



File No. DOIA 1516-0606

22 DEC 2015

Mr Tex Edwards

[fyi-request-3318-446bfca@requests.fyi.org.nz](mailto:fyi-request-3318-446bfca@requests.fyi.org.nz)

Dear Tex

I refer to your request under the Official Information Act 1982 (the Act) submitted via the FYI website on 3 November 2015, for the following:

*All details of the MBIE official correspondence, Ministerial meetings, meeting notes, whereby the financial viability of the 3rd mobile phone operator in NZ has been discussed between 2009 and 2015.*

The Ministry of Business, Innovation and Employment (the Ministry) has identified 18 documents in response to your request, as detailed in the attached document schedule.

Some information has been withheld from these documents, under the following sections of the Act:

- 9(2)(a) To protect the privacy of natural persons, including deceased natural persons
- 9(2)(ba)(i) To protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied
- 9(2)(b)(i) To protect information where the making available of the information would disclose a trade secret
- 9(2)(b)(ii) To protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information
- 9(2)(f)(iii) To maintain the political neutrality of officials
- 9(2)(f)(iv) To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials
- 9(2)(g)(i) To maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any department or organisation in the course of their duty
- 9(2)(i) To enable a Minister of the Crown or any department or organisation holding the information to carry out, without prejudice or disadvantage, commercial activities
- 9(2)(j) To enable a Minister of the Crown or any department or organisation holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

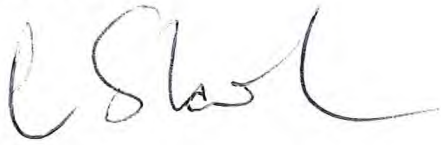
Further information has been redacted as it is outside the scope of your request.

Where it has been necessary to withhold parts of the released documents in accordance with the Act, the Ministry has identified the relevant provision of the Act.

In terms of section 9(1) of the Act, I am satisfied that, in the circumstances, the withholding of this information is not outweighed by other considerations that render it desirable to make the information available in the public interest.

You have the right to seek an investigation and review by the Ombudsman of my decision to withhold information relating to this request, in accordance with section 28(3) of the Act. The relevant details can be found at: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

Yours sincerely

A handwritten signature in black ink, appearing to read 'L Starling', written in a cursive style.

Len Starling  
Manager, Radio Spectrum Policy and Planning  
Commerce, Consumers and Communications

## Document schedule

#	Date	Description
1	10 June 2011	Briefing – 2degrees Spectrum Renewal Offer - Proposed Approach
2	15 February 2012	Briefing – Digital Dividend: Outcomes of Consultation
3	12 March 2012	Briefing – Spectrum: Maori Interests in the 700 MHz band
4	10 August 2012	Briefing – Meeting with WAI 2224 Claimants, 15 August 2012
5	20 September 2012	Cabinet Paper – Allocation of the Digital Dividend: Paper Two – Economic and Technical Considerations
6	16 November 2012	Briefing – Digital Dividend: Options for Implementation Requirements
7	31 January 2013	Briefing – Digital Dividend: Coverage Obligations
8	13 June 2013	Briefing – 700MHz Auction: Deferred Payments Scheme
9	14 June 2013	Email – 2degrees news/700 MHz consultation
10	20 June 2013	Email – 2degrees and money
11	10 July 2013	Briefing – Meeting with 2degrees on Friday 12 July 2013
12	8 August 2013	Briefing – 700MHz Auction: Reserve Price
13	15 August 2013	Briefing – 700MHz Auction: Implementation Requirements
14	29 August 2013	Briefing – 700MHz Auction: Final Recommendations
15	20 September 2013	Briefing – 700MHz Auction: Payment terms – 2degrees
16	3 October 2013	Briefing – 700MHz Auction: 3 October 2013 Update
17	11 March 2014	Briefing – 700MHz Auction: Combinatorial Assignment Round Options
18	2 May 2014	Briefing – 700MHz Auction: Combinatorial Assignment Round Options – Additional Information and Recommendations