

27 February 2012

OpenNet Pte Ltd
152 Beach Road
Gateway East #31-05/08
Singapore 189721

Attention: Mr Khoo Chin Hean
Chief Executive Officer

Dear Sirs

**DIRECTION OF THE INFO-COMMUNICATIONS DEVELOPMENT
AUTHORITY OF SINGAPORE MADE PURSUANT TO SECTION 27 OF THE
TELECOMMUNICATIONS ACT (CHAPTER 323) IN RESPECT OF THE
REVIEW OF OPENNET PTE LTD'S INTERCONNECTION OFFER FOR THE
PROVISION OF SERVICES OVER THE NEXT GENERATION NATIONWIDE
BROADBAND NETWORK**

1. The Info-communications Development Authority of Singapore ("**IDA**"), pursuant to the Info-communications Development Authority of Singapore Act (Chapter 137A), Section 27(1) of the Telecommunications Act (Chapter 323) (the "**Act**") and Condition 32.1 of the Licence to Provide Facilities-Based Operations issued to OpenNet Pte Ltd ("**OpenNet**") on 1 April 2009, hereby issues this Direction to OpenNet.
2. Reference is made to the following:
 - (a) The Code of Practice for Next Generation National Broadband Network NetCo Interconnection (the "**NetCo Code**");
 - (b) OpenNet's Interconnection Offer ("**ICO**") incorporating various proposed changes, as submitted by OpenNet on 3 November 2011 ("**Draft Revised ICO**"); and
 - (c) The Public Consultation entitled "Interconnection Offer for the Provision of Services on the Next Generation Nationwide Broadband Network – Review of OpenNet Pte Ltd's Interconnection Offer", published by IDA on 8 November 2011 ("**Public Consultation**").

3. IDA had previously required OpenNet to propose certain changes to its ICO ("**IDA Initiated Changes**"), and to submit its Draft Revised ICO containing the IDA Initiated Changes for IDA's review and approval. In addition, OpenNet had also proposed other changes ("**OpenNet Initiated Changes**") in its Draft Revised ICO. Subsequently, IDA commenced the Public Consultation whereby IDA invited comments from interested parties from the public and the industry on the Draft Revised ICO.
4. Following the close of the Public Consultation on 30 December 2011, IDA has carefully reviewed the Draft Revised ICO, as well as the views and comments submitted in response to the Public Consultation. IDA has concluded that certain parts of the Draft Revised ICO require further modifications to ensure that they are appropriate as well as relevant and responsive to the needs of the industry.
5. Accordingly, IDA hereby directs OpenNet as follows:
 - (a) OpenNet must submit to IDA for review and approval, OpenNet's further proposed modifications ("**OpenNet's Further Proposed Modifications**") to the following components of its ICO to give effect to IDA's required modifications as specified in the accompanying **Explanatory Memorandum** and the following **Appendices** to this direction (see attached) by **28 March 2012**:
 - (i) Appendix 1 – Required modifications to the Main Body;
 - (ii) Appendix 2 – Required modifications to Schedule 1;
 - (iii) Appendix 3 – Required modifications to Schedule 2;
 - (iv) Appendix 4 – Required modifications to Schedule 3;
 - (v) Appendix 5 – Required modifications to Schedule 4;
 - (vi) Appendix 6 – Required modifications to Schedule 5;
 - (vii) Appendix 7 – Required modifications to Schedule 6;
 - (viii) Appendix 8 – Required modifications to Schedule 7;
 - (ix) Appendix 9 – Required modifications to Schedule 8;
 - (x) Appendix 10 – Required modifications to Schedule 9;
 - (xi) Appendix 11 – Required modifications to Schedule 10;
 - (xii) Appendix 12 – Required modifications to Schedule 11;

- (xiii) Appendix 13 – Required modifications to Schedule 12;
 - (xiv) Appendix 14 – Required modifications to Schedule 12A;
 - (xv) Appendix 15 – Required modifications to Schedule 13;
 - (xvi) Appendix 16 – Required modifications to Schedule 14;
 - (xvii) Appendix 17 – Required modifications to Schedule 15;
 - (xviii) Appendix 18 – Required modifications to Schedule 16;
 - (xix) Appendix 19 – Required modifications to Schedule 17;
and
 - (xx) Appendix 20 – Required modifications to Schedule 18,
- (together, the “**Required Modifications**”).

(Unless the context requires otherwise, all capitalised terms used in the Explanatory Memorandum and Appendices to this direction shall have the meanings as in OpenNet’s ICO.)

- (b) In OpenNet’s Further Proposed Modifications, OpenNet is also required to propose, for IDA’s approval, such editorial changes to the Draft Revised ICO as are necessary, including ensuring that all references used in the ICO and Schedules of the ICO are applicable, correct and relevant.
- (c) To the extent that any ancillary or consequential modification to any provision in OpenNet’s ICO is necessary in order to give effect to this direction and/or the modifications required hereunder, IDA requires OpenNet to propose such modification for IDA’s approval.

(the “**Direction**”).

- 6. The reasons for this Direction are set out in the accompanying **Explanatory Memorandum** and **Appendices** to this Direction.
- 7. IDA reminds OpenNet that:
 - (a) To the extent that any of OpenNet’s Further Proposed Modifications fail to implement IDA’s Required Modifications or, in IDA’s view, is not acceptable, IDA will direct OpenNet to adopt specific drafting language; and

- (b) IDA may reject any of OpenNet's Further Proposed Modifications that are not for the purpose of giving effect to IDA's Required Modifications as set out in this Direction.
8. OpenNet must submit one marked-up softcopy of its ICO incorporating OpenNet's Further Proposed Modifications to give effect to IDA's Required Modifications. The marked-up version must clearly identify each of OpenNet's Further Proposed Modifications made by OpenNet to its Draft Revised ICO. The softcopy submission must be in Microsoft Word format and emailed to IDA_ILO@ida.gov.sg.
 9. OpenNet is reminded of its obligation to comply with this Direction under Section 27(5) of the Act.
 10. Any clarification required on this Direction must be made in writing, addressed to our Ms Aileen Chia (Deputy Director-General (Telecoms & Post)), and emailed to IDA_ILO@ida.gov.sg. Please note that any query or clarification from OpenNet shall not affect OpenNet's obligation to comply fully with this Direction, including, in particular, the timelines to be complied with.

Yours faithfully



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