

Regional, Rural and Remote Communications Coalition

Representation to Australian Government Communications Ministers
regarding the Consumer Safeguards Review Part B (Reliability of Services)

13 March 2019



Senator the Hon. Bridget McKenzie
Minister for Regional Services
PO Box 6100
Parliament House
CANBERRA ACT 2600

Senator the Hon. Mitch Fifield
Minister for Communications and the Arts
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Ministers,

Re: Consumer Safeguards Review Part B – Reliability

The Regional, Rural and Remote Communications Coalition (RRRCC) is an alliance of 21 organisations and advocacy bodies formed to advocate for better connectivity in regional Australia. We believe there are five fundamental approaches needed to support equitable connectivity for regional, rural and remote customers, which are:

1. A **universal service obligation** that is technologically neutral and provides access to both voice and data connectivity to all people regardless of where they live;
2. **Customer service guarantees and reliability measures** to underpin the provision of voice and data services, to deliver the equivalent level of accountability as that which applies to services provided in metropolitan areas;
3. Long term **public funding for open access mobile coverage expansion** in regional, rural, and remote Australia;
4. Fair and **equitable access to Sky Muster** for those with a genuine need for the service, and access which reflects the health, educational, social connectivity and business needs of regional, rural and remote Australia; and
5. Fully resourced **capacity building programs** that build digital capability and development of effective problem solving support for regional, rural and remote businesses and consumers.

The RRRCC welcomes the Consumer Safeguards Review being conducted by the Department of Communications and the Arts (the department). Part B of the review proposes a number of reforms that will improve the reliability of services and directly support equitable connectivity for regional and remote customers. This is an area of high priority for the RRRCC.

In particular, we support the extension of mandatory connection and repair timeframes to all fixed services provided by all retailers. Mandatory rules are the best way to ensure that consumers have access to continuous telecommunications connectivity.

In regional Australia the incentive to quickly connect and repair services is diminished compared to urban areas due to high costs and less competition. We note that the department's discussion paper proposed some improvements in timeframes relative to the current Customer Service Guarantee. This is to be commended. However, in other situations the level of service is actually reduced. For example, for connections "close to infrastructure" (i.e. including regional centre locations) the timeframe has increased from 10 working days to within 15 working days. The RRRCC does not support any increase in mandatory timeframes regardless of location, and would be very concerned if this approach was adopted.

We recognise that there are complexities in delivering services to regional, rural and remote areas. We do support the provision of interim services if there are delays. However, in many cases an interim service may not be available (e.g. due to mobile coverage limitations), or may not be a substitute for the ordered service (e.g. fixed broadband). If an interim service cannot be provided, the department has proposed that the customer not pay until the service is connected or repaired. Yet the costs imposed on customers, particularly small businesses, are much greater than this. As the Australian Competition and Consumer Commission has identified:¹

We consider that stronger incentives would apply if an RSP [Retail Service Provider] was not only unable to bill a customer if the service is not working, but also remained liable to pay compensation, such as currently required under the CSG [Customer Service Guarantee] standard, if timeframes for connections of fixing faults were not met.

The RRRCC supports the payment of compensation where timeframes are not met, including that proposed for missed appointments. Under the current arrangements, providers are required to inform customers of their rights but we hear of many cases where this is not happening and compensation is not offered. Automatic compensation is required, supported by systems and processes for payments that do not rely on customers knowing their rights or being informed of them by a provider with no incentive to do so. Accordingly, the RRRCC urges the Ministers to include automatic compensation as part of the new Consumer Safeguards.

The RRRCC welcomes the recognition that customers with a diagnosed life threatening medical condition require service continuity to be able to seek emergency medical assistance and that they should be able to choose their provider. Alternative services to provide service continuity are particularly important with the advent of fibre-based services as they do not work in the event of a power failure. However, in regional areas this may not always be feasible. We consider that access to a priority connection and repair of the ordered service is a fundamental requirement, particularly in these circumstances.

We would be happy to discuss these issues in more detail as the Government considers its response to Part B of the review. For more information please contact Adrienne Ryan at [REDACTED] or [REDACTED].

Yours sincerely

Regional, Rural and Remote Communications Coalition

Members:

ACCAN; AgForce Queensland; Australian Forest Products Association; Better Internet for Rural, Regional & Remote Australia; Broadband for the Bush Alliance; Cotton Australia; Country Women's Association of Australia; Country Women's Association of NSW; GrainGrowers; Isolated Children's Parents' Association; National Farmers' Federation; National Rural Health Alliance; National Rural Women's Coalition; Northern Territory Cattleman's Association; NSW Farmers; Queensland Farmers' Federation; Ricegrowers' Association of Australia; South Australian Country Women's Association; The Pastoralists' Association of West Darling; Victorian Farmers Federation; WAFarmers.

¹ ACCC, "ACCC Submission to Part B of the Consumer Safeguards Review – Reliability of Services", January 2019, page 4.