

AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY

Telecommunications Act 1997

Subsection 81(1)

NOMINATED CARRIER DECLARATION

After considering an application dated 26 November 2014 made to the Australian Communications and Media Authority (**ACMA**) under section 77 of the *Telecommunications Act 1997* by Ergon Energy Telecommunications Pty Ltd (ACN: 106 459 341) trading as Nexium Telecommunications (the **applicant**) in relation to network unit or units (the **network unit or units**) owned by Queensland Rail Limited (ACN: 132 181 090), I, Suzanne Howard, Acting Manager, delegate of the ACMA, acting under subsection 81(1) of the *Telecommunications Act 1997*, being satisfied that:

- (a) if the applicant were declared to be the nominated carrier in relation to the network unit or units, it would be in a position to comply with all of the obligations imposed on the applicant in the applicant's capacity as the nominated carrier in relation to the network unit or units; and
- (b) the making of the declaration will not impede the efficient administration of:
 - (i) the *Telecommunications Act 1997*;
 - (ii) the *Telecommunications (Consumer Protection and Service Standards) Act 1999* and regulations under that Act; or
 - (iii) the *Telecommunications Universal Service Management Agency Act 2012*;

declare that Ergon Energy Telecommunications Pty Ltd is the nominated carrier in relation to network units owned by Queensland Rail Limited, being the multiple line links between nine sites located in various Queensland Rail-owned fibre centres (Site 1: Rail Centre 1, 305 Edward St, Brisbane; Site 2: 80 Mayne Road, Bowen Hills; Site 3: Eagle Junction Station, Bonney Avenue, Clayfield; Site 4: Airport Junction Station, Elliot St, Clayfield; Site 5: Northgate Station, Old Toombul Rd, Northgate; Site 6: Carseldine Station, Beams Rd, Carseldine; Site 7: Petrie Station, Station St, Petrie; Site 8: Caboolture Station, Railway Parade, Caboolture; and Site 9: Parana NI 11, Gladstone Benaraby Rd, Gladstone) for the delivery of Layer 2 broadband services to wholesale and retail customers and owned by Queensland Rail Limited.

Dated the

9th

day of January 2015

Signed



Delegate of the Australian Communications and Media Authority