

Wednesday 15 May 2024

Open communication in good faith without bias or discrimination.

Dear TIO,

TIO: Complaint about Pivotal Satellite Pty Limited – [REDACTED]

Pivotal Account Number: [REDACTED]

Satellite phone number: [REDACTED]

Today, I write this email in frustration and continued disappointment.

This email is very detailed to provide as much information as possible to hopefully assist the TIO, myself and Pivotal to a amicable

resolution.

Please be advised I now have NO communication at all where I live, however I will be travelling the frustrating 100km round trip to get reception on my Telstra celfi to receive and respond to emails or texts once a week conditions dependant.

I have now been without satellite communication for TWO MONTHS, meaning I have not been able to call 000 in a emergency or been able to make a telephone call, or text family or friends where I live on native title lands in remote [REDACTED] Queensland Australia.

Being a First Nation's person on native title lands can be frustrating as the majority of persons have little or no understanding of what that means.


For instance, I live without connection to a power grid, running water connection,

sewerage connection, Internet connection, or GSM mobile phone, wired phone, or microwave phone.

"That's why I have "HAD," a Thuraya satellite satsleave from pivotal Australia."

(Thuraya satsleave is "WAS" my primary form of communication)

I also have no postal delivery service. I pick my mail up at a local roadhouse that provides an Australia post Community mail bag service.



This CMB service is excellent to receive mail that I collect fortnightly. However, it's not an LPO or an Australia post office; therefore, it has no services available to post letters or parcels or pay bills.

In wet season, I'm completely cut off from leaving native title lands where I live because rivers and creeks are in flood all roads are

cut; the only way in or out is by helicopter that I can "COULD" call on my Thuraya satsleeve Satellite system from pivotal Australia.

In 2023, I had two major emergency situations, one in October that was a large bush fire with a 60km front that I and others in the area were fighting with private fire trucks and heavy machinery, during the fires the Thuraya satsleeve satellite system was in my vehicle that has a Thuraya mobile mini dish antenna that im able "WAS ABLE" to communicate while driving with people and relay messages from satellite phone to UHF communication for personal and private aircraft during the fire's, my 4X4 fire vehicle was an essential link that if required had the ability to contact Air Ambulance using the Thuraya satsleeve if anyone was to become injured or need medical assistance.

The second emergency situation was in December 2023, being Cyclone Jasper. During cyclone Jasper, the Australian

emergency broadcaster (ABC) was in contact with me via my Thuraya Satellite phone. The cyclone went directly over the top of where I live on native title lands; the emergency broadcaster was able to call me and receive text IN REAL TIME for vital information.

This information included wind direction, wind speed, and rainfall, including river heights.

I received a destructive 950mm of rain in an hour and over the cyclone duration received more than 2mts of rain in total, my river that I live on went to around 14mts, that's 7 mts more than normal. This valuable information was able to be transmitted through me on the Thuraya satsleave satellite system to warn others of the wall of water heading their way in the coming hours and days.

Where I live on Native title lands, I don't have normal TV or Radio, I listen to VAST satellite radio stations for information and I also don't have government fire trucks, police, or other emergency services to assist me in

emergencies.

I have my own private fire unit, heavy machinery, and rescue equipment to deal with situations that may arise.

But if someone gets injured or needs medical assistance, I need reliable satellite phone communication as there is no other way to contact the Air Ambulance.

I use "USED" the Thuraya satsleave satellite system every day, the unit was switched on and plugged in to the base station antenna from 6pm to 7pm 7 days for incoming calls and texts, I normally received an average of one call every two days that would last more than 30min without any connection issues, the satellite phone was used mainly for organising bulk fuel deliveries, ordering supplies or parts to be posted to the roadhouse and communication with family and friends. (to let them know i'm ok)

Another awesome function of the Thuraya satsleave was that it had a special SOS button that I could push if I was bitten by a

snake or needed medical assistance. whenever I was driving in my vehicle the Thuraya satsleave satellite unit was in its cradle and connected to the mini roof dish, often travelling on the outback roads I was able to assist others that had broken down. Most of the persons I would come across were from cities that were not prepared for remote Qld driving as they didn't realise there was no GSM reception on the PDR and only some small towns have GSM reception on the Mulligan Hwy, (you need a satellite phone to get assistance if you break down or hit wildlife or have a medical episode) Having the Thuraya satsleave "WAS" in my opinion the best and safest satellite option to suit my situation.

Living on native title lands is a way of life that would seem unusual to many as I go to town every two months to do a major shop and get supplies.

To get to town is about 480km round trip as I

leave around 5am in the morning and return home around 9 pm at night.

On my trip to town, I'm able to pay bills (All my accounts are always in credit to avoid any issues as I can't receive emails, post, or pay bills in the wet season for 2 to 3 months depending on conditions.

I also collect essential supplies being mechanical parts and equipment, electronic spares and accessories, water filtration equipment, hunting supplies, and, of course, the IGA supermarket for a massive shop to last me 2 to 3 months.

Where I live on native title lands there is also no mechanics, plumbers, electricians etc, you need to be able to survive by building, repairing and maintaining all the plant and equipment to a high standard of quality and safety necessary to survive.

Below is some history that may be of some significance of what I done before moving



back to native title lands in remote Cape York Queensland Australia.

Previous was living in Cairns, QLD.

I specialised in electronics for commercial transportation. I was also a Government licensed installer and advisor.

I installed complex electronic systems in the cities towns and on islands in the far north. Most of my work was building and installing microwave systems and radio systems for connections between islands, marine vessels, and aircraft.

I also specialised in advanced celfi systems and satellite links for internet and phone communication for many of the commercial vessels that carried 1000s of passengers to the Grate Barrer Reef every day.

My understanding of electronics and complex commercial communication technology was one of a kind and a first for many in Far North Queensland.

Unfortunately, during the Covid pandemic, I seased trading, sold everything I owned so that I could support myself and I moved back

to the bush as most of the industry was crippled and many companies I was involved with also ceased trading.

I hope this information above helps all parties involved in understanding myself [REDACTED] in my mechanical and electronics background and also my current situation. I'd also like to make it very clear how essential a satellite communication service is where I live alone on native title lands in remote [REDACTED] Queensland Australia.

Some may say why I don't have Starlink or a NBN fixed satellite connection.

A) Both are not portable and require 240v. ( "I say do you unplug your router and pack a satellite dish in your car to go for a drive? (O and a generator or an Inverter and an extra battery)"

B) I live within my means, meaning I support myself, and Starlink at \$130 to \$170 a month

is not something I consider as I don't need the internet because I'm practically minded, having Starlink or a fixed NBN plus a satellite phone and a normal GSM mobile phone would add up around \$290 a month or \$3,480 a year.

I currently pay around \$78 a month or \$936 a year for my Thuraya satellite system that works where I live and where I drive, and my Telstra mobile is used when I go to town or in GSM service so I can email, online shop, browse the web.

The situation between myself and pivotal is less than disappointing; in fact, it has and is putting myself in unnecessary potentially dangerous situations.

I have tried my best to resolve this issue in good faith.

I first called pivotal Australia on the 28 March 2024 at 9:17am for 6min and 54sec to inform pivotal Australia of the haphazard satellite

connection and again on the 10 April 2024 at 3:12pm for 13min and 14 sec to again inform pivotal of my less than satisfactory satellite connection but unfortunately pivotal Australia treated me like an idiot.

After the two initial phone calls to pivotal Australia, I had no option but to put my concerns in writing.

Emails sent to pivotal:

Wednesday 10 April 2024.

Friday 12 April 2024.

Tuesday 23 April 2024.

Friday 26 April 2024.

Friday 3 May 2024.

Thursday 9 May 2024.

Sunday 12 May 2024. (Mothers Day)

Each time to send an email, I have to drive about a 100km round trip to the top of a mountain in my area to connect my Telstra celfi service, one of the trips (3 May 2024) I travelled 480km round trip so I could use GSM 4g fast internet connection to try to

contact pivotal and find out more information about Thuraya network and pivotal.

What I found was extremely disturbing and made me doubtful that pivotal Australia may not be telling the truth about the Thuraya satellite service and may have been publishing misleading misinformation to myself and hundreds if not thousands of other Thuraya satellite customers in Australia

I seriously recommend that the TIO thoroughly investigate the reason for the Thuraya network failure.

My research found information that has now been deleted from the pivotal Australia website.

Some information that may need investigation is that the Thuraya-3 satellite was launched on 15th Jan 2008, and the 15-year lifespan ended in 2023.

The Thuraya-3 satellite that covered Australia was a geostationary satellite.

The Thuraya-3 was built by Boeing and launched at sea using a Zenit-3SL rocket as the satellite needed to be around 35,000km above the earth; therefore, was there any physical maintenance performed on this satellite in its 15 year's of service?

The battery and charging mechanism had passed its used by date!

Pivotal Australia is saying it's a Force Majeure event.

"Effectively, what Pivotal Australia has said is that if you drive a car without doing any maintenance, changing the oil or tyres, or not refuelling and it stops or breaks down, that it's an act of god."

Did Pivotal Australia act extremely dishonest by misleading customers to avoid any legal liabilities?

Pivotal Australia and pivotal licensed agents were still offering the sale of Thuraya satellite devices even when I'd called on two occasions in April 2024 to inform them of the unusual haphazard satellite behaviour dating back to 10 March 2024. (picture in Attachments)

The last time My Thuraya Satellite phone had a connection was on the day 10 April 2024 at 4:01pm on top of the highest mountain where I used my Telstra celfi to call Pivotal. ( I have screenshots and pictures. Both were also provided to pivotal as attachments in a email)

Personally, the situation is completely unacceptable.

I have not been able to call 000 or communicate with anyone where I live for TWO MONTHS to no fault of my own.

I have clocked up over 1080km trying to get a solution, at \$2.20 a ltr for Diesel that cost

alone is around \$550 + wear and tear + time and I still don't have a satellite phone for safety or security.

My pivotal Australia account has always been in credit between \$1000 to \$300 as it stands today; it's over \$700.

As I support myself and live within my means, the outlay of the Thuraya satsleave satellite system and accessories I have has cost me: \$3,359 + monthly service charge, calls, and text.

I have been connected to Thuraya satellite provided by pivotal Australia from 28/07/2020, and the Thuraya satsleave was perched from Telebiz Cairns Qld, an authorised Pivotal agent.

Thuraya satsleave \$974

Dedicated satsleave phone \$600

Thuraya base station antenna \$380

Thuraya mobile vehicle antenna \$310

Thuraya genuine battery \$124



Lenovo Programing PC \$699

Thuraya car charger \$79

Thuraya patch lead sma \$69

This Thuraya hardware listed above is now obsolete and not able to be used in Australia.

A satellite phone is different from a (GSM) 2,3,4,5 G mobile phone. A satellite phone only works with its sole provider (you can't put another providers sim card in)

My Thuraya satsleave satellite system is a wifi unit that connects to another dedicated Samsung phone. This means I'm able to have the satsleave plugged into the antenna and 12v in a dry, dust free environment while I'm able to move about with the dedicated Samsung handset.

Pivotal Australia has not offered to compensate me for my losses, nor did at any time in the last TWO MONTHS did pivotal Australia assist me in any way to be able to

call 000 in an emergency off grid where I live remotely on native title lands where there is no other form of communication or connection other than satellite communications.

In cities and towns, if people don't have a connection or can't call 000 for a couple of hours, it makes headlines in the news, telcos normally fix the issues within hours and compensate their valued customers.

Last year in Weipa, Telstra had a major outage, and people at the top end of Cape York, the islands, including police and emergency services, lost all communication for a couple of days.

Nobody could call or receive 000

Telstra misled people, saying they have had a major technical issue.

The major technical issue turned out that Telstra forgot to fill the diesel generator.

(The truth always comes out)

Pivotal Australia sent an email on the 10 May 2024 that I received on Sunday 12 May 2024 (when I had to drive 100km to wish my mother happy mothers day because I didnt have my satellite connection where I live) pivotal Australia is asking me to buy another satellite system that will cost me in excess of another \$3,000 to \$4,000 and the only alternative satellite service thats the same system as my current set-up is double the monthly service charge and double the call cost per minute.

Pivotal also wants the Thuraya satsleave posted back to pivotal (what about the accessories and compensation) My satsleave has texts and private and confidential information on the unit that pairs with my fit for purpose Samsung AV9 phone.

An outcome I would accept would be that pivotal Australia transfers my current monetary credit and satellite phone number (+61405003068) to the pivotal iridium network to suit the iridium go and replaces all

the Thuraya satsleave satellite hardware I currently have with new (iridium go) hardware being:

1x new iridium go.

2x new iridium go 12v chargers.

2x new iridium go fixed brackets.

1x new iridium go base station antenna and lead 5mtr +

1x new iridium go vehicle antenna with lead 5mtr (that can be used while moving)

All new in original boxing and posted to Jason Clark Australia post only [REDACTED]

[REDACTED] all with Australian warranty and guarantee that the satellite service will be the same or better than my Thuraya satsleave system and be able to be used without issues in all conditions in Cape York Queensland Australia.

Furthermore, I wish to pay the same as what I pay now for my Thuraya satsleave satellite system for monthly service charge and per

minute call and text with incoming calls not charged.

I do hope this serious situation can be resolved amicably and quickly.

Pictures in Attachments:

#My Thuraya satsleave Unit with some accessories.

#The Satsleave with the last service connection on 10 April 2024 at 4:01pm.

#The satsleave with NO servicee 10 March 2024 5:30pm (begins of haphazardly behaviour)

#The last Thuraya incoming calls.

#The last Thuraya texts.





1 June 2024

PJC1>TJC56>CJC107

TIO: Complaint about Pivotal Satellite Pty

[REDACTED]

[REDACTED]

Open communication in good faith without bias or discrimination.

[REDACTED]

**Dispute Resolution Officer**

Telecommunications Industry Ombudsman  
(TIO)

ATTENTION Pivotal satellite Pty Limited,  
Please read carefully. Please consider  
proposal(s) [REDACTED]



Thank you [REDACTED] for your email on 29 May 2024 regarding the escalation of complaint

[REDACTED]  
It has now been 79 DAYS without telecommunications or the ability to call 000 in an emergency where I reside on native title lands in [REDACTED] Queensland Australia to no fault of myself.

In the TIO Conciliation email sent from the TIO on 29 May 2024, it refers to the TIO asking pivotal to get in touch with me.

Pivotal did!

Pivotal sent the same unhelpful, racially discriminating generic email again on 29 May 2024.

The points Lushani you have laid out in the Conciliation email are true and correct to the best of my ability, although I feel due to pivotal not taking this matter seriously in making adequate steps in good faith to keep

myself [REDACTED] a first Nation's person safe and connected on native title lands, I would also like to add that pivotal pay me compensation for no connection from the 15 March 2024 until my satellite service [REDACTED] is reconnected, and that pivotal pay me compensation per kilometre for travel related pivotal communication costs, and pivotal pay me compensation for the inability to perform duties on native title lands (safety concerns), and pivotal pay me compensation for the mental stress caused that I have had to undertake during this period that has now resulted in serious health issues.

In today's digital society, not having communication has and is excluding me from society and services in Australia.

At all times, I have been transparent with Pivotal throughout this process.

Unfortunately, it's of my opinion that pivotal has not acted in good faith or good time, nor

has Pivotal shown any duty of care.

In fact, it's also of my opinion that pivotal is absolutely without doubt RACIST towards myself because I don't live in a city or town nor have access to city or town services.

I would have thought a satellite phone company in this day and age would have trained staff better in operating satellite phones and to understand remote customers' needs and challenges.

As I was a permanent satellite phone user, it was easy to identify the inadequacy of pivotal customer support.

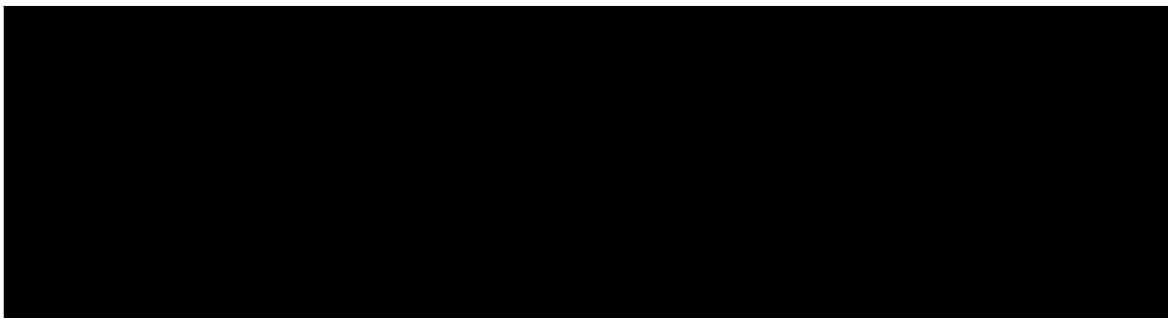
When I perched the genuine Thuraya satsleeve satellite system from a Pivotal agent including genuine spare batteries, genuine chargers, genuine base station satellite antenna and genuine mobile vehicle satellite antenna OUTRIGHT, I done this trusting Pivotal would be fair, honest and

honour the satellite system network stability and longevity.

I trusted the Pivotal agent that sold me the satellite system in 2020 as the salesperson told me that Pivotal are sending up a new satellite within 12 months that will improve the Thuraya network and that my satsleeve will work with my current Samsung smartphone.

(It was all lies and deception, so I made an official complaint to the TIO regarding the pivotal agent [REDACTED] QLD in 2020)

Below is a Word document attachment sent to my old now unused gmail account:



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25/09/2020

Please consider this letter as draft because I haven't had a chance to have it edited and require more information from you. Thanks




Below are the facts as I see it atm, and I would really appreciate you correcting me if you disagree on any of the complaint content details and please feel free to add extra information in this regard, before I forward a copy to Pivotel and the TIO.

I also suggest you bullet point every concern you have about the sat sleeve solution to improve any possibility of you benefitting from a compensation credit from Pivotel.

1. TeleBiz is a specialist Satellite Phone Dealership with thousands of Sat Phone clients across Australia and abroad.

According to Govt statistics, TeleBiz has at times been the leading Regional Dealership for Satellite Phones in Australia.

2. TeleBiz is very conscious and dedicated to ensuring the Sat Phones solutions for which our clients rely upon when travelling to remote areas are always operating in good working order. It is solely for this reason that TeleBiz Engineers are contactable 24/7/365 by phoning TeleBiz's main office number

 We are not aware of any other Sat Phone supplier in Australia offering such a high level of commitment to client support.

3. TeleBiz company owner Rod Harris has over 30-years experience in providing Sat Phone solutions to customers and has contributed considerably towards advancing this sector in Australia, e.g. A proactive and

regular advisor to the Dept of Comms spanning over 20 years, voluntarily produced and provided multiple submissions to Productivity Commissioners towards improving satellite communications for remote Australians, and assisted Telstra to develop and launch its Retail Satellite Phone Division for Telstra Dealers to supply consumers.

TeleBiz is a regular attendee of national and global conferences and always proactive to support better SatComs solutions.

4. TeleBiz takes its responsibility towards customer after-sales support very seriously. For example, in 2012, TeleBiz was concerned about the efficiency of after-sales support provided by Inmarsat's then global Distribution Centre "Stratos", which risked TeleBiz's ability to provide prompt and effective 24/7 client support. TeleBiz took the initiative and paid over \$550k to migrate all its Inmarsat customers to a better support

platform. There was no demand or order or complaint from any one for TeleBiz to take this initiative, nor has Inmarsat refunded or subsidised the amount TeleBiz paid, which under Australian law it should have!

TeleBiz is not aware of any other Sat Phone reseller in Australia that has made such a high financial sacrifice purely to assist the ability to provide better (excellent) Sat Phone client support. TeleBiz does not charge its Sat Phone clients for its extraordinary level of after-sales client support and we do so purely to maximise the safety and well-being of remote communities and our clients and property.

5. Prior to this week, neither TeleBiz, nor its affiliated companies, directors and employees, have been the recipient of a customer demand or complaint from any consumer advocate including ACCC, Fair Trading, TIO etc, spanning back to the commencement of business back in 1989.



This has been a long-standing sector record, and our churn/port in/ out rate is reputedly the most successful in Australia, as advised to us by our multiple Tier One upline Carriage and Distributors for fixed, wireless & Satcoms solutions, inc NBN, SIP trunks etc.

[REDACTED] complaint details

29/09/2020

6. On the 28th July 2020, a TeleBiz Representative named Gary Hundal supplied [REDACTED] in good faith with SatComs information and a Thuraya Sat Sleeve Satellite Phone solution.

7. The upline product and carriage wholesaler who provided TeleBiz with the information and product/services that we provided to [REDACTED] is Pivotel, an Australian based company head quartered on the Gold Coast in QLD.

8. TeleBiz is an authorised Pivotel Dealer and has attended the last three or four annual Pivotel conferences for its top dealers.

9. [REDACTED] had visited our shop a couple of weeks earlier to collect information, so he could then research and consider which Sat Phone option he would prefer. Upon ordering the Thuraya Sat Sleeve Satellite Phone solution product from TeleBiz, [REDACTED] asked us if it would work and we replied yes because we had no reason to suspect otherwise. TeleBiz had not received any information, or any indications from any source that we were then aware of that suggested the solution would not operate, be unreliable nor be temperamental. TeleBiz has also sold many of these Thuraya Sat Sleeve solutions over the previous 3-4 years without any hitches.

10. The Thuraya Sat Sleeve solution TeleBiz sold to [REDACTED] was based on the dealer

training and other information provided to TeleBiz by the upline Distributor/Service Provider, being Pivotel.

11. The solution was tested at TeleBiz and worked fine (as witnessed by M [REDACTED] immediately prior to handover to [REDACTED] on the 28th July 2020.

12. On or about the 14th September 2020 Mr Clark returned to TeleBiz citing concerns over the Sat Sleeve App and Bluetooth functionality. TeleBiz assisted [REDACTED] reload the App and we were under the impression he was happy with our service but disappointed with the blue tooth functionality (this is what [REDACTED] has told me, can you elaborate?)

13. At approximately 9 pm on the 18th September 2020, [REDACTED] messaged the personal What's App account operated by the TeleBiz Managing Director [REDACTED]. [REDACTED] stated his Sat phone solution was not

working, and he provided some links that outlined very concerning information about the product that was foreign to TeleBiz at that time. (see attached exhibits)

14. [REDACTED] immediately replied back to [REDACTED] stating TeleBiz was very concerned to learn of the problems has was experiencing and confirmed there was an obvious need for TeleBiz to investigate the issues asap, not only because [REDACTED] appeared to have a faulty product but also the same problems could be affecting other TeleBiz Sat Phone clients as well. [REDACTED] also stated that TeleBiz was willing to assist wherever possible, including the issuing of a refund or matching credit towards an alternative sat phone solution.

15. TeleBiz has never marketed a WhatsApp account as a communication tool for its customers and rarely does [REDACTED] use the service; therefore, parties should refrain from relying on it. Please ensure any future comms

are via [REDACTED]

16. Over the following days, TeleBiz made some inquiries, albeit with difficulty because our Pivotel Dealer Manager [REDACTED] was on leave, returning Monday 28th September 2020, and his upline Manager whom TeleBiz contacted was not fully aware of the issues, and inadvertently proceeded to provide TeleBiz incorrect advice.

17. On the 24th September 2020, [REDACTED] visited TeleBiz upon invitation, and we discussed the technical issues in detail. It was abundantly clear to TeleBiz that [REDACTED] concerns were well-founded. The Sat Phone solution did not operate reliably as all of us were led to believe it should, and TeleBiz concurred with [REDACTED] that the product was not fit for service.

18. [REDACTED] also showed TeleBiz

information that indicates the technical issues may have existed with other models of mobile phones connected to a Thuraya Sat Sleeve, which is also very concerning, and TeleBiz will be demanding clarification from Pivotel and Thuraya.

19. Just prior to [REDACTED] visit to TeleBiz on the 24/09/2020, TeleBiz located an email sent from Pivotel to TeleBiz's general SatComs inbox, whereby the content stated some customers with a Thuraya Sat Sleeve solution might experience some issues. The email was dated 10th August 2020, was not marked attention to anyone in particular at TeleBiz, and nor was it headed with the words WARNING or suchlike to indicate the seriousness of the technical issues mentioned, which is best practice. TeleBiz receives hundreds of emails each day, and it did not catch our attention, a process we have since reviewed.

20. When considering the importance of the

email content and risk of harm to thousands of Thuraya customers across Australia and property, TeleBiz is appalled that Pivotel did not make sure a copy of the emailed information was not delivered directly to the Pivotel Dealership Principles and at the very least marked as "URGENT WARNING" or suchlike.

21. On the 24th September TeleBiz MD spoke with [REDACTED] (Channel Manager of Pivotel). He stated the issues become known to Pivotel early 2020 and TeleBiz queries why this information was not made known to the Dealer Channel then, as opposed to 10th August 2020. Frank also stated Thuraya Engineers were working on firmware or similar fix and that the technical problems only related to customers upgrading their Mobile phones (for use with the Thuraya Sat Sleeve solution) to iOS 13 or Android 10 above. (see exhibit).

22. At this point in time, TeleBiz is still

collecting information and yet to contact Thuraya Directly, which we are very keen to do asap so we can immediately proceed to notify all our Thuraya SDat Sleeve clients to ensure they are aware of upgrade limitations and the associated performance issues/risks.

23. The meeting at TeleBiz with [REDACTED] on the 24/09/2020 was attended by the TeleBiz MD, and [REDACTED]. TeleBiz showed Mr [REDACTED] the aforementioned email from Pivotel to TeleBiz dated 10/08/20, which should have satisfied [REDACTED] that Pivotel had not updated TeleBiz in an accurate and timely fashion about the issues and associated serious risks regarding the Thuraya Sat Sleeve solution which [REDACTED] had purchased from TeleBiz. It is very unfortunate that [REDACTED] does not believe what TeleBiz has demonstrated in this regard, and [REDACTED] has made it very clear he is holding TeleBiz 100% responsible for supplying a questionable product, e.g. claiming TeleBiz



has dropped the ball, which TeleBiz denies.  
(see the exhibit of text messages)

24. Technically, we understand that Mr [REDACTED] maybe entitled to hold TeleBiz responsible, and in any event we are willing to assist with or without statutory obligations. Although, it is TeleBiz's firm position that the ultimate responsibility in this matter belongs entirely with Pivotel and it should be Pivotel providing redress to [REDACTED], and issue TeleBiz will pursue.

25. For the record, TeleBiz sincerely apologises to Mr Clark for the inconvenience he has suffered. TeleBiz also reiterates that we have made it perfectly clear that TeleBiz is happy to refund the products purchased from TeleBiz and ensure Pivotel would refund the annual subscription if requested.

26. At the meeting with [REDACTED] on the 24/09/2020, we discussed at length all the alternative Sat Phone options on the market,

and the alternative option that interested Mr Clark most was an XT-PRO. I informed Mr [REDACTED] that we would need to order it immediately if he wanted delivery before the weekend and he said he would think about it and get back to us next week, and the meeting ended.

27. Later in the afternoon of 24/09/2020, TeleBiz received notification from the TIO that Mr Clark had filed a complaint about TeleBiz, which TeleBiz staff considered to be unjustifiable as we were clearly acting professionally and do our best under trying circumstances to assist [REDACTED] solve a problem that was not of our making.

28. This was the first complaint from a consumer advocate against any company owned by TeleBiz MD since 1989, including our sister company TeleTalk which has amassed over 100,000 clients.

29. At the moment all TeleBiz staff are

distraught with [REDACTED] because we are all highly focused on client support and well known for such high-level services, and unbeknown to [REDACTED] the TIO complaint is a massive insult to our companies culture of practising very high standards of ethics and values.

30. TeleBiz also got the impression that Mr Clark expects TeleBiz to refund Thuraya Sat Sleeve accessories he had purchased from another Satellite Phone Dealership. Some of these accessories could be used with the alternative sat phone solution which [REDACTED] had identified as his most likely choice.

31. Our TeleBiz MD tried to discuss the TIO issue with [REDACTED] on the phone, but Mr [REDACTED] would not believe nor listen to what The TeleBiz MD was saying and he lost it. Whilst TeleBiz MD apologises to [REDACTED] for the explosive phone call, it also needs to be said that TeleBiz is finding it very difficult to assist [REDACTED] when he questions TeleBiz's

integrity and is not allowing TeleBiz sufficient time to investigate and rectify all the intricate concerns, some of which TeleBiz is unable to differentiate between a technical fault of lack of functionality. Also, if Manufacturer Ford tells its Dealers that the latest Mustang produces 800BHP, and then a customer who buys one of that belief then discovers it only produces 600BHP, because of a reason not known to the Dealership then whose fault is that?

32. Someone made a suggestion that the Thuraya Satellite Sat Sleev information maybe updated on the Pivotel website, which we have yet to verify and it should not be up to a Dealer to hire someone 24/7 to continually scan a web site for any potential updates 24/7.

33. TeleBiz is adamant that Pivotel is 100% responsible for the misinformation and miscommunications in this matter and should voluntarily take total responsibility for

appeasing the client.



TeleBiz recognises the frustration and inconveniences you have endured and my rant over the phone yesterday was totally unacceptable, and again I apologise. NB: I have a very sick young son atm and I'm very stressed about it. I've been writing this letter in between medical specialist consultations today and probably wont be available to discuss any of the content until much later today or over the weekend.

TeleBiz staff want to draw a line in the sand asap so both parties can walk away with a mutually agreed resolution. In saying this, it is not possible for our team to do business again with someone who doesn't trust us nor has unjustly held us responsible for a problem of someones else's making (Pivotel/Thuraya).

So, how about TeleBiz provide a 100% cash refund for the Satsleeve items you have purchased from us and Austek etc, on the basis you:

- (a) agree cancel the TIO complaint,
- (b) agree not to denigrate us online or elsewhere
- (c) purchase a sat phone solution elsewhere.

If this is acceptable, please advise when someone will drop off of hardware, and receipts (we don't need TeleBiz receipts) as we don't keep cash on the premises and will need to organise in advance, or we can , pay by EFT on the spot or refund to credit card account. TeleBiz will also guarantee you will receive a full refund from Pivotel for the airtime plan you have been charged to date (unsure about actual calls though, probably but that's up to Pivotel) and a TeleBiz

guarantee for a credit for whatever airtime plan you have paid in advance if that helps. And if you prefer a XT-PRO, maybe Pivotel can supply direct and provide you with a bloody good deal for mucking you and TeleBiz around!

NB: This is not the first time Pivotel has overlooked updating TeleBiz about important tech issues. On a previous occasion, it took two senior TeleBiz engineers over 20 hours to fix a problem for Pivotel (costing us \$3393) and we received a \$500 credit from Pivotel for our efforts!



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TeleBiz throughout this consultation response letter in 2020 says they sell 1000s

of Pivotel satellite phones and been in business for 30 years.

HOW WAS IT THAT I FOUND THE FAULTS IN THE THURAYA SATSLEEVE WITH IN DAYS OF OWNERSHIP WHEN THE SUPPOSEDLY LEADING PIVOTEL SATELLITE DEALERSHIP DIDN'T FIND THEM IN 30 YEARS?

Many times TeleBiz said the bluetooth on the satsleeve, THE SATSLEEVE DOESN'T HAVE BLUETOOTH! the satsleeve paired using wifi to connect to a smartphone to make and receive calls.

The problem was I couldn't receive calls on my wifi paired modern Samsung smartphone as it was too advanced for the OUTDATED Pivotel Thuraya Satellite system!

During the TIO Conciliation process in 2020 I received a call from a pivotel representative (██████████) on that phone call the pivotal representative repeatedly apologised, he convinced me to keep the Thuraya satsleeve



and pleaded with me to DROP the TIO complaint against the Pivotal agent Telebiz Cairns Qld.

In return, the pivotal representative said he would look after me and send an old phone to pair with the Thuraya satsleeve to make it work correctly.

(That also turned out to be more LIES from Pivotal as I never received an old phone, and got sick of waiting, so I brought an older type Samsung to pair with the outdated Thuraya Satsleeve device for \$600 as I was fed up NOT BEING ABLE TO RECEIVE CALLS on the Thuraya network BACK IN 2020)

IN MY OPINION PIVOTEL KNEW THE THURAYA ISSUES IN 2020 BUT CONTINUED TO SELL THE PRODUCT.

HERE WE ARE IN 2024 AND PIVOTEL SAYS IT'S A "FORCE MAJEURE EVENT"

A couple of points in the above word document to consider being 16. 24. & 33.

Point 16, Did PIVOTAL management LIE in 2020?

Points 24 & 33, Is it proof PIVOTEL has HISTORICALLY been DISHONEST and MISLEADING?

Reading the full point to point word document from TeleBiz in 2020 it proves to me that:

\*Pivotal has NOT improved in customer support.

\*Pivotal has NOT improved in satellite communication knowledge.

\*Pivotal has Failed in employee and dealer training.

\*Pivotal has FAILED in the duty of care to keep customers connected.

\*Pivotal has Failed in maintaining or upgrading the Thuraya systems to avoid network failure.

MY QUESTION TO THE TIO IS, CAN YOU

**BELIEVE ANYTHING PIVOTEL SAYS?**

**EVIDENCE PROVIDED DATING BACK TO 2020  
INDICATES PIVOTEL LACKS INTEGRITY!**

(I also have other correspondence,  
phone recordings, texts, emails, and much  
more evidence of Misinformation and  
Disinformation (LIES) from Pivotal & TeleBiz  
on file)

Despite knowing Pivotal's questionable past  
performance, I have tried my best under the  
circumstances to contact Pivotal as to move  
forward after experiencing haphazard  
satellite service that started from 15 March  
2024.

PJC1. Wednesday 10 April 2024.

PJC2. Friday 12 April 2024.

PJC3. Tuesday 23 April 2024.

PJC4. Friday 26 April 2024.

PJC5a. Friday 3 May 2024.

PJC5b. Thursday 9 May 2024.

PJC6. Sunday 12 May 2024.

PJC7. Wednesday 15 May 2024 (extremely detailed information for a resolution)

PJC8. Wednesday 22 May 2024.

PJC9. Tuesday 28 May 2024.

PJC10. Saturday 1 June 2024.

After much frustration and continued racial discrimination from Pivotal, I again attempted to resolve the issue to move forward with a proposal to Pivotal on the (15 May 2024) to supply in good faith a (Iridium Go) to be connected using my current satellite mobile number [REDACTED] and supply a mobile vehicle antenna and a base station antenna with 12v chargers and leads all things that I currently have and use where I reside to replace my fit for purpose genuine Thuraya items.

(Iridium Go is the same kind of satellite WiFi device that you can hook it up to an external antenna and 12v in a cool dry dust free location and use a smartphone connected via

wifi to text or make/receive calls)

In response to my [REDACTED] proposal on 15 May 2024, Pivotal sent the same unhelpful racially discriminative generic email that indicates Pivotal Satellite Pty Limited is holding my satellite telephone number and \$724.10 RANSOM and demanding I send back \$3,359 of Thuraya equipment I OWN OUTRIGHT and then send Thousands of dollars more to Pivotal to be reconnected.

IS IT FRAUD?

IS IT BLACKMAIL?

IS PIVOTEL A DODGIE OUTFIT?

I've been a pivotel loyal continuously connected customer since 28 July 2020. My Pivotal account has always been in credit to avoid any disruption to my service. Credit on my account is over \$700.

The Thuraya satsleeve was used every day,

Whether I was travelling in my 4x4 on country or used where I reside on country.

The Thuraya satsleeve was my only safety device if needed in an emergency on native title lands, the Thuraya satsleeve was also switched on between 6pm and 7pm every day for incoming calls and texts and general communication. I would receive an average of 1 call every 2 days lasting more than 30 minutes without any issues until 15 march 2024 when the system became haphazard and I'd have to drive to the highest mountain in the area to get reception to receive texts, make and receive calls.

(I have screenshots of incoming and outgoing texts and calls including time and reception logs)

The lack of support and understanding, misinformation, and continuous racial discrimination from pivotal have affected my mental health, physical health, and financial well-being.

My current proposal offer is that:



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An outcome I would accept would be that pivotal Australia transfers my current monetary credit and satellite phone number [redacted] to the Pivotal iridium network to suit the iridium go and replaces all the Thuraya satsleave satellite hardware I currently have with new (iridium go) hardware being:

- 1x new iridium go.
- 2x new iridium go 12v chargers.
- 2x new iridium go fixed brackets.
- 1x new iridium go base station antenna and lead 5mtr +
- 1x new iridium go vehicle antenna with lead 5mtr (that can be used while moving)

All new in original boxing and posted to

Jason Clark Australia post only ( [REDACTED]  
[REDACTED] all with Australian warranty  
and guarantee that the satellite service will  
be the same or better than my Thuraya  
satsleeve system and be able to be used  
without issues in all conditions in Cape York  
Queensland Australia.

Furthermore, I wish to pay the same as what I  
pay now for my Thuraya satsleeve satellite  
system for monthly service charge and per  
minute call and text with incoming calls not  
charged.

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OR:

[REDACTED]

After 12 June 2024, my compensation  
resolution proposal is as follows.



[REDACTED]  
Transfer my satellite phone number

[REDACTED] to a new satellite provider of my choice and pay any transfer costs or associated costs related.

[REDACTED]  
PLUS + Return my credit value on my pivotal account [REDACTED] in cash the same way it was paid at Australia post.

[REDACTED]  
PLUS + Pay compensation for the genuine Thuraya satsleeve and genuine accessories = \$3,359.

[REDACTED]  
PLUS + Pay compensation for no connection and not being able to call 000 in an emergency for 90 days @ \$1.10 an hour = \$2,376

[REDACTED]  
PLUS + Pay compensation for travel related

pivotal communication costs \$4.40km ×  
1080km = \$4,752

██████████

PLUS + Pay compensation for preventing me from duties on native title lands (safety concerns) and causing mental health issues that are now affecting me physically x90 days @ \$330 a day = \$29,700

Cash compensation payout if not resolved by 12 June 2024 = \$40,187  
Plus account ██████████ credit \$724.10

Total Pivotal Satellite Pty Limited compensation payment for

Please Take Note:

██████████ will continue to increase in compensation value after 12 June 2024 if proposal ██████████ is not accepted by Pivotal satellite Pty

Limited.