

IMPROVING CUSTOMER COMMUNICATION FOR OUTAGES

Proposed amendments to the Telecommunications (Customer Communications for Outages) Industry Standard 2024.

DEFINITION OF A SIGNIFICANT LOCAL OUTAGE.

Below are copies of the definitions for significant local outage, regional or remote Australia, ABS remoteness structure and major outage.

significant local outage means any unplanned adverse impact to a telecommunications network in a distinct location in regional or remote Australia used to supply carriage services to end-users, that:

- (a) results in an end-user being unable to establish and maintain a carriage service;
- (b) affects, or is likely to affect 1,000 or more services in operation;
- (c) is expected to be, or is, of a duration longer than 6 hours; and
- (d) is not a major outage.

regional or remote Australia means the area classified as Inner Regional Australia, Outer Regional Australia, Remote Australia or Very Remote Australia under the ABS Remoteness Structure

ABS Remoteness Structure means the Remoteness Structure described as such in the Australian Statistical Geography Standard (ASGS), Edition 3, July 2021-June 2026, published by the Australian Bureau of Statistics.

Note: The Australian Statistical Geography Standard (ASGS) divides Australia into five classes of remoteness. The ASGS is available, free of charge, on the website of the Australian Bureau of Statistics, and could, at the time of the making of this instrument, be accessed at the following website:

<https://www.abs.gov.au/statistics/standards/australian-statistical-geography-standard-asgs-edition-3/jul2021-jun2026/remoteness-structure/remoteness-areas>

major outage means any unplanned adverse impact to a telecommunications network used to supply carriage services to end-users that:

- (a) results in an end-user being unable to establish and maintain a carriage service; and
- (b) affects, or is likely to affect:
 - (i) 100,000 or more services in operation; or
 - (ii) all carriage services supplied using the telecommunications network in a State or Territory; and
- (c) is expected to be, or is, of a duration longer than 60 minutes.

Noting that the definition of major outage changed significantly from the original consultation, primarily from 500,000 to 100,000, which I had raised in my original submission.

I have several issues with the proposed definition of significant local outage.

NO PROVISION FOR NOTIFICATION IN CAPITAL CITIES WHEN THE OUTAGE AFFECTS UNDER 100,000 CUSTOMERS

Under the proposal, for areas that are not classed as regional or remote under the definitions, that is Melbourne, Perth, Brisbane, Sydney and Adelaide, if an outage affects between 1,001 and 99,999 customers, there are no notification requirements to customers and other carriage providers or resellers.

This is regardless of how long the outage is expected to last.

This is because, the existing and unamended wording in the standard, stipulates that for those locations, an outage must affect 500,000 customers or all customers in that State or Territory and must be of a duration of 60 minutes or more.

The proposed wording means that a significant local outage can not exist, under the proposed wording, in areas that are not inner regional, outer regional, remote or very remote.

At least with the proposed wording, customers in inner regional, outer regional, remote and very remote will be notified of an outage if it lasts more than six hours, but there is no requirement to notify capital city customers if it affects less than 500,000 customers.

HOW IS THE NUMBER OF SERVICES IN OPERATION DETERMINED FOR MOBILE PHONE AND BROADBAND SERVICES FOR SIGNIFICANT LOCAL OUTAGES.

The definition of service in operation, as shown below, is only changing to include “significant local outages”

services in operation means carriage services that are:

- (a) connected to a telecommunications network, or would, but for a major outage or a significant local outage, be connected to a telecommunications network; and
- (b) provided to an end-user under an arrangement between a carriage service provider and the end-user

For copper landline phones which are not part of NBN and all NBN services (fibre, fixed wireless and skymuster) it is easy to calculate the 100,000 for major outage and all services within a state or territory, and the 1,000 for significant local outages.

These all have set service addresses, so the number of services areas easily determined.

However mobile phones are just that, mobile.

The location at which the service is billed to for post paid will bear little correlation to where the actual “service in operation”.

Post paid mobile services may have accurate billing address information if they are bundled with other services, and the address would be updated as people move residences.

Pre-paid services address accuracy is likely to be lower, since the residential or billing address would not have to be changed for every move.

How does a carrier determine how many mobile services are “services in operation” within the area impacted by a major outage or significant local outage after the initial outage?

Carriers may be able to determine the number of services that a specific tower is communicating with, to determine that say there are 200, 500 or 2,000 services feeding off a particular tower, however that figure will constantly change.

As people go to work, knock off from work, and commute to and from work, the “services in operation” for each tower and each area will change.

On a weekend, consumers travelling to the regional and country areas will alter the numbers on “services in operation” as they travel along roads and arrive at their destinations.

The wording of the text, as proposed is “connected to a telecommunications network, or would, but for a major outage or a significant local outage, be connected to a telecommunications network”, means that there must be a method to determine whether the significant local outage criteria of 1,000 services.

Under the definition “likely to affect 1,000 or more services in operation” how would a carrier determine that at any given time on the network there are less than 1,000 affected customers?

For the 1,000 to be applied carriers would need to know how many services would normally be in operation at any given time, any given day, including for special events and holiday periods.

WHY AREN'T ALL AUSTRALIANS TREATED EQUALLY WHEN IT COMES TO THE IMPORTANCE OF TELECOMMUNICATIONS?

Under the proposal, if you live in one of seven capital cities, action must occur if the outage is expected to last for one hour.

Once there is an expectation of an outage in, predominately capital cities, may last an hour, the notification provisions are triggered.

However, if you do not live in one of these capital cities and live in regional or remote Australia, it is considered acceptable by ACMA that you can go without your telecommunications for six hours before the carrier has to take any action to notify other carriers or the public.

The Telecommunications (Customer Communications for Outages) Industry Standard 2024, is not a repair and rectification standard.

The standard does not need to consider how long it may take a carrier to get the problem fixed, or how long it may take to get to the location of the fault if there is a physical equipment failure. It does not need to consider that the carrier may not have the equipment or manpower to fix the fault.

The standard is not stipulating that services must be restored in the one hour or six-hour timeframe, its purpose is to ensure that end users, the Australian public, are kept fully informed of the status of their telecommunications facilities.

There should be no discrimination occurring in telecommunications and no Federal Government organisation shall be actively discriminating against any sector or person within this country.

The standard should be consistent in recognising the importance of telecommunications in 2025 and into the future, and acknowledge that, the standard is only setting out the triggers and methods of notifying other carriers and end users of the issue.

ORIGINAL PROPOSED WORDING SHOULD BE REINSTATED FOR PLANNED OR EXPECTED OUTAGES.

When the draft standard was first advertised in 2024, it included the following wording

10 Requirement to notify and communicate with end-users and the public Part 2—Requirements that apply to carriers and carriage service providers during major outages and significant local outages

7 Major outages

A carrier or carriage service provider who:

- (a) reasonably suspects that there is, or will be, a major outage affecting the telecommunications network that the carrier or carriage service provider uses to supply carriage services to end users; or
- (b) becomes aware (through being notified in accordance with this instrument) that a major outage is, or may be, affecting its end-users,

must comply with the requirements set out in Part 3 that apply to the carrier or carriage service provider, in relation to the outage.

8 Significant local outages

A carrier or carriage service provider who:

- (a) reasonably suspects that there is, or will be, a significant local outage affecting the telecommunications network that the carrier or carriage service provider uses to supply carriage services to end users; or
- (b) becomes aware (through being notified in accordance with this instrument) that a significant local outage is, or may be, affecting its end-users,

must comply with the requirements set out in Part 3 that apply to the carrier or carriage service provider, in relation to the outage.

Part 3—Notification, communication – carriage service providers

- (1) As soon as possible after a carriage service provider reasonably suspects that there is, or will be, an outage, the carriage service provider must:
 - (a) in accordance with subsection (2), attempt to notify each of its end-users affected or likely to be affected by the outage, of the outage.
 - (b) in accordance with subsection (3), communicate with end-users and the public about the outage; and
 - (c) include in a notification or communication under paragraph (a) or (b), the information set out in section 14.
- (2) The carriage service provider must attempt to notify (in an easily accessible form) end-users using at least one of the following methods of communication:
 - (a) an application that the carriage service provider makes available to end-users to subscribe to, which relates to the carriage service it provides to the end-user.
 - (b) email; or
 - (c) SMS.

Note: SMS is short for short message service.

- (3) The carriage service provider must also make information (in an easily accessible form) about the outage available to end-users and the public using two or more of the following communications channels:
- (a) the website of the carriage service provider, or if that website is inaccessible due to the outage, an alternative website that is accessible to the public.
 - (b) call centres;
 - (c) social media; or
 - (d) one or more types of other media.

11 Requirement to notify other carriers and carriage service providers – carriers and carriage service providers

As soon as possible after a carrier or carriage service provider reasonably suspects that there is, or will be, an outage, the carrier or carriage service provider (the **affected carrier or carriage service provider**) must:

- (a) notify each other carrier or carriage service provider:
 - (i) with whom the affected carrier or carriage service provider has a commercial arrangement for the supply of telecommunications services; and
 - (ii) whose end-users may be affected by the outage; and
- (b) include in the notification the information set out in section 14.

The key component of the original draft proposal was that it stipulated

- a) that when a carrier or carriage service provider “reasonably suspects that there is, or will be a major outage,
- b) becomes aware ... that a major outage is, or may be affecting end users...,
- c) reasonably suspects that there is, or will be a significant local outage affecting,
- d) ...becomes aware...that a significant local outage is, or may be, affecting its end-users”.

The original proposal said that if a carrier knew that the service was about to fail, the most likely scenario being due to power supply issues and the network or parts are operating on batteries or backup generators, that the standard would require them to notify other carriers and end users of the likely and imminent failure- before it happened.

Instead of having a standard entitled **Telecommunications (Customer Communications for Outages) Industry Standard 2024**, which can direct that carriers and service providers fully inform consumers of planned, imminent unplanned and unplanned failures, all that was created was a standard that says that the public are not

entitled to know their essential communications are going to fail (imminent unplanned) or be switched off intentionally (planned), only that they have been failed six hours after they failed.

LOCATIONS WITH LESS THAN 1,000 COPPER LANDLINE SERVICES THAT WILL NEVER QUALIFY FOR NOTIFICATION.

We live on a farm, and we are now on our 754th consecutive day of faults on two services.

Telstra currently refuse to repair the service, despite being priority assistance.

Telstra have stated that they will never repair the service, and as such the fault will remain open, and we will never receive any payment under the Customer Service Guarantee as the assessment will only be done when the fault is cleared, which they are refusing to attend to.

Under this proposal, unless there are 1,000 or more services where the end user is not able to establish or maintain a carriage service, i.e. can't get a dial tone so they can't make or receive calls, then there is no requirement for the carrier to notify of the outage.

Even if our exchange failed and Telstra determined that it would take two weeks to repair whilst getting parts, they would not be required to notify customers, because there is likely to be less than 100 end users.

If multiple exchanges failed because a cable feeding that group of exchanges is cut, there will still be no requirement to notify, as multiple exchanges will not amount to 1,000 end users.

Possibly if our local town exchange, which feeds into the smaller exchanges in the district, failed, the 1,000-end user level may not be reached.

The proposed standard will do nothing to help those customers who rely on the copper network, because they have no alternative voice telecommunications, because there is no mobile coverage.

LOCATIONS WITH LESS THAN 1,000 MOBILE SERVICES THAT WILL NEVER QUALIFY FOR NOTIFICATION.

In many parts of Australia, where mobile does exist, the 1,000-end user requirement will never be met.

In areas where mobile phone coverage exists in some of the area, provided by the mobile black spot or other programs, there will be hundreds of towers that do not serve 1,000 end users.

In areas where there is no copper network, and in those locations where Telstra is refusing to comply with the USO and the Copper continuity obligation and forcing people off copper and onto mobile or satellite (as they have tried to do with us since August 2023), if the mobile tower goes out, these end users are likely to have no telecommunications.

If like us, they have copper landline and NBN skymuster, then we can check if there is a significant local outage or may receive an email if there is one.

However, if a customer has mobile coverage, or has been forced onto mobile by Telstra not complying with the CCO, they are more likely to have the mobile as their voice and broadband, due to the data speed difference.

If they lose their mobile service, they will be unable to receive any notifications under the standard and will not be able to call or check the carrier's website, in the unlikely event that the 1,000-end user level has been reached, and a "significant local outage" has been declared.

NBN SKYMUSTER CUSTOMERS WHO WILL NOT QUALIFY FOR NOTIFICATION.

There are likely to be areas where, if a beam for NBN skymuster has failed, that there will be no skymuster service available.

Are there any skymuster areas that would have less than 1,000 end users on a beam?

If there is, those customers will not receive notification of the outage, because it will not qualify as a significant local outage.

If the outage does affect 1,000 or more customers, how will these customers be notified?

They will have no access to the internet.

If like us, they only have copper landline and NBN skymuster, how will we be sent an SMS?

NBN can not notify us of the outage, as we are not their customer, and they do not have our details.

The standard stipulates that the carrier is to notify us by

- a) An app that we must subscribe to, but which we can not access due to no mobile or internet

- b) Email, which we can not bet due to no internet and no access to mobile broadband,
- c) An SMS, which we cannot get.

IF STANDARD INCLUDED PLANNED OUTAGES AND WHEN A CARRIER SUSPECTS AN OUTAGE IS LIKELY, NOTIFICATION COULD BE GIVEN TO ALL CUSTOMERS.

As the **Telecommunications (Customer Communications for Outages) Industry Standard 2024**, as already adopted and as proposed to be amended, does not require that for planned outages, imminent unplanned outages or expected outages, the standard which is designed to fully inform and provide a process and requirement to notify end users about outages, consumers will unnecessarily be unable to obtain information that could be lifesaving.

In a scenario, such as a road accident which causes damage to power infrastructure (power pole needs replacing) , which does not qualify as a natural disaster, the power supply is lost to an area, and the carrier is made aware that by the energy provider that power is unlikely to be restored until the next day (not uncommon in rural areas, where pole replacement may not occur until daylight), and telecommunications facilities will fail due to 3 hour, 12 hour battery life or limited fuel supply for a generator.

Under this proposed standard, if there are 1,000 or more end users, who will lose telecommunications, in four hours for a period of at least 12 hours, there is no requirement for the carrier to notify in advance of the imminent failure.

This standard proposes that only once the outage has occurred, is the carrier required to notify other carriers and end users.

Yet, the standard, as originally proposed, could allow the carrier to notify its end users that unplanned outage is going to occur, from an approximate time (expected life of batteries or fuel supply for generators) and is expected to last until at least “x “time when the energy provider is due to restore power.

END USERS WHO ARE NOT PART OF THE ELECTRICITY GRID WILL HAVE NO WARNING OF A FAILURE

Increasingly more and more Australians are off grid, generating their own power predominately by solar.

Those customers will not be aware of the power failure of the grid, and that their telecommunications facilities are going to fail as they have limited battery or generator life.

Yet the carrier knows that the telecommunications facility will fail, and do not have to notify customers until up to six hours after it has failed.

WHAT HAPPENS WHEN A MAJOR OUTAGE OCCURS WHICH ISNT A MAJOR OUTAGE OR SIGNIFICANT LOCAL OUTAGE

SCENARIO 1

This situation can occur under the existing standard and proposed standard.

In the scenario where a local community has set up an internet and mobile phone service, utilising a data feed/backhaul from a major carrier.

“Fedup Fones” has 625 customers in and around the one town, supplied by “Major mobile” as the carrier, but they use their own tower, but rely on software based in a nearby capital city.

An issue arises where there is no signal from/to the major, to the Fedup Fones and no calls can be made even within the local area and there is consequently no broadband.

The issue is found to be with Major Mobile’s software preventing contact with Fedup Fones and Major Mobile know it is going to take a few hours to fix.

Major mobile is only supplying these 625 services, it is not a significant local outage as there is less than 1,000 end users, so they do not have to notify Fedup Fones of the outage under the standard.

However, Fedup Fones has lost all its services and because they only service their local town and area.

If it lasts for more than an hour or Major Mobile when contacted say it will take a few hours (remember Major Mobile don’t have to contact Fedup Fones under the standard) it is a major outage as it affects all carriage services supplied using the telecommunications network in a State or Territory.

Fedup Fones must comply with the standard and notify in accordance with the requirements for a major outage, but they do not have to be notified by Major Mobile.

Under the standard, even though Major Mobile know they have created a major outage, are not required to notify the other carrier.

Major Mobile isn't required to provide updates when there are material changes to the duration because they have no notification requirements.

But don't worry, it only affects the 625 customers and their families and as they are in regional and remote Australia, a six-hour wait is acceptable to ACMA and the Federal Government.

SCENARIO 2

"Bushed Broadband", operates in another country town and has 1,850 end users in and around their town and get their service from "Nearlyasbig phones".

Same situation, Bushed Broadband loses all contact with "Nearlyasbig phones".

Nearlyasbig phones is supplying over 1,000 services, but it is not a significant local outage as they think they will fix it within five hours. They do not have to notify Bushed Broadband or issue significant local outage notifications.

Bushed Broadband, however, with 1,850 end users affected, do not have a significant local outage, they have a major outage as they are all located in the same state.

They are required to notify their customers, who have no phones or internet, when the outage passes 1 hour or when they believe it will be more than one hour, despite not being notified by Nearlyasbig phones of the duration.

SCENARIO 3

"Murray mobile" is based in Echuca and serves 1,500 end users in and around Echuca and Moama, with a second service based in Deniliquin using Major Mobile for the Echuca/Moama services and Nearlyasbig phones for their Deniliquin services.

Major Mobile has this recurring problem, this time Murray Mobile has no services in the Echuca/Moama area but is still able to supply the Deniliquin area through Nearlyasbig phones.

No significant local outage notice is required because Major mobile, after a few bad days, thinks they will get this fixed within four hours. They do not have to tell Murray Mobile.

Murray Mobile has two different levels of outages.

In New South Wales they may have a significant local outage in the distinct area of Moama and north of the Murray River, but do not have to notify until it is six hours, or it is expected to last six hours. It is not a major outage, because they are still supplying services in New South Wales at Deniliquin.

In Victoria they have a major outage, because all their services in the State of Victoria are not working and they have, through their Deniliquin office, contacted Major Mobile who say it will be somewhere between three and four hours.

SCENARIO 4

Kimberley Comms is an NBN skymuster reseller. That is all they sell, no mobile, no fixed wireless, no fibre.

They only have customers in Western Australia, which is known because the physical address of their customers is known for their satellite dish installation.

NBN beams 80, 81, 82 and 83 have failed and NBN for the purposes of this example supplies 3,500 end users via various resellers. Beam 59 is working.

It is expected that it will take 48 hours to fix the problem.

Does NBNco have to notify of the outage?

It is not a major outage, as it affects WA, NT and Queensland and is less than 100,000 end users.

Is it a local outage?

By affecting more than 1,000 customers for more than six hours in regional or remote Australia it would qualify.

However, NBNco do not issue a significant local outage notice, as there are no more than 350 end users with addresses in any distinct location.

The standard does not define what a “distinct location” is, but it is a critical element for determining significant local outages.

NBNco do not have to notify any resellers or publicise the failure.

Kimberley Comms however, must issue a Major outage notice, as it only has customers with addresses within one state, and as it only sells NBN skymuster, all customers are affected.

All the other NBNco resellers affected do not have to do any notification, provided they have at least one skymuster customer in WA, NT or QLD that is not serviced by beams 80, 81, 82 or 83. This is because it would then not be a major outage or a significant local outage.

If NBNco have used the “distinct location” clause, they do not have to provide updates to any of its resellers, as they do not have to issue a significant local outage or major outage notice.

WHAT IS A DISTINCT LOCATION?

significant local outage means any unplanned adverse impact to a telecommunications network in a distinct location in regional or remote Australia used to supply carriage services to end-users, that:

Is it a specific town or suburb (Major cities such as Geelong, Bendigo, Shepparton are regional or remote and have suburbs)?

Is it a local government area? There are 537 local government areas in Australia of which approximately 55% are regional, rural or remote councils (source Local Government Information unit www.lgiu.org)

The largest local government area is Shire of East Pilbara, at 379,571 square kilometres. This is 161 times larger than the ACT, almost six times the size of Tasmania, 1.67 times the size of Victoria and just under half the size of NSW.

Is it a valley (Goulburn Valley, Yarra Valley)?

Is it a group of regional councils?

The ACT has no local government.

In the Kimberley is Broome a distinct location compared to Derby, Fitzroy Crossing, Halls Creek and Kununurra/Wyndham, which are all over 200km apart?

PERSONAL ALARMS LEFT INOPERATIVE DUE TO THE STANDARD

Personal alarms (medical alert/call buttons) rely heavily on the mobile network and most modern systems have dual sim mobile to improve reliability in the event of a failure of one network.

However, where there is no mobile coverage, they still rely on the landline connection either via the Copper landline network (voice) or NBN.

If only one mobile carriage provider is available in a location, the dual sim on the device is of no use.

The standard does not require carriers to notify planned outages, unplanned imminent outages (loss of power supply) where the end user can be notified in advance of the outage.

The standard also does not require that carriers must notify all other carriers unless it is a major outage (100,000, or all in one state/territory, and greater than 60 minutes) or

local outage in a distinct location affecting 1,000 or more customers for greater than six hours.

As highlighted earlier, a carrier can be aware of an outage, that is a major outage for another carrier but does not have to advise that carrier of the outage, the expected duration or provide updates.

Failures within the standard are putting people's lives at risk, when they rely on medical alerts or personal alarms.

EMERGENCY SERVICES RELY ON TELECOMMUNICATIONS

Aside from issues of being able to contact 000 when telecommunications services fail, the issue in many regional, rural and remote areas is the reliance of the ability to contact volunteer firefighters. Ambulance officers and State emergency service personnel in an emergency.

In this standard, there are occasions when one carrier will be aware of a failure but is not required to notify resellers, other carriers or end users, to the detriment of the public.

Delays in contacting volunteer firefighters in the event of a bush fire, house fire, road accident, puts lives at risk.

Delays in contacting volunteer ambulance officers, puts lives at risk.

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