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**New rules for telco networks must be changed to benefit consumers: ACCAN**

Proposed rules for wholesale telecommunications service providers must be tightened to protect Australians from under-performing phone and internet services, and slow connection and fault rectification timeframes, according to the Australian Communications Consumer Action Network (ACCAN).

The draft Telecommunications (Statutory Infrastructure Providers – Standards, Rules and Benchmarks) Determination 2021 proposes standards, rules and benchmarks for telecommunications carriers that provide wholesale broadband services, such as NBN Co. The rules proposed are in relation to timeframes for connections, repairs and appointment keeping, rebates, speeds, remediation and record keeping.

“The simple fact is that without competition at the wholesale level, network operators will not deliver in the interests of consumers, so we need a safety net to ensure a reliable level of service,” said ACCAN CEO, Teresa Corbin.

The peak body for communications consumers has raised concerns about the Determination’s proposal to allow network providers to achieve peak download speeds of at least 25 Mbps at least once during a 24-hour period, or where a customer has ordered a higher speed service, reach at least 50% of the download speed offered (whichever is the higher).

“There is no qualification around what time of day the networks have to achieve these speeds, so we could end up in a situation where a consumer gets 25 Mbps at 3.00am when they are fast asleep. But because they hit that threshold once in a 24-hour window, the network provider would be in the right.”

There are also issues with the proposed annual benchmarks for connection, fault repair and appointment keeping. If the proposed benchmarks were passed and wholesale networks like NBN Co were able to meet a benchmark of 90%, the number of missed appointments as well as connections and fault repairs completed outside the maximum timeframe will be substantial.

ACCAN estimates that missed NBN appointments cost consumers $15 million in lost time in 2019.[[1]](#footnote-1)

“If NBN Co were able to miss 10% of connection appointments, that would mean many Australian households and businessescould be left unconnected without NBN Co facing any consequences,” explained Ms Corbin.

“Telecommunications are a modern essential service. Given the importance of a reliable communications network to consumers and small businesses alike, there needs to be a transparent streamlined mechanism that encourages improved performance by network operators and compensates consumers for loss suffered. Unfortunately, there’s no such requirement for networks to provide rebates for missed service standards in the draft instrument.”

Additionally, ACCAN has strong concerns about the draft instrument’s failure to differentiate standards and benchmarks for connections where the customer has a diagnosed life-threatening condition. These customers require a continuous service to be able to seek emergency medical assistance, so it is vital that there are greater protections and penalties applied to minimize the chance of these consumers being without phone and internet services.

“We’ve heard truly troubling stories from consumers about extraordinarily long wait times to get a problem resolved, such as a 103-year-old woman who lives alone with a diagnosed heart condition who was left without voice and internet services for two weeks after an NBN outage,” said Ms Corbin.

In their submission, ACCAN has called for maximum timeframes applying to retail service providers to be at least the same as the existing Customer Service Guarantee (CSG).

“Ideally, we’d want these timeframes shortened to reflect the extra time that retail service providers will take to fulfil any operational requirements before the issue is fixed for consumers.”

1. [ACCAN, 2019, “*Australians lose $15M per year to missed NBN appointments*”](http://accan.org.au/media-centre/1673-australians-lose-15m-per-year-to-missed-nbn-appointments) [↑](#footnote-ref-1)