

This submission is made in relation to the amendments proposed to the *Telecommunications (Emergency Call Service) Determination 2019*.

The current proposal places the onus on carrier providers to investigate users of mobile phones and mobile phone configurations that may not be able to access the 000-emergency network. Subsequently, the provider must block such devices from attempting to connect if it believes the device or its configuration cannot make this connection in the first place.

This change may have detrimental outcomes due to the lack of diligence on the part of various carrier networks in Australia. Telstra, Optus, and Vodafone (and by extension, their provider partners such as Belong, Woolworths Mobile, Kogan, Boost, etc.) have demonstrated significant ineptitude when identifying and communicating issues related to 3G, VoLTE, and 4G services in the lead-up to the 3G shutdown.

These providers have consistently backtracked on information provided to customers about phone compatibility post-3G shutdown. Numerous examples exist of published information that is, in fact, incorrect or contradictory to information provided by other carriers. James Parker, in his self-published report, highlighted Telstra's provision of both false positives and false negatives in its Post-3G Shutdown SMS checker. For example, Telstra has informed customers that their device is compatible when it is not (as per VoLTE configuration). Conversely, Telstra has also informed customers of device incompatibility when the device is generally compatible. Additionally, Telstra has informed some customers that their devices will work post-3G shutdown but not on the Telstra network due to their unique VoLTE deployment. Telstra's use of a simple IMEI check system to determine compatibility is severely flawed. This method cannot ascertain the device's existing VoLTE or carrier firmware, nor its device firmware or VoLTE setting status, potentially misclassifying millions of phones.

Vodafone has maintained a list of supported post-3G devices, but this list has frequently been altered and reverted, as evidenced by Wayback Machine archives of their compatibility page. This suggests incompetence in Vodafone's identification of impacted handsets.

Providers currently either lack the tools to determine which devices will be compatible after the 3G shutdown, or they are unwilling to dedicate enough resources to effectively ascertain this information. This issue closely relates to E000 emergency calls, as providers are consequently unable to determine this capability with high certainty.

The requirement to force providers to block devices they deem unable to contact emergency services will harm consumers and the public. These providers have not invested adequate time, money, or resources into an effective identification process, and they may also have conflicting understandings of which devices are affected.

The primary concern is the incorrect identification of devices by providers, which could result in legitimate emergency calls being blocked due to faulty device or configuration identification. This poses a significant risk to Australians, especially those who are less technically literate and may not fully grasp the implications of the 3G shutdown and VoLTE issues for E000 calls.

Additionally, consumers will now likely opt to purchase phones directly through their service providers to ensure access to emergency services. This could erode competition from non-service provider brands (such as Officeworks, JB Hi-Fi, and other tech retailers), limiting device options to the most popular brands—primarily Apple, Samsung, and Google. This change may disproportionately affect lower-income Australians, as the list of compatible devices shrinks, eliminating potentially cheaper alternatives and driving away competition, which typically helps lower prices for consumers. The second-hand market for mobile devices may also shrink, and so-called "grey market" retailers (who sell overseas or unique phone models that undercut carrier profits from device sales) may suffer. It is within the providers best interest to mislead consumers and upsell both devices and plans under the guise of E000 and 4G/5G compatibility. Less informed consumers will have no one else to turn to for support, except for their bias service provider which do NOT have consumers best interest in mind.

I argue that the proposed change to the *Telecommunications (Emergency Call Service) Determination 2019* (ECSD 2019) will create confusion among the general population and could potentially exclude some Australians from life-saving assistance when it is needed most due to incompetent device identification. A secondary impact may be reduced consumer choice and competition in the mobile device market.

I urge the ACMA to take a closer look into the issues surrounding E000 calls within Australia on Australian Service Provider networks. I recommend the Australian government to stop taking information provided as gospel and conduct internal checks and balances on the information provided, as well as probe these companies for as much information and telemetry as possible.

Australia's mobile telecommunications network has provided great access to E000 services over the last few decades and many technically versed individuals worry about the greed and misdirection displayed by Telstra, Optus and Vodafone which could ultimately harm lives of everyday Australians.

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