

13 March 2025

By Electronic Submission

Australian Communications and Media Authority  
PO Box 13112  
Law Courts  
Melbourne VIC 8010

**RE:     Draft *Telecommunications (Consumer Complaints Handling) Industry Standard Amendment 2025 (No.1)*  
          Comments of Starlink Internet Services Pte Ltd**

Starlink welcomes the opportunity to comment on the proposed amendments to the *Telecommunications (Consumer Complaints Handling) Industry Standard 2018 (CH Standard)*, including the latest released draft of the *Telecommunications (Consumer Complaints Handling) Industry Standard Amendment 2025 (No.1) (Draft Standard)* as published by the Australian Communications and Media Authority (**ACMA**).

Below is a general overview of Starlink and its product in Australia, together with Starlink's submissions in relation to the Draft Standard.

## **Background on Starlink**

Starlink has been providing non-geostationary, low-earth orbit satellite (**LEO-Sat**) internet services to residential, commercial and government customers in Australia since 2020. Today, Starlink's network has close to 100% coverage in Australia, and there are over 5 million customers on all seven continents using Starlink as a broadband connectivity solution for homes and offices, recreational vehicles, offshore and maritime vessels and private and commercial aircraft.

As a global provider of internet services to regions that until now have been unserved or underserved with high-speed broadband, Starlink is proud of our track record of serving consumers in these areas. Our simple plans (available here: <https://www.starlink.com/service-plans>) do not currently require a long-term contract, and service may be cancelled at any time by the customer. The network is routinely upgraded without any need for customers to change or upgrade their customer premises equipment, known as the Starlink Kit. Starlink also makes customer inquiries and complaints simple by giving customers access to a ticketing system through their Starlink account via our customer portal and the Starlink app.

Starlink's global footprint gives us a unique perspective on legal and regulatory requirements across the countries where we operate, including complaints handling requirements such as set out in the CH Standard.

## **Starlink's Broad Concerns**

The Draft Standard would require providers to stand-up a separate complaints handling mechanism specific to network outages (including a separate reporting mechanism, information display obligations, staff training and minimum requirements for customer interaction).<sup>1</sup> As a global operator, Starlink has developed systems and safeguards for complaints handling and outage response that are commensurate with market expectations, compliant with the regulatory requirements of the over 135 global markets in which Starlink is currently licensed, and which have consistently allowed Starlink to offer high levels of service within a highly competitive telecommunications market.

The new requirements in the Draft Standard will require that Starlink change how it responds to and manages network outage complaints, increasing Starlink's costs of providing services to the Australian market. While the need to keep consumers connected and generally protect consumers of essential telecommunication services are important objectives which regulators across the globe recognise, the detailed and extensive requirements in the Draft Standard regulating how a provider manages network outage complaints are more likely to increase costs of compliance (and therefore costs of services) in Australia, rather than improving customer experiences. Subject to broadly accepted concepts of fair trading and prohibitions on misrepresentation and misleading / deceptive conduct, the management of customer complaints is the responsibility of service providers incentivised to respond to customer complaints and resolve outages quickly in order to remain competitive.

The amendments proposed by the Draft Standard are unnecessarily prescriptive in the manner in which they regulate how a telecommunications provider conducts its business, and some of the concepts are not relevant in a globalised market for the supply of broadband services by LEO-Sats. Starlink submits that the Draft Standard needs to more closely consider the global context in which services are now being delivered to end users in Australia, including through the use of LEO-Sats. The ACMA should not immediately rely on legacy concepts which may have little or no continued relevance in the global context (such as 'significant local outages' – see further below). A modern up-to-date approach to regulation and consideration of how the global competitive market is changing will, in Starlink's view, more appropriately deliver outcomes to end users.

## **Submissions on the Draft Standard**

### ***1. LEO-Sat providers should be exempt from these requirements, which do not make sense in the global context in which LEO-Sat services are provided***

The Draft Standard requires providers to establish systems, personnel training, customer-facing documentation and processes — in addition to existing complaints handling mechanisms — to be ready to manage complaints relating to outage reports which are 'major outages' or 'significant local outages' (excluding any caused by 'natural disasters').<sup>2</sup> While the concepts of 'major outages' or 'significant local outages' may have relevance to traditional methods of telecommunications service

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<sup>1</sup> Draft *Telecommunications (Consumer Complaints Handling) Industry Standard Amendment 2025 (No.1)*, Part 2A generally.

<sup>2</sup> Draft *Telecommunications (Consumer Complaints Handling) Industry Standard Amendment 2025 (No.1)*, section 17B.

delivery in Australia (such as services offered via fixed fibre networks or fixed wireless), they are impractical and make little sense when applied to emerging LEO-Sat technologies.

When considering the use of LEO-Sat infrastructure to provide connectivity services (and noting outages caused by 'natural disasters' are exempted), there exist very few technical scenarios in which a LEO-Sat service could practically experience a network outage that is sufficiently widespread to engage the operation of the new network outage complaints requirements. Noting the wide coverage of low-earth orbit satellites and network gateways required to be maintained for a LEO-Sat provider to offer continuous and competitive coverage in Australia, there are very few practical scenarios where such a provider could not detect and adjust its network to remedy any outage before the issue reached the threshold of a 'network outage' under the Draft Standard. In this way, the Draft Standard and its expression of 'network outages' does not make sense in the context of LEO-Sat services. Yet, as currently drafted, the amendments would still require LEO-Sat providers to incur the costs of standing up a separate complaints handling mechanism, training staff on the new system and publishing information.

LEO-Sat infrastructure is an emerging technology in Australia and is a highly competitive market. Imposing these compliance requirements would increase the cost of operating this new technology in an already heavily regulated Australian market. Accordingly, Starlink submits the Draft Standard should be amended to exclude from the new network outage complaints handling mechanism under the proposed Part 2A, services provided utilising LEO-Sat infrastructure.

## **2. Detailed complaints handling and network outage communication requirements already exist**

Telecommunications providers operating in the Australian market are already required to comply with complaints handling requirements, as set out in the existing CH Standard. These requirements are detailed and prescriptive, requiring operators to develop policies, provide training and multiple avenues by which customers can submit complaints and have those complaints considered within specific timeframes.<sup>3</sup> The *Telecommunications (Customer Communications for Outages) Industry Standard 2024 (CCO Standard)* separately regulates how operators communicate with customers in the event of major network outages, including detailed requirements for keeping customers informed and responding to their outage-related inquiries.<sup>4</sup>

Many of the amendments proposed in the Draft Standard are unnecessary in the context of the existing regulatory framework established by the CH Standard and the CCO Standard. While major network outage reports are, no doubt, significant and require specific and timely handling, it is not clear how imposing the new Draft Standard will achieve any outcomes for customers that the existing regulatory framework does not. Instead, the additional requirements proposed in the Draft Standard are likely to result in complexity in complaints handling and response, and increased compliance costs for operators supplying services to the Australian market.

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<sup>3</sup> See for instance, Part 2 (containing detailed minimum requirements) and Part 3 (setting minimum response time requirements) set out in the *Telecommunications (Consumer Complaints Handling) Industry Standard 2018*.

<sup>4</sup> See for instance, section 9 (notifications to the public), section 12 (notification to end-users) and section 14 (requirement to provide regular updates) of the *Telecommunications (Customer Communications for Outages) Industry Standard 2024*.

Accordingly, Starlink submits that the CH Standard should be more simply amended to ensure that the *existing* complaints handling requirements are not inconsistent with the CCO Standard and include service outage reports as a category of complaint caught under the CH Standard, rather than inserting a separate complaints handling and response mechanism specific to outages.

**3. A ‘network outage’ should not include damage or misuse of customer-owned equipment**

Under the proposed Draft Standard, each of the definitions for ‘major outage’ and ‘significant local outage’ (which are the components of a ‘network outage’) refer to ‘*any unplanned adverse impact to a telecommunications network ... used to supply carriage services to end-users ...*’.<sup>5</sup> These definitions, together with the definition of ‘telecommunications network’ in the *Telecommunications Act 1997*,<sup>6</sup> are broad enough to potentially include customer equipment, with the effect that if there is any ‘adverse impact’ to customer equipment it will be counted towards the threshold for determining whether there is a ‘network outage’ under the Draft Standard.

Including ‘adverse impacts’ to customer equipment within the scope of circumstances potentially amounting to a ‘network outage’ is not appropriate, given that providers do not typically have control over customer equipment. Including customer equipment issues in this way would also be generally inconsistent with the stated objectives of the CH Standard review and the direction of the Minister for Communications,<sup>7</sup> which each refer more generally to broader ‘network’ outages (in the context of the November 2023 Optus outage, subsequent inquiry and government response)<sup>8</sup> rather than outages experienced at the individual equipment level.

Accordingly, the Draft Standard should be amended to ensure that damage to, or misuse of, customer equipment (except where caused or contributed to by a carriage provider) are not included in the circumstances that can be counted towards determining whether there is a ‘network outage’.<sup>9</sup>

Yours sincerely

/s/ Ted Price

Ted Price

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<sup>5</sup> See section 5 and associated definitions in the Draft *Telecommunications (Consumer Complaints Handling) Industry Standard Amendment 2025 (No.1)*. The definition of ‘major outage’ refers to the likewise definition at section 4 of the *Telecommunications (Customer Communications for Outages) Industry Standard 2024*.

<sup>6</sup> *Telecommunications Act 1997* (Cth), section 7.

<sup>7</sup> See Australian Communications and Media Authority, *Proposed Amendments to the Telecommunications (Consumer Complaints Handling) Industry Standard – Consultation Paper*, February 2025; *Telecommunications (Complaints Handling Industry Standard Amendment) Direction 2024*.

<sup>8</sup> Australian Government, *Australian Government Response to the Bean Review Final Report – Review into the Optus outage of 8 November 2023*, April 2024.

<sup>9</sup> Such an amendment could be expressed as a new subsection 17B(5) exemption, similar to the proposed drafting of the natural disaster exemption; see Draft *Telecommunications (Consumer Complaints Handling) Industry Standard Amendment 2025 (No.1)*, section 17B(4).