

**COMMUNICATIONS
ALLIANCE LTD**



**Telecommunications (Customer Communications
for Outages) Industry Standard**

COMMUNICATIONS ALLIANCE SUBMISSION

OCTOBER 2024

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INTRODUCTION

Communications Alliance (CA) welcomes the opportunity to provide this submission in response to the ACMA consultation on the *Telecommunications (Customer Communications for Outages) Industry Standard 2024*.

CA understands the *Telecommunications (Customer Communications for Outages Industry Standards) Direction 2024*¹ (Ministerial Direction) requires ACMA to make industry standards outlining the information to be provided, or made available, by carriers and carriage service providers for major outages and significant local outages that impact a telecommunications network used to supply carriage services to end-users.

Communications Alliance

Communications Alliance is the primary communications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including carriers, carriage and internet service providers, content providers, platform providers, equipment vendors, IT companies, consultants and business groups.

Its vision is to be the most influential association in Australian communications, co-operatively initiating programs that promote sustainable industry development, innovation and growth, while generating positive outcomes for customers and society.

The prime mission of Communications Alliance is to create a co-operative stakeholder environment that allows the industry to take the lead on initiatives which grow the Australian communications industry, enhance the connectivity of all Australians and foster the highest standards of business behaviour.

For more details about Communications Alliance, see <https://www.commsalliance.com.au>.

¹ <https://www.legislation.gov.au/F2024L01060/asmade/text>

Summary

CA and our members acknowledge the intent of the Standard in improving the information to be provided to customers of telecommunications service providers in the event of a major, or significant local outage in a telecommunications network.

Communications is core to our industry, along with the safety and wellbeing of the Australian community. Providing information in times of uncertainty to customers is also of the utmost importance, and industry sees the need for rules associated with this to be flexible, considered and proportionate to the actual customer impact.

In addressing this, we note below the key points from our submission and have attached as a separate document, track changes in the *Draft Telecommunications (Customer Communications for Outages) Industry Standard 2024*.

Key points from the submission are:

- The proposed definitions for Major Outage and Significant Local Outage present some challenges as drafted;
- Consideration needs to be given for exemptions to certain Carriers and Carriage Service Providers;
- There are technical and customer experience challenges in the feasibility of providing some of the communications and the real time nature; and
- The date for implementation of the Standard is problematic and the implementation of both Major and Significant Local Outage communications should be moved to be the latter date of 30 June 2025.

Issues for comment

1. Objectives and requirements of the direction

Question 1: Does the draft standard fulfil the objectives and content requirements of the direction? If not, please explain why and describe any alternative and/or additional approaches that could be used to meet these.

Industry believes the ACMA has provided for the objectives of the Ministerial Direction. Ultimately, this is a question for the DITRDCA to answer as industry will be focused on considering how any new obligations are to be complied with.

2. Definition of a major outage and a significant local outage

Question 2: Is the definition of a major outage appropriate? If not, why not?

Not entirely. The terms 'end user' and 'full or partial unavailability' present challenges, see below responses to questions 3 and 6 and the attached mark-up of the draft standard.

Question 3: Does the definition of 'significant local outage' meet the objective of the direction that it should capture outages that are lesser in scale than major outages, but have a significant impact on local communities?

Not entirely.

The definition lacks clarity on the term "local," leading to potential inconsistencies. For example, 50,000 services spread across the country could be interpreted differently by CSPs. A clear geographical definition, such as affecting services in a single or adjacent suburb(s)/town(s), is recommended to ensure consistent application and effective communication to local communities.

Full/Partial Unavailability: The Standard currently focuses on the full or partial unavailability of a telecommunications network. However, it does not account for the fact that services are made up of multiple components. For example, end users could experience significant service disruptions even if network connectivity remains unaffected. Many service outages result from software or component issues that do not impact the physical network's availability.

We propose replacing 'unplanned full or partial unavailability of a telecommunications network' with 'significant unplanned adverse impact to a voice or data service.' This should be accompanied by examples of what constitutes a significant adverse impact. A 'significant adverse impact' means that services are degraded to the extent that the end user cannot use the core aspect of the service. For instance, for a voice service, this would mean being unable to make and maintain a call, and for a data service, it would mean being unable to access the internet.

See attached mark-up of the draft standard.

Question 4: Is it appropriate to exempt planned outages and outages caused by natural disasters from the definitions?

Yes. If these scenarios were not exempt, this would place an overly large burden on CSPs, and the customer experience would be degraded. Planned outages are typically scheduled after hours with built-in communication processes, making additional notifications excessive. Natural disasters involve complex restoration efforts and are generally well-communicated, so further notifications are unnecessary.

3. Exemptions for certain carriers and carriage service providers

Question 5: Are there certain classes of carrier and carriage service provider that should be exempt from the requirements of the standard? Please explain your answer and give reasons for your position.

As far as it is possible to do so, the Industry Standard should reflect communication channels that are already established. The level of visibility of downstream impact of an outage on an end user will depend on which carrier or CSP has the direct contractual relationship and provides carriage services to them. We acknowledge clauses 10 (1), 12(1) and (3), and 18(1) refer to obligations for a CSP to notify "its end users" who are likely to be impacted by the outage and make assistance available respectively. This will assist in providing consistency and clarity with any final advice that is provided to an end user.

Where different carriers and CSPs differ in their contact with the end user, rules in the Standard would need to be applied in a manner that enables them to operate specific to their role in supplying a carriage service. For example, to meet clauses 11 and 14, a carrier will be able to inform of outage impacts to the carriage services it provides but may not have visibility of the services another downstream carrier or CSP might also offer the end user as an 'over the top' service, e.g. a voice service over a fixed broadband network, and whether those services are also impacted. Some CSPs may also make an interim back-up solution available to the end user that enables their service to keep operating, e.g. via an alternative network.

There are different wholesale network arrangements across the industry. Some carriers do not have arrangements with other CSPs but with other wholesale networks. Therefore, it would be useful to clarify expectations for those providers who don't themselves have direct contractual arrangements with end users but may be required to pass network outage information through.

To avoid overwhelming and potentially contradictory communications, we recommend removing the reference to section 12 from section 15. Instead, CSPs should direct their end-users to the information made public by the carrier under section 13, fulfilling the real-time information requirement without causing confusion, while meeting the requirement under section 1 (a)(iii) of the Direction to provide real-time information.

Some carrier members do not provide services to end users and hence suggest that they should be exempt from the requirement under section 13 to make information available to the public, as (i) end users would not know to look to these carriers for information anyway, and (ii) if section 11 works effectively (in passing down information) then that should suffice in so far as informing the public.

The obligation to notify end-users about the rectification of outages under section 16 remains appropriate as a suitable communication for end users as required under the Direction.

CA acknowledges clause 14 directs "as much of the following information about that outage as is available...at the time of notifying." However, again depending on the nature of the outage, there may be some impacts an underlying carrier will never have visibility of, including whether additional retail 'over-the-top' services are impacted. It may be useful therefore to clarify that clause 14(e) will only be relevant to the types of services the relevant carrier or CSP has contracted to provide with the end user.

4. Different classes of customers

Question 6: Should the standard deal with matters differently for different classes of end-users of carriage services supplied by carriers and carriage service providers?

No – (discretionary) providers may tailor communications but this will be based on the type of outage and the impacts discovered over time. It may also be based on the size and resourcing of a provider.

The standard should focus on consumers and small businesses. Currently, it extends to enterprise, government, and large businesses, which may not have contact details for all end users (e.g., IoT, M2M services). A definition of 'end user' should exclude these groups and include provisions to notify only the account holder or an authorised representative. Additionally, the definition of 'carriage service' should exclude certain services like IoT and M2M, aligning with the intent to focus on consumer and small business services.

5. Feasibility and cost

Question 7: Are the proposed requirements robust and feasible?

Technical Challenges

Real-time Communication Feasibility: Providing real-time or near real-time communication during outages, as required in Section 18, could be challenging. The feasibility depends on the nature and severity of the outage. Major disruptions might compromise the infrastructure needed for real-time support. The Standard should clarify that this requirement hinges on the nature and scale of the outage.

Outage Identification Accuracy: Rapid outage identification and notification depend on sophisticated network monitoring systems. Core network outages can disrupt visibility, making it difficult to identify the number and type of impacted services. Ensuring accurate contact details for mass communications during major disruptions is also challenging.

Communication Volume: Sending mass communications every two hours during a major outage may not be technically feasible. Platforms are not designed for high-volume batch communications in a short time, and network congestion from bulk communications could exacerbate issues.

Customer Experience Challenges

After-Hours Communication: Section 15 requires outage updates every two hours, 24/7, which could lead to inconsistent communication procedures and poor customer experience. Communication periods and blackout periods should be included in the

Standard to ensure informative rather than disruptive communications. Limiting push communications to between 07:00 and 21:00 while maintaining pull communications via apps and online channels is recommended.

Frequency of Customer Communications: Requiring updates every two hours, regardless of status changes, could lead to unnecessary and frustrating communications. The maximum period between communications should be changed to 24 hours, with updates sent sooner if there is a material change.

Question 8: For carriers and carriage service providers, what are the likely costs and benefits of implementation for your organisation? (Please provide specific cost estimates in your response.) Are there alternative ways to achieve the objective of the direction that would be consistent with its terms and provide for lesser costs or greater benefits?

Costs will vary between different CSPs. Costs are also commercially sensitive information, so it is not shared with CA.

Implementation within each Carrier and CSP will be tailored to suit the respective organisation's existing systems and processes and are also likely to be commercially sensitive information.

Please refer to individual submissions from CA members.

6. Commencement

Question 9: We are seeking views, and the reasons for them, on the earliest practical date for the standard for major outages to commence in full. This must be no later than 31 December 2024.

The implementation date is impractical. Generally, networks will have embargoes in place during December and seek to limit changes to ensure network reliability during a high peak holiday season. Many networks will also have enforced shutdown for their workforce and limit resourcing to critical business operations and security.

Considering the consultation timeframe, time for resolution and the registering of the Standard, the time for CSPs to define, establish, test, train, implement new systems and processes and train staff will be extremely tight. To avoid any network embargo period, any implementation would likely need to occur by mid-December rather than on the 31st of Dec 2024 which shortens the timeframe even more.

It should also be noted that the 31st of Dec 2024, being New Years Eve, is a day providers attempt to avoid the implementation of any type of new system or process.

Question 10: We are seeking views, and the reasons for them, on the earliest practical date for the standard for significant local outages to commence in full, noting that this must be no later than 30 June 2025.

It would be preferable, and far more practical for the obligations for communications related to both major outages and significant local outages to commence on 30 June 2025. This date is a more reasonable and achievable date, and will allow for a more robust, well-planned and properly tested implementation of the requirements, leading to better outcomes for both consumers and CSPs.

7. Additional/preferable requirements

Question 11: We are seeking feedback on whether there are:

- Additional matters aligned to the objectives which should be included in the standard?
- Matters included in the draft standard for which alternative arrangements should be considered?

Please provide evidence to support your position.

Information shared with other carriers and CSPs should be used solely for informing end users during an outage and not for competitive advantage or other purposes. It is recommended to include a clause that explicitly restricts the usage of outage communication information/data solely in accordance with the Standard.

Division 2, Section 17, mandates that CSPs must share information with other carriers and CSPs whose end users may be affected by an outage. Notifications should be limited to situations where interconnection arrangements are in place, but only where those interconnection arrangements do not have existing interconnect communication channels, protocols, and arrangements.

Alternatively, further engagement and coordination with carriers and CSPs is needed to determine how section 17 can feasibly be implemented, particularly in circumstances where information may not be available to determine which CSPs operate in a given area.



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