



**TRANSPOWER**

*Keeping the energy flowing*

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Committee Secretariat  
Transport and Industrial Relations  
Parliament Buildings  
Wellington

**By email**

Dear Transport and Industrial Relations Committee

**Second Submission on Infrastructure Bill**

I refer to Transpower's written submission on the Infrastructure Bill, dated 18 September 2009.

Since that submission Transpower has noticed two minor issues with the drafting of the Bill, both relating to the proposed amendments to the Telecommunications Act:

1. Clause 25 sets the notice period for placing a telephone cabinet in the road corridor at 10 working days. However, clauses 26 and 27 set the condition-setting period to 15 working days. These periods need to be consistent (and, in Transpower's view, should be 20 working days).

We note that this inconsistency already exists in the Telecommunications Act. Under section 142(2)(a) the notice period is 10 working days and under sections 143 and 144 the condition-setting period is 20 working days.

2. Sections 137, 138, 143 and 144 of the Telecommunications Act (as proposed to be amended by clauses 23, 24, 26 and 27) should be further amended to allow affected utility operators to set reasonable conditions, as opposed to just the corridor manager. Affected utility operators, who will be entitled to be notified under the proposed amendments in clauses 22 and 25, should be entitled to set their reasonable conditions directly rather than by working through the corridor manager.

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We note that the corresponding provisions in the Electricity, Gas and Railways Acts<sup>1</sup> already allow affected utility operators to set reasonable conditions directly.

Yours faithfully



**Transpower New Zealand Limited**  
Chris Browne  
Corporate Counsel

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<sup>1</sup> Section 25 of the Electricity Act, section 26 of the Gas Act and section 88 of the Railways Act.