under previous programs; and
5. Further incentive payments are required to make the network sustainable into the future.

Questions about the Guidelines, Application Process or the *Australian Broadband Guarantee*

Queries relating to the Guidelines, the application process or the ongoing operation of the *Australian Broadband Guarantee* may be directed in writing to:

Manager
Australian Broadband Guarantee Administration Section
Broadband Infrastructure Branch
Department of Communications, Information Technology and the Arts
Post: GPO Box 2154, Canberra, ACT 2601
Courier: 38 Sydney Avenue, Forrest, ACT
Email: abgproviders@dcita.gov.au