

## **Better Internet for Rural, Regional and Remote Australia (BIRRR) – Record of meeting on the Thematic Review of the Customer Service Guarantee (CSG)**

*Views provided during meeting between BIRRR and the Department of Infrastructure, Transport, Regional Development, Communications and the Arts on March 30 2023*

*The Department noted it would prepare a record of the meeting and proposed it would check the draft with BIRRR and treat the final as a submission that could be published with other submissions in the interests of transparency. BIRRR supported this course of action.*

- As an introductory statement, BIRRR noted concerns about the reliability, quality of service and support relating to existing standard telephone services as context to its views on the CSG.

### Overall views on the CSG

- BIRRR supports the CSG being continued and strengthened.
- BIRRR noted that while there had been significant change in the sector (e.g. mobile and broadband take-up) many consumers in regional, rural and remote areas still use the fixed voice services to which the CSG applies. Outside the NBN fixed line footprint many rural and remote consumers still rely on services provided by Telstra's legacy infrastructure, including copper landlines, 3G wireless local loop and High Capacity Radio Concentrator (HCRC) networks, to which the CSG applies.
- BIRRR noted that while there may be a strong consumer preference overall for mobile services, many rural and remote premises lack mobile coverage and there are no specific regulatory safeguards for mobile services beyond general consumer law.
- BIRRR supports the establishment of service availability standards for both voice and broadband services. The POTS was said to achieve '5 nines availability' ie 99.999% annual availability. BIRRR believes that measurement of delivery against an availability standard should be part of the CSG, particularly for the most vulnerable - those in rural and remote areas and those without mobile coverage redundancy.

### Scope of CSG

- BIRRR supports expanding the CSG to cover fixed broadband services. It did not see commitments by NBN Co in its Wholesale Broadband Agreement (WBA) or Special Access Undertaking (SAU) were necessarily a direct substitute for the CSG or statutory infrastructure provider (SIP) rules noting the way the WBA and SAU are drafted and the intermediary role of retail providers.
- As a matter of principle BIRRR thought mobile services ideally would be subject to a CSG or some type of standards but it recognised practical difficulties in this regard. This includes mobile coverage not being available in all areas of Australia, differences between indoor and outdoor reception, differences in devices, whether or not a booster or external antenna was used, and environmental issues such as topography, vegetation and building design/construction. As such BIRRR does not have a concluded position on the issue.
- BIRRR supports extending the CSG obligations to all wholesale and retail providers who supply a fixed broadband service to Australian residences and businesses.

### Responsibilities of wholesale and retailers

- BIRRR said the Government needed to consider the end-to-end consumer experience and the relative roles of wholesalers and retailers. In its view, retailers were often doing all they could to get problems fixed but were being let down at the wholesale level.

- BIRRR said the Government should consider implementing wholesale standards for NBN Co and other fixed line wholesalers if the CSG was extended to broadband (i.e. so the retail obligations were backed up – connection and repair timeframes were obvious examples).
- BIRRR noted there may also be a need to consider the roles and responsibilities of other wholesale providers, such as wireless and low earth orbit satellite (LEOSat) providers, in future.

#### Connection and repair of services

- BIRRR noted there were different CSG timeframes for urban, rural and remote areas and this seemed inequitable, even if this reflected logistical considerations 20 years ago, noting changes in technology and business practices in the intervening years.
- BIRRR expressed general concerns about rural and remote customers being subject to longer connection and repair timeframes, particularly for broadband services, where these could run into months. This was at odds with the notion that broadband services are increasingly essential, something truer in remote areas where they are used for distance education. On top of this, even where reasonable, timeframes are often not met, with isolated customers experiencing extended delays for service connections and fault repairs. BIRRR gave a number of examples.
- BIRRR members generally consider that performance against timeframes, support and availability/training of technicians in regional areas has declined in recent years. Technicians are now increasingly generalists and some issues may require sending specialised technicians from other locations, which adds to delays resolving issues.
- BIRRR noted that, in some cases, customers who raise complaints with the Telecommunications Industry Ombudsman (TIO) still have to wait a long time for a resolution. BIRRR is aware of some cases taking 6 months to resolve.
- BIRRR felt that the industry (and the TIO) often struggled to identify and resolve issues of degraded services and partial faults (e.g. voice quality, dropouts). In some cases, extensive troubleshooting by the customer would be required before a fault trouble ticket would be raised and, under the CSG, repair timeframes don't start until a provider accepts there is a fault. BIRRR considered the onus should be on providers to identify and address faults.
- BIRRR contended that if customers needed to provide evidence to get faults taken seriously and remediated, they should be provided with systems/tools to support this. Some BIRRR members had access to service monitoring boxes which enabled them to do this – for example, to demonstrate services had gone down for several hours – but this was not the case for consumers generally.

#### Interim and alternative services

- BIRRR noted Telstra could meet CSG obligations by offering (and providing) alternative and interim services as per the CSG. However, these could have limitations.
- BIRRR noted that Telstra may send some interim and alternative service equipment to customers through the post or via courier, which necessarily took some time to arrive, and the customer then had to work out how to install and setup the service, often with no access to real-time support.
- BIRRR was concerned that interim and alternative services are often ill-suited to rural and remote areas - e.g. mobile or satellite handsets may not have reception indoors, requiring them to be used outside where reception may still be an issue. Customers often receive poor support (if they can access it) and are left to try to resolve issues themselves.

#### Compensation

- BIRRR expressed concerns that the compensation paid to consumers under the CSG has not been significantly revisited for a number of years and may need to be increased.

- BIRRR speculated that compensation may not be an effective incentive for high cost or complex faults in regional and remote areas, as it may be more cost effective for the provider to continue to pay compensation rather than address the underlying issue.
- BIRRR thought there could be merit in considering escalating compensation in cases of long delays.
- BIRRR noted most consumers really want their service connected, reliable, and fixed promptly when needed. In many ways, CSG compensation is a secondary issue and not really what they want.

#### Benchmarks and record-keeping rules

- BIRRR proposed CSG benchmarks be increased to at least 95%, if not higher, and that performance continue to be monitored and reported on, at least against the existing urban, rural and remote categories, if not more granular categories, so any rural and remote under-performance is clear.
- BIRRR strongly supports transparency and compliance reporting. In particular, BIRRR considers that there should be greater visibility, analysis and action on connections and repairs that fall in the ‘tail’ (i.e. those cases falling outside the current 90% CSG benchmarks).

#### Other issues

- BIRRR expressed concerns about potential future use of unproven LEOSat technology to deliver USO voice services.
- BIRRR considers that more data is needed to demonstrate the reliability of LEOSat services before they could be considered acceptable to support delivery of USO services. BIRRR considers the general expectation of rural and remote customers is that LEOSat services would need to be demonstrably reliable and affordable to be considered viable alternatives to existing USO services. BIRRR does not think this is currently the case.
- BIRRR members have concerns about performance and reliability of both geostationary and LEO satellite services during adverse weather (i.e. heavy rain/storms) based on their experience on the ground.
- BIRRR raised concerns that Telstra is currently taking steps to migrate some voice-only customers from the fixed-line National Broadband Network (NBN) to Telstra’s 4G network.
- BIRRR considers that customers shouldn’t have to contact Telstra to opt out of this migration, but instead it should be an opt-in process given possible implications for vulnerable and elderly consumers.
- BIRRR has a general concern about the utility and reliability of services like broadband, fixed wireless and satellite that are dependent on external power and therefore not available in black-outs (absent other back-up power), noting black-outs can be common and prolonged in rural and remote areas. Policy development needs to take this into account.
- BIRRR raised concerns that it had heard of some cases where rural and remote consumers had been told by Telstra call centre staff that they cannot receive a fixed voice service connection (via any technology) , even though these services should generally be available under USO arrangements.
- BIRRR stated that NBN Sky Muster satellite and nbn fixed wireless customers often have limited performance and diagnostic information about their own equipment (i.e. modem), compared to the information available to Starlink customers.

- BIRRR noted concerns of the difficulties consumers face in getting degraded services fixed particularly drop outs, slow speeds and buffering, in particular for nbn Fixed wireless and nbn satellite connections. BIRRR gave examples of case studies where it had taken many months and in some cases years to get degraded services fixed, often with no compensation as the connections were not completely offline.
- BIRRR noted concerns that no regional, rural and remote consumer representatives had been invited to participate in the initial meeting of the new LEOSAT Working Group or a recent consumer roundtable.

*Prepared by the Universal Services Branch, DITRCDA, 31 March 2023*

*Reviewed and confirmed by BIRRR, 4th April, 2023*

