

23 May 2018

Australian Communications and Media Authority
Via email: NetworkMigration@acma.gov.au

Re: NBN rules regarding consumer information & service continuity

The National Farmers' Federation (NFF) welcomes the opportunity to make a submission to the Australian Communications and Media Authority's consultation paper *New rules to protect consumers to the NBN: Improving consumer information and ensuring service continuity and quality* (consultation paper). The NFF supports the Australian Communications and Media Authority's (ACMA) push to develop industry standards for carriage service providers (CSPs).

The NFF is the peak national body representing farmers and, more broadly, agriculture across Australia. Operating under a federated structure, individual farmers join their respective state farm organisation and/or national commodity council. These organisations form the NFF. The NFF is committed to advancing Australian agriculture by developing and advocating for policies that support the profitability and productivity of Australian farmers. As part of the Rural, Regional and Remote Telecommunications Coalition (RRRCC), the NFF is a strong advocate for equitable, reliable and affordable telecommunications access for Australians living outside metropolitan areas.

Consumer Information Standard

The NFF welcomes the stated goal of the Consumer Information Standard to improve the quality and consistency of information provided to consumers about NBN services. It is crucial to ensure that consumers are provided with accurate information to make informed choices when signing up to NBN services. The NFF has been provided with evidence that some CSPs willfully use misinformation to scare consumers into signing contracts for their services and is very concerned about the lack of Consumer Information Standards to date.

NFF members have consistently reported misinformation about NBN services in rural and regional areas, specifically relating to CSPs claiming that rural residents would lose access to their landline should they not sign up to their NBN plans. This misinformation has led to concerns in communities that are still very much dependent on their landlines in the absence of mobile phone coverage in rural, regional and remote areas. The NFF would strongly encourage ACMA or the NBN to directly communicate changes in telecommunications provisions to communities and to not leave this task to CSPs with vested commercial interest.

Question 1: Useful way to explain internet plans to consumers

The recommendations in the consultation paper requiring CSPs to provide the actual data and speed available at the premises of consumers prior to signing contracts are sound and supported by the NFF. The chosen pathway to require CSPs to describe how many devices can be connected at the same time and which kinds of online applications can be used seems reasonable and is supported by the NFF.

Question 2: Standard obligations for CSPs

The NFF is of the view that CSPs should be required to provide all elements of the draft Consumer Information Standard to consumers within three months. The NFF recommends that ACMA implement compliance measures for Consumer Information Standards to ensure that there are no loopholes for CSPs, putting their customers at a distinct disadvantage and hampering economic activity in rural and regional Australia.

Question 3: Merging NBN retail plans and minimum information requirements

The NFF welcomes the suggestion to combine all information on NBN services into a single document that is written in plain English, provides a good overview and helps customers make an informed decision.

Question 4: Speed tier information on upload and download information

The NFF strongly recommends including both upload and download information as well as off-peak information in the consumer information standard. Many small and medium enterprises in rural and regional Australia, including farm businesses, rely on this information to make informed decisions around which plan to sign up for.

Question 5: Other important information on the Consumer Information Standard

The NFF would like to suggest including information on whether fixed landlines and ADSL and other forms of internet delivery that are not NBN will still be available in specific areas once NBN is rolled out. This information needs to be accurate to avoid misinformation of the public and is, at present, one of the main causes for concern in rural and regional areas. ACMA should be able to enforce legal action against CSPs that are non-compliant and that deliver misinformation.

Line Testing Determination

Effective operation of new NBN connections are crucial for Australians living in rural, regional and remote areas that rely heavily on online services to run their businesses, to educate their children and to participate in our 21st century society. Requiring CSPs to perform a series of tests following the activation of each service that has been successfully migrated to the NBN would, in NFF's view, drastically reduce the number of faulty installations and immediately pick up on false advertising should promised internet speeds not be reached. For this reason, the NFF is in favour of mandatory provider line-testing instead of having consumer-requested line-testing.

Question 6: Line Testing Determination obligation for CSPs

The NFF encourages line testing to take place within five business days of migrating to NBN services. Ideally, line testing should be part of the entire installation process and be automatically triggered during different times of the day to compare actual speeds

to promised speeds. This should include evening speed, off-peak speed and average speed.

Question 7: Number of tests under the Line Testing Determination

The NFF is comfortable with the proposed Line Testing Determination.

Question 8: Additional measures under the Line Testing Determination

The NFF suggests including a non-compliance clause in the Line Testing Determination and to provide information to customers on their rights regarding the Line Testing Determination and CSP obligations.

Service Continuity Standard

Being left without phone and/or internet services during the process of connecting to the NBN is an unacceptable risk for Australians living in rural, regional or remote areas. Unlike in metropolitan areas, there is often no mobile service coverage in the bush and next-door-neighbours can be a long car drive away from home. In short, help in emergency situations is not easily accessible for Australians living remotely should they have no access to telecommunications.

The statistics provided in the consultation paper, stating that 34 per cent of households who connected to the NBN in the previous 12 months reported being left without phone and/ or internet services during the process of connecting to the NBN, are not only proof of bad service, they leave Australians in rural, regional and remote areas exposed to unacceptable risk.

Question 9: Service Continuity Standard obligations for CSPs

The NFF would like to highlight the importance for customers in rural, regional and remote areas to have uninterrupted access to telecommunication services during NBN migration. At a minimum, CSPs should be required to ensure continuous access to landline services during NBN migration for customers living outside of mobile phone coverage.

Question 10: Reconnection to legacy services

As mentioned under Question 9, the NFF urges ACMA to ensure consumers in rural, regional and remote areas are not left without access to telecommunication services during NBN migration.

The NFF considers the suggestion by ACMA unacceptable to require CSPs to only reconnect consumers to their legacy service within five working days for urban areas and 15 working days in minor rural and remote areas. To leave Australians living in minor rural and remote areas without telecommunication services for three times as long as Australians living in urban areas is, quite frankly, a risk the Australian society should not be willing to take.

The NFF strongly recommends stricter timeframes to reconnect consumers in minor rural and remote areas that would otherwise be without access to emergency services.

Question 11: Types of reasonable assistance for NBN CSP

The NFF urges legacy CSPs and NBN CSPs to ensure uninterrupted access to at least landline services during NBN migration.

Question 12: Legacy services and the NBN

The NFF strongly recommends implementing rules to promote continuity of voice and broadband services in rural, regional and remote areas where legacy services are not readily available, especially in areas without mobile phone coverage. Leaving Australians living in the bush without access to emergency services cannot be an acceptable outcome.

Question 13: Maximum price setting for legacy services

The rationale for maximum price setting is to prevent costs spiraling out of control in the absence of competitive offers. Australians living in rural, regional and remote areas often have no choice – should there be no access to legacy services during NBN migration, they are, in many cases, without telecommunication services. Due to this unique monopoly situation in rural, regional and remote areas without mobile phone coverage, the NFF recommends price regulation for legacy services or alternative services in rural, regional and remote areas.

Question 14: Additional measures for Service Continuity Standards

ACMA should be able to enforce legal action should CSPs not conform with Service Continuity Standards, exposing Australians living in rural, regional and remote areas to unacceptable risk.

For further information please contact:



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