

ACMA Telecommunications Record-keeping Rules Consultation
telcosafeguards@acma.gov.au

21 October 2011

Thank you for the opportunity to respond to the **payphone record-keeping consultation**.

ACCAN strongly supports the creation of rigorous record-keeping rules. We are concerned that these proposed record-keeping rules for payphone performance are excessively narrow in their focus only on the benchmarks rather than aimed at improving data for payphones generally in a way that will help the ACMA inform itself of what the payphone-using public is experiencing. Record-keeping should be consumer outcomes-driven.

To that end, we would draw the ACMA's attention to our view regarding so-called 'non-critical faults' in our submission to the DBCDE's payphone instruments exposure draft consultation. In that submission we argued that it is unacceptable that where one payment mechanism is not operating but others are available it will be considered a non-critical fault. (See subsection 10(5) of the Draft Payphone Performance Standards Determination.) In other words if payment cannot be made by cash but can be made by payphone card or vice-versa then it is considered 'non-critical' and time frames for repair do not apply.

Of the people who used a payphone in the past year, 28% made an urgent call.¹ It is reasonable to assume that these people did not plan ahead. Payphones are used in emergencies and by people without access to other forms of communications. They are often used when another device (such as a mobile) isn't working or for personal emergencies. It is therefore essential that multiple payment options are available most of the time.

On page 12 of this consultation paper, the ACMA states that a fault or service difficulty includes "the inability to make a call" but on the other hand proposes to exclude from reporting requirements "non-critical faults that do not affect a consumer's ability to make a call". The meaning of this is unclear, but if the ACMA proposes to exclude all those circumstances currently defined as a non-critical fault in subsection 10(5), we would find this unacceptable.

The situation where one payment option is not working can and does affect the consumer's ability to make a call.

As a consequence, we submit that irrespective of whether our proposed change to the definition of non-critical fault is accepted by the DBCDE, the ACMA should collect data on faults that include payphone faults where one or more payment options are not working.

Sincerely,

Jonathan Gadir
Senior Policy Adviser, ACCAN

¹ ACMA, (2011), *Numbering: Implications of research into consumer issues – Consultation Paper 4*, p77