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Brisbane, QLD Australia

24 March 2025

**Subject: ACMA Compliance Priorities 2025-2026 Submission**

To the Australian Communications and Media Authority (ACMA),

Thank you for establishing an open consultation for the compliance priorities for 2025-26.

There are a number of areas where I have significant concerns, particularly around access to Triple Zero and carrier compliance with the Emergency Call Service Determination.

A number of the concerns I will raise in this submission are an extension of the concerns raised in my Consultation Submission for the 'ECS Determination Amendment' from October last year and at the Senate Inquiry into the Shutdown of the 3G Mobile Network, where I was a Witness.

*Additionally at the end of this submission are my responses to the 'Questions for Consideration' from the Consultation Paper.*

**Safeguarding Triple Zero emergency call services**

There currently is a systemic issue of non-compliance with the Emergency Call Service Determination by the carriers (MNOs).

I can presently connect with devices that are on official support lists that cannot make Emergency Calls over 4G due to software and settings issues on the device.

The providers are not reliably identifying which devices can and cannot call 000 on 4G, and never have.

This is due to a fundamental failure to use accurate methods to determine the real world capabilities of devices in use by consumers. (i.e using a hardware model identifier 'an IMEI TAC Code' to determine 'compatibility')

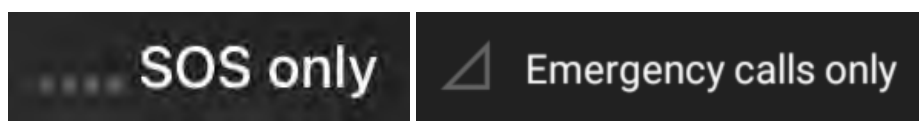
I also have (non-blocked) devices that will take in excess of 1-2 minutes to actually connect with an Emergency Call depending on the service state, even if the device says 'SOS Only'.

And this includes iPhones with 2020 and newer device software in their stock configuration.

It is currently possible to connect with devices that are 'hardware compatible' but software incompatible and be unable to call 000. Neither the carrier nor the user would be aware of this.

Additionally despite provider assurances, a device that says "SOS Only" or "Emergency Calls Only" can fail to actually place an Emergency Call or can take minutes to connect. This issue is also mentioned in my 3G Senate Inquiry Submission (#32) regarding US provider OptimERA's testing from 2020.

The theory says if a device says "SOS Only" or "Emergency Calls Only" then it *should work*, but that is just not true in reality. Particularly for existing devices.



I've seen devices say "SOS Only" that aren't even connected to a tower.

I'm happy to show and demonstrate this issue with devices to the ACMA.

I would also like to discuss this further and engage on this issue and in an open & constructive way.

### 3G First for 000 vs 3G Only for 000

Telstra is also blocking a large number of recently released new 5G devices that work perfectly for Emergency Calling on every network, including Telstra. (As is Optus)

*Such as phones made by Asus, Fairphone, OnePlus, Sony, Xiaomi and Nubia/ZTE, amongst many others.*

I suspect this is because many of those devices use a Generic/Global 'Open Market Device' VoLTE Modem Configuration, and as the Telstra network did not work with many 'Open Market Devices' for standard calls those phones were using 3G Circuit Switch Fallback for all Calling.

*Or in some cases VoLTE was just off by default, as was the case with many Xiaomi models.*

If someone was in an Emergency, a device will typically pick the same 3G connection to place that 000 call. Whereas without 3G the device would perfectly place the call over 4G. Whether VoLTE is on or off.

So Telstra assumed those devices must be 3G only for all calls, when clearly that wasn't the case.

At the Senate Inquiry hearing on 24 July the TPG Telecom (Vodafone) representative Mr Ross Mitchell did state the following in response to the question *"In the last 12 months, how many calls to triple 0 were placed over the 3G network, and how many daily?"*

**Mr Mitchell:**

*"Again, we'll take that on notice. But I think it's important to put out the context for why a call can end up on a 3G bearer into triple 0. There are a range of networks that are available to a handset at the moment, and essentially in an emergency situation it will pick up the strongest of signals and try to make a successful call on that bearer. So, whilst we'll give you some numbers on how many calls have gone into triple 0 on 3G, it will overstate the size of the problem quite significantly, because, if for whatever reason the customer is in a strong 3G area, the phone, without a 3G network, would have quite happily made a 4G emergency call. So I'm trying to give you some context for why the answer you're going to get back may look a particular way, not giving you a true sense of the problem."*

**Senator ROBERTS:**

*"So it chose 3G because the 3G signal was stronger?"*

**Mr Mitchell:**

*"That's right. There are also things like orders of networks in phones, so it may well be that it's ordered to try and pick up a 3G signal and make that call on that emergency system first. So there are a whole range of reasons for why calls may well come into an emergency system via the 3G network, beyond the issue that you're highlighting."*

*Rural and Regional Affairs and Transport References Committee - 24/07/2024 - Shutdown of the 3G mobile network  
[https://www.aph.gov.au/Parliamentary\\_Business/Hansard/Hansard\\_Display?bid=committees/commsen/28168/&sid=0000](https://www.aph.gov.au/Parliamentary_Business/Hansard/Hansard_Display?bid=committees/commsen/28168/&sid=0000)*

That response by Mr Mitchell is correct and it can overstate the issue, though equally that approach masks issues with devices that technically should work (based on the make and model) but due to software or settings issues on the device cannot place an Emergency Call.

To me it seems that Telstra, and Optus especially, did not thoroughly consider this aspect, both telcos are overblocking a large number of perfectly compatible makes and models that work natively out of the box for 4G Emergency Calls, but may pick 3G first when it's available.

Conveniently these are largely devices they didn't sell or were sold by other telcos.

## Device 'Compatibility' & Blocking

The carriers have been given complete control to block devices without providing any proof, and there are no recourses available for customers who have had 4G 000 Capable devices blocked from all services. TIO Complaints are being closed and I've seen complaints to the ACMA that aren't being properly addressed.

I have downloaded the entire block list from the online Optus tool and I've run it against Telstra's Checker. There are over 240,000 TACs in Optus's checker list.

Based on the data I've been able to generate through the Telstra and Optus block checkers it's very clear that devices with higher numbers of emergency calls have been allowed whereas others have not, despite otherwise working exactly the same.

Within the lists are absolutely identical devices, both chipset, software and brand, one is blocked from Optus (but not Telstra), whereas the other device is allowed on both networks.

This also includes a number of officially supported Telstra specific models that can always call 000 regardless of the sim and network.

The list of blocked devices is quite frankly nonsensical, especially for Optus. There is simply no other way to describe it. This is absolutely obvious the moment you look at the lists, even new 5G models have been blocked from some or all the networks, even though they work perfectly for 000 on 4G.

Brand	Model Name	Year	Model No.	TAC	B28	Telstra Nov 2024	Telstra Feb 2025	Optus Feb 2025
Sony	Xperia 10 VI (TW, SEA) 5G	2024	XQ-ES72	35144017	Yes	Blocked	Not Blocked	Device is blocked
Sony	Xperia 10 VI (UK, EU) 5G	2024	XQ-ES54	35819272	Yes	Blocked	Not Blocked	Device is blocked
Sony	Xperia 1 VI (TW, SEA) 5G	2024	XQ-EC72	35572338	Yes	Not Blocked	Not Blocked	Device is NOT Blocked
Sony	Xperia 1 VI (UK, EU) 5G	2024	XQ-EC54	35965166	Yes	Blocked	Not Blocked	Device is blocked
Sony	Xperia 1 VI (JP) 5G	2024	XQ-EC44	35000433	Yes	Not Blocked	Not Blocked	Device is blocked
Sony	Xperia 1 V (TW, SEA) 5G	2023	XQ-DQ72	35669414	Yes	Blocked	Not Blocked	Device is NOT Blocked
Sony	Xperia 1 V (US) 5G	2023	XQ-DQ62	35851358	Yes	Blocked	Not Blocked	Device is blocked
Sony	Xperia 1 V (UK, EU) 5G	2023	XQ-DQ54	35004648	Yes	Blocked	Not Blocked	Device is blocked
Sony	Xperia 1 IV (JP) 5G	2022	XQ-CT44	35093524	Yes	Blocked	Not Blocked	Device is blocked
Sony	Xperia 1 IV (UK, EU) 5G	2022	XQ-CT54	35666018	Yes	Blocked	Not Blocked	Device is blocked
Sony	Xperia 1 IV (US) 5G	2022	XQ-CT62	35119411	Yes	Blocked	Not Blocked	Device is blocked
Sony	Xperia 1 IV (TW, SEA) 5G	2022	XQ-CT72	35951038	Yes	Blocked	Not Blocked	Device is NOT Blocked
Sony	Xperia 1 III (JP) 5G	2021	XQ-BC42	35671845	Yes	Blocked	Not Blocked	Device is blocked
Sony	Xperia 1 III (UK) 5G	2021	XQ-BC52	35084938	Yes	Blocked	Blocked	Device is blocked
Sony	Xperia 1 III (US) 5G	2021	XQ-BC62	35242794	Yes	Blocked	Blocked	Device is blocked
Sony	Xperia 1 III (TW, SEA) 5G	2021	XQ-BC72	35292034	Yes	Blocked	Not Blocked	Device is blocked

[https://docs.google.com/spreadsheets/d/1FaJYdW0l9ZydAn8gS\\_fo-ix73XCPJBldOoJP0Lvwpqo/edit?gid=274846585](https://docs.google.com/spreadsheets/d/1FaJYdW0l9ZydAn8gS_fo-ix73XCPJBldOoJP0Lvwpqo/edit?gid=274846585)

It seems Optus only wants to accept AS/CA S042.1:2022 Testing Certification to unblock devices rather than more globally recognised long standing GSMA IR.92 & ETSI (European Telecommunications Standards Institute) Compliance Testing.

The 'AS/CA S042 Standard' simply just references existing ETSI Testing Documentation, which the industry globally already uses, so in a way it's an entirely redundant standard.

Obviously Optus are doing this to minimise any exposure when it comes to 000 compatibility issues, following on from their major outage in November 2023. However that incident was due to problems with their network not wilting correctly, not directly customer devices.

This is why the lists of blocked devices and why they are on them needs to be made fully public.

Optus (and Optus MVNOs) are telling customers that the manufacturer of their device 'hasn't provided the requisite compliance documents' to allow the device on the network.

Vendor testing documentation is not a requirement under the ECSD, Optus has gone well outside the scope of the ECS Determination, and is in my view, using it to justify blocking compatible devices sold by competitors and otherwise 'Whitelisting' devices.

Telstra has not approached compliance in this manner and seems to accept standard compliance testing, they have also unblocked models recently where Optus has not.

The AS/CA S042 requirement for domestically sold devices was only introduced a few years ago, but Optus especially seems to be using it to block devices made prior to that standard.

That also ignores that there are a large number of devices currently allowed on the networks that have never undergone that process that work perfectly.

There are many devices allowed based on Emergency Call volumes alone.

Optus can't have it both ways.

For example Optus is blocking my Telstra sold (network unlocked) Sony Xperia XZ Premium, which is officially supported by Telstra for Emergency Calling on every network.

Only the version of the phone sold by Optus (or retail) is allowed to connect to the Optus network, despite both models being completely identical, including at a software level for 000, and regardless whether an Optus or Telstra sim is inserted. The only different is the IMEI TAC (Serial Number).

*My Telstra Version of the XZ Premium (G8141) has a TAC of 35923708.*

*Whereas AU Retail and Optus versions of the XZ Premium (G8141) have a TAC of 35783808.*

For another example, I have a 5G Capable device running Android 12 software (2021/2022) that supports VoLTE Calling, VoLTE Roaming Calling and VoLTE Emergency Calling.

The device uses a Generic/Global GSMA 'Open Market' VoLTE profile regardless of what sim card is inserted. That profile supports VoLTE Emergency Calling on every network in Australia and Globally.

It isn't blocked on Vodafone and is 'officially supported', however that device is being blocked by both Telstra and Optus, despite it otherwise being perfectly capable of calling 000 on 4G with both networks.

That device also has done so multiple times, including prior to the switch-off and with the sim cards from each provider inserted and via camp-on.

The device is even blocked when using an international roaming sim card. So tourists looking to use that device are being blocked from all services, even when using roaming.

The only network that device can roam onto is TPG/Vodafone. Vodafone has blocked far fewer VoLTE Capable devices compared to Optus and Telstra as they have much better data about what works. Their shutdown occurred early in 2024, so they have months of real world data to know what actually works.

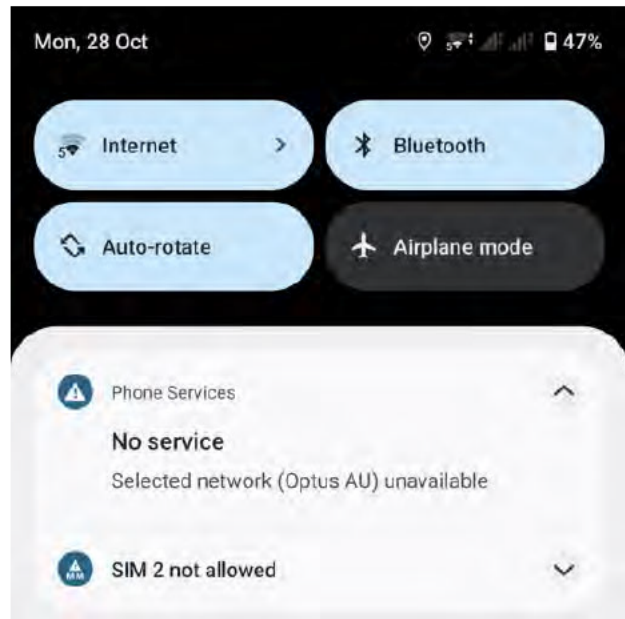


3

Thanks for using our 3G device checker. Our records as at 05 Mar 2025 indicate the device in use for your service was XPERIA 1 II.

Good news. Your mobile phone is compatible with our 4G/5G network. Please remember to keep your device software updated.

Now • Vodafone AU



Xperia 1 II XQ-AT52 Screenshots

Brand	Model Name	Year	Model No.	TAC	B28	Vodafone Feb 2025	Telstra Feb 2025	Optus Feb 2025
Sony	Xperia 1 II (US, EU) 5G	2020	XQ-AT51	35254911	Yes	Not Blocked	Blocked	Device is blocked
Sony	Xperia 1 II (TW, SEA) 5G	2020	XQ-AT52	35353811	Yes	Not Blocked	Blocked	Device is blocked
Sony	Xperia 1 III (UK, EU) 5G	2021	XQ-BC52	35084938	Yes	Not Blocked	Blocked	Device is blocked
Sony	Xperia 1 III (TW, SEA) 5G	2021	XQ-BC72	35292034	Yes	Not Blocked	Not Blocked (as of 02/25)	Device is blocked
Sony	Xperia 5 III (TW, SEA) 5G	2021	XQ-BQ72	35493043	Yes	Not Blocked	Blocked	Device is blocked

### Accuracy of Blocking of Devices

In a story in the ABC from November regarding this issue, it stated the following.

*"Telstra also said it had checked billions of call records, industry records and user device behaviour data to determine which phones were no longer network-compatible."*

*"An Optus spokesperson told the ABC it had analysed tens of millions of call records to determine which devices used by its customers were no longer able to call triple-0."*

ABC - Australia's 3G network has shut down, so why are 4G and 5G users being cut off? – 2024-11-04  
<https://www.abc.net.au/news/2024-11-04/australian-4g-5g-users-cut-off-after-3g-network-shutdown/104559096>

It's quite clear that Optus in particular has very poor data for what devices actually work or not.

The fact they themselves say they only analysed 'tens of millions of call records', compared to Telstra's Billions, clearly highlights the lack of proper analysis by Optus prior to switch off.

Historical call analysis of entire device models (TACs) is also a flawed way to determine capability as for many devices, especially for less popular models, users of those devices could go months, if not years without ever having to make an emergency call.

TPG Telecom did advise in their questions on notice from the inquiry that the average number of emergency calls over 3G per day on their network was in the order of 700, they have millions of customers.

Telstra's blocklist is somewhat 'better' than Optus's, though highly flawed, and there are devices on their list that are NOT blocked but don't support VoLTE at all, let alone Emergency Calls.

I could list these devices but that would be an entirely pointless exercise as removing them does nothing to address the systemic issue at play here and the associated safety issues.

### Telco Awareness

The telcos are aware they are blocking devices that can call 000 on 4G. Blocked devices that are capable of Emergency Calls send their device IMEI (Serial Number) to the network when placing an anonymous (camp-on) 4G Emergency Call. These calls and the associated network activity is logged.

```
SIP Message : {INVITE urn:service:sos.police SIP/2.0
From: "Anonymous" <sip:Anonymous@Anonymous.invalid>;tag=34
To: <urn:service:sos.police>
CSeq: 23 INVITE
Call-ID: 34 @2405:dc00: : : : :
Max-Forwards: 70
Contact: <sip:user@[2405:dc00: : : : : ]:5060>;
+sip.instance="<urn:gsma:imei:35353811- -0>";+g.3gpp.icsi-ref=
```

*Anonymous Emergency SOS Call – IMEI/TAC 35353811 – Sony Xperia 1 II 5G - Android 12 - Blocked on Optus & Telstra*

Devices that require 3G for Emergency Calls will now just get stuck on calling, including some 'Officially Supported' Devices.

Using a device hardware make & model identifier (a TAC Code) to determine Emergency Calling capability is a very flawed, yet this is the current approach used by the carriers.

Regular Calls are carried over the IMS Bearer and Emergency Calls are carried over the SOS bearer, this also ensures traffic prioritisation on the network.

The 'SOS' Emergency Call Connection on devices is really only established when an Emergency Call is placed on the device. (Either with or without a sim)

A device can successfully register for VoLTE and IMS, but Emergency Calls over the SOS bearer can fail to connect. (e.g if the device is configured to be 3G only for 000)

The 000 capabilities should be determined on an individual device basis (per full IMEI) and they can be determined on an individual device basis. It just requires the carriers to put in the work.

### Telstra VoLTE Changes & Open Market Devices

In my October ECS Consultation Submission to the ACMA I said that 'Telstra needs to be forced to support as many devices as possible, by supporting the most widely used 'Open Market' VoLTE profiles & standards'.

I also spoke to this at the Senate Hearing on the 23<sup>rd</sup> of July 2024 and to the ACCC in late August.

*I also wrote about VoLTE compatibility & standardisation issues in a June 2023 letter to the Communications Minister and in my November 2023 Optus Inquiry Submission.*

However up until the shutdown nothing was done about this.

Telstra was then allowed to block VoLTE capable 4G & 5G devices they didn't sell that work perfectly (including for 000) simply because they used generic VoLTE profiles and by extension didn't have standard VoLTE Call service on Telstra.

This includes devices sold by Asus, Fairphone, OnePlus, Sony, Xiaomi and Nubia/ZTE, and more.

*These devices were always perfectly capable of Emergency Calls as it's a separate bearer (SOS v IMS).*

However it appears that sometime in late January or early February this year Telstra made changes to their network to allow Generic 'Open Market' VoLTE Profiles to register and obtain Call Service.

A Telstra specific Modem profile/config or the latest GSMA profile is now no longer required.

Telstra

VoLTE 4G

## Current modem

ir92\_ims\_gte\_tar.mbn

### IMS Status

IMS Registration: Registered

Voice over LTE: Available

Voice over Wi-Fi: Unavailable

Video Calling: Unavailable

UT Interface: Available

*VoLTE Calling on Telstra – 'Open Market' IR.92 Config - Android*

Even generic VoLTE profiles on Android 7 (2016) devices can now register and obtain call service. Previously they would only work on Optus and Vodafone, as shown below.

MBN Modem Configurations Qualcomm SD 820 Chipset (2016)	Network Name	Country	Sim-less 4G Emergency Calls (112/000)	Optus VoLTE	Vodafone VoLTE	Telstra VoLTE
bell_ims_tar.mbn	Bell CA	Canada	Yes	No	No *	No
china_mobile_hk_ims_tar.mbn	China Mobile HK	China/HK	No	No	No *	No
ee_ims_tar.mbn	EE	UK	Yes	No	No *	No
hutch_uk_volte_vowifi_tar.mbn	3 (Three) UK	UK	Yes	Yes	Yes *	No
ir51_ir92_ims_gte_tar.mbn	VoLTE + WiFi Call	GSMA Open Mkt	Yes	Yes	Yes	<u>No</u>
ir92_ims_gte_tar.mbn	GSMA IR.92 VoLTE	GSMA Open Mkt	Yes	Yes	Yes *	<u>No</u>
optus_ims_tar.mbn	Optus	Australia	<u>No</u>	Yes	No	No
orange_france_ims_tar.mbn	Orange FR	France	Yes	Yes	Yes	No
reliance_jio_ims_tar.mbn	Jio Mobile	India	Yes	No	No *	No
rogers_ims_tar.mbn	Rogers CA	Canada	Yes	No	No *	No
sfr_france_ims_tar.mbn	SFR FR	France	No	Yes *	Yes	No
singtel_ims_tar.mbn	Singtel SG	Singapore	No	No	No *	No
tele2_netherlands_ims_tar.mbn	Tele2 NL	Netherlands	No	Yes *	Yes	No
telefonica_germany_ims_tar.mbn	O2 DE	Germany	No	No	No *	No
telefonica_uk_ims_tar.mbn	O2 UK	UK	No	Yes	Yes	No
telekom_germany_ims_tar.mbn	Telekom DE	Germany	Yes	Yes	Yes *	No
telstra_ims_tar.mbn	Telstra	Australia	Yes	No	No *	Yes
vha_ims_tar.mbn	Vodafone AU	Australia	<u>No</u>	Yes	Yes	No
vodafone_germany_ims_tar.mbn	Vodafone DE	Germany	No	Yes	Yes *	No
vodafone_uk_ims_tar.mbn	Vodafone UK	UK	No	Yes	Yes	No

\* = Estimated Result based on other network testing      Test Device: Sony Xperia XP F8131 - 2018 Android 8.0 Firmware  
Tested Q2 2024 – Xperia XZ & X Performance is officially supported by Telstra

I only discovered this after carrying out some device testing in early February (which was difficult to do as Telstra has blocked the majority of Android devices I own, even though they can all call 000 on 4G.)



This change could and should have been done months ago well prior to the shutdown, it was even mentioned in the interim 3G Shutdown Senate Inquiry report.

I should also point out that the Telstra network still seems to only allow IPv6 (Internet Protocol Version 6) for Emergency Call attaches, whereas Vodafone and Optus Support IPv4 and IPv6, which is the more correct 'standard compliant' approach (as shown at the EENA Presentation in 2022).

### Known issues for VoLTE and emergency calling on 4G/5G only networks

- Some handsets only support fallback to 2G/3G circuit switched for emergency
- IPv4/IPv6 implementations cause errors for emergency calling
  - Some handsets only use IPv4 for emergency calling (some operators only IPv6)
  - Some handsets only use IPv6 (operator may require IPv4 and IPv6!)
  - Some handsets want both IPv4 and IPv6 (standard compliant), but operator only IPv6
- Blacklisting may affect ability to dial emergency number
  - Use of VoLTE/emergency on other networks/SIMs may be blacklisted by home operator
  - Handset may be blacklisted for VoLTE/emergency by home operator
  - Handset may be blacklisted for VoLTE/emergency by visited network
  - Handset manufacturer may blacklist home operator or visited network
  - Chipset manufacturer may blacklist home operator or visited network
- Home network may not support VoLTE or VoLTE roaming
- Assortment of other firmware/software/manufacturer/chipset/IMS-platform issues

It's impossible to know if a VoLTE phone can dial emergency services, double so when roaming

**Stratix**

20

'Should we stop the shutdown of 2G/3G to save lives??' Slide 20 - Rudolf van der Berg - Stratix - EENA 2022  
<https://drive.google.com/file/d/1WC16k8C1gpeFRJif23yDiuLSRg1OJOnZ/view>

GUTI 505 01 C545			
Session #1			
Context	QCI	BearerID	State
Default	5	5	Active Pending
APN	AMBR DL/UL		
sos	102 Kbps / 102 Kbps		
PDN IP	::446e:66ae:e58e:b3cd		

NSG - MCC 505 MNC 01 – Telstra - IPv6 Only

GUTI 505 02 8000			
Session #1			
Context	QCI	BearerID	State
Default	5	5	Active Pending
APN	AMBR DL/UL		
sos	289 Kbps / 289 Kbps		
PDN IP	::7213:b31:7494:d69f/10.197.67.69		

NSG - MCC 505 MNC 02 – Optus - IPv6 & IPv4

So they still have some work to do, though I'm sure Telstra will say they've never had a standards issue.

It is however important to note that most devices (2016+) generally support either and both IP Versions, so it doesn't pose a problem for calling interoperability, though there are older (IPv4 Only) devices (which are largely now blocked) that cannot make Emergency Calls on Telstra due to the IPv6 requirement.

Though this issue may still extend to some devices being used by tourists that aren't blocked, or are 'supported' but are running software from other carriers.

So should Optus or Vodafone be unavailable they won't be able to make an Emergency Call due to IP Version differences.

This should be fixed and soon, and it's quite concerning it hasn't been resolved up until this point.

I even talked about this sort of compatibility issue at the 3G Shutdown Senate Hearing on 23 July in relation to devices from overseas that will just get stuck on calling when making 4G Emergency Calls.

*It's also mentioned in my Supplementary Inquiry Submission #32.1.*



Clearly these issues should have been resolved first before the networks were shutdown, but instead we proceeded with a 'cart before the horse' policy, only fixing issues later. A clearly illogical approach.

Regardless, even this issue is not a good enough reason to entirely block devices as it's clearly a failure by the network providers (or in this case Telstra), not the handsets. Yet the telcos have also blocked IPv6 Capable devices that work perfectly for Emergency Calling.

Ultimately there needs to be a system to 'address the capabilities of devices where customers bring their own', just as highlighted in the Optus Outage Bean Review.

The carriers should not be allowed to continue to blanket block devices they can't be bothered to confirm, even when they work. Either individually or natively out of the box.

This must be addressed and the Bean review 'device testing facility' isn't going to fix this problem.

'Lab testing' a selection of devices is an exponential 'N-squared' problem, there are too many software versions and variants of devices for the carriers to be able to comprehensively test all known device models & configurations.

What does scale is user enabled testing, you can very quickly and very easily get a lot of valuable data and that combined with formal lab testing can ensure that functionality is validated and any issues resolved. This data can also be used to unblock devices.

A simple solution here would be to explore what was suggested in the Minister's Working Group and establish a test RVA for 000 calls. Per FOI 24-353 (Page 57 of 75)

#### 4. A Triple Zero "test call" facility may not be feasible

Telstra indicated that it investigated the possibility of creating a "test call" number that would allow consumers to test their devices before the shutdowns take place. Such a facility would route test calls to a recorded voice announcement (RVA) rather than the Emergency Call Person Answer Point. However, Telstra claimed that it would not be possible to guarantee that genuine Triple Zero calls would not end up at the test RVA. We intend to further discuss the feasibility of such a facility with the MNOs.

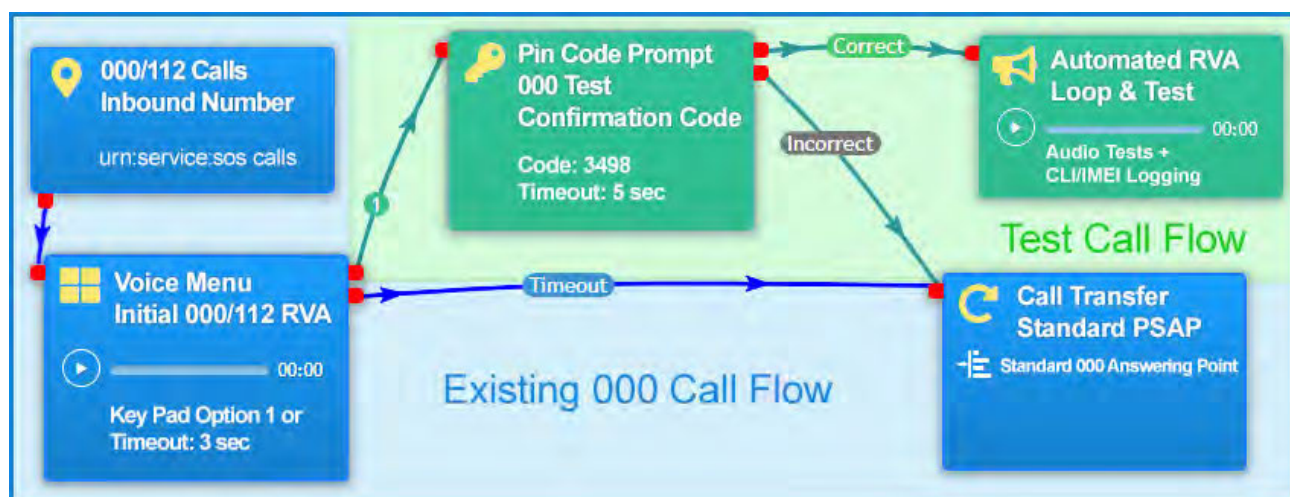
FOI 24-353 - Briefs to the Minister on the 3G network switch offs — 27 Mar 23 and 27 March 2024.

<https://www.infrastructure.gov.au/sites/default/files/documents/foi-24-353--documents-for-release--pdf.pdf>

That proposal was a good idea and would have provided very valuable data, and this should be revisited.

It would be extremely simple to automate this and it could be designed in such a way to ensure that genuine 000 calls do not end up at the test RVA.

Refer to the example Call Flow below.



Example Call Flow for Emergency Calling & Automated Testing

It's worth mentioning that in the US members of the public can book a time to test call 911, there is no good reason why we shouldn't have that here and it **can be entirely automated** and does not require any human operators to be involved at any point.

To not have a way for the public to test their devices is like buying a smoke alarm that has no test button, the vendor says "oh, well we tested it when it came out of the factory and it was confirmed working and compliant then, so you don't need a test button". That is quite obviously absurd.

Even if they then said, "well we test a sample of that model every 6 months and the samples we've tested passed, therefore your alarm works, so there's nothing to worry about and you have no need to test", is again ridiculous. Yet that appears to be the currently policy approach?

### Online Resources for Consumers

Given the lack of accuracy with telco messaging since the beginning and still to date, in November 2023 I wrote some device testing for the YouTube Video Hugh Jeffreys published about this issue at that time.

Then in early September I formally re-published these devices testing instructions on Medium.com after speaking with the ACCC.

*How to Check for Working 4G VoLTE Calling on Android Handsets*

<https://medium.com/@jamesdwho/how-to-check-for-working-volte-calling-on-android-8c343362ecfe>

Then in November 2024 I wrote some online resources for consumers to inform them about why the device blocking occurred and what they can do about it.

*It's called "Australia's 3G Shutdown — Why your 4G/5G Phone is now Blocked!"*



<https://medium.com/@jamesdwho/australias-3g-shutdown-why-your-4g-5g-phone-is-now-blocked-5900cd5361e2>

*That's in addition to another called "Australia's 3G Shutdown - Telcos to Block Working 4G/5G Phones!"*

<https://medium.com/@jamesdwho/australias-3g-shutdown-telcos-to-block-working-4g-5g-phones-2bf41e95de8a>

Both resources goes over a lot of specific detail in regards to why devices are blocked and the events that led up to the shutdown. A shorter version of the November 2024 explainer was also published online in 'Independent Australia'.

*IA - Australia's 3G shutdown: Why your 4G/5G phone is now blocked – 2024-11-12*

<https://independentaustralia.net/politics/politics-display/australias-3g-shutdown-why-your-4g5g-phone-is-now-blocked,19159>

I would invite the ACMA to read those resources to understand the events in detail.

Online, that one article alone has attracted tens of thousands of views and hundreds of comments on discussion forums, online communities and the like.

It's also one of the first results on Google for "Why is my 4G/5G Phone now Blocked".

There were also a few ABC Articles about this, one of which I was featured in.

*ABC - Telcos' 'delusional' bans turn customer phones to e-waste overnight – 2024-11-03 - Julian Fell*

<https://www.abc.net.au/news/2024-11-03/brand-new-phones-unable-to-make-calls-3g-shutdown/104541440>

*ABC - Australia's 3G network has shut down, so why are 4G and 5G users being cut off? – 2024-11-04*

<https://www.abc.net.au/news/2024-11-04/australian-4g-5g-users-cut-off-after-3g-network-shutdown/104559096>

In addition to that in early November 2024 I once again collaborated with Australian Tech YouTube creator 'Hugh Jeffreys' to publish a video about the device blocking.

**That video is now sitting at over 200K views with over 2,700 comments.**



Australia's New Firewall IMEI BLOCKED 516,875 Active Phones Overnight + Tourists Phones Blocked  
2024-11-10

Hugh Jeffreys ✓

The final wrap up of Australia's 3G Shutdown.

4K

*'Australia's New Firewall IMEI BLOCKED 516,875 Active Phones Overnight + Tourists Phones Blocked' - Hugh Jeffreys*  
<https://www.youtube.com/watch?v=zIJavqEzElw>

The video he created in September prior to the blocking taking place is now sitting at 378K Views.



Australia To Block Internationally Purchased 4G/5G Phones As Part of 3G Shutdown - Starting 1st Nov  
2024-09-29

Hugh Jeffreys ✓

If your provider is unable to verify VoLTE support for your device, it may be blocked from Australian networks from the 1st of November 2024.

4K

*'Australia To Block Internationally Purchased 4G/5G Phones As Part of 3G Shutdown' - Hugh Jeffreys*  
<https://www.youtube.com/watch?v=RPITz-3estM>

**Combined with the video from November 2023, there have been over 780,000 Views on this topic with over 10,000 comments.**



Carriers are Killing 4G & 3G Devices - Your 4G Phone May Soon Stop Working  
2023-11-26

Hugh Jeffreys ✓

A significant amount of 4G phones rely on 3G networks to make calls. The shutdown of 3G networks around the world is set to disconnect those with 4G devices.

4K

*'Carriers are Killing 4G & 3G Devices — Your 4G Phone May Soon Stop Working' - Hugh Jeffreys*  
<https://www.youtube.com/watch?v=Q6qb9dml6So>



## Online Petition

Additionally my Change.org Petition regarding the blocking of perfectly working 4G & 5G devices is now passing **9,400 signatures**, 90% are from Australia.



The petition is nearing 10,000 Signatures.

<https://change.org/StopTelcoDeviceBlocking>

The blocking of perfectly working devices has been a very unpopular move and I would invite the ACMA to read some of the comments online and on the petition page to see the overall sentiment.

Consumers are in need of protection here as the carriers are not adhering to the requirements of the ECS Determination and have blocked perfectly compatible 4G and 5G devices.

This must be addressed and there is no transparency for what has occurred in this process, and no recourses for consumers.

## Consumer Survey Results

In October I create an online Google Forms Survey to collect submissions from people who had their devices blocked.

The survey also asked people a number of questions about their devices, their experience, and the communication from the providers, it also surveyed them on the handling of the shutdown.

**Within my survey more than 75% of respondents said they were not offered a free replacement device by their provider.**

**Over the 600 Surveyed 84% said purchasing another suitable device would have a Moderate or Major Financial Impact.**

**73% of respondents said they were not given enough notice that their 4G/5G device would be artificially blocked from all services.**

**75% have said their telco has been either Mostly or Very Unhelpful.**

**86% said they were not well informed about the shutdown by the Government, with only 9.4% saying "Somewhat" well informed.**

**90% rated the handling of the Shutdown by the Industry and Government as Bad or Very Bad.**

**85% said they were not given enough information regarding the impacts of the Shutdown from the Industry, Government and Media.**

*Blocked Devices Survey - Google Sheet Results*

[https://docs.google.com/spreadsheets/d/1FaJYdW0I9ZydAn8qS\\_fo-ix73XCPJBldOoJP0Lvwqpo/edit?gid=1584988671](https://docs.google.com/spreadsheets/d/1FaJYdW0I9ZydAn8qS_fo-ix73XCPJBldOoJP0Lvwqpo/edit?gid=1584988671)

There are a number of issues here which raise serious concerns around the carrier compliance with the Emergency Call Service Determination, including notification to customers and the reported lack of low or no cost replacements being provided.

These concerns need to be taken seriously and properly investigated.



## Comments from the Public

Additionally within my survey I collected hundreds of comments from impacted customers. I would invite the ACMA to read some of the comments I received in my Survey.

The other comments are also available Online in their thousands, many within the comments sections of the Hugh Jeffery's videos or within discussion threads regarding the articles I wrote.

A sample of survey comments are below. The sentiment around the shutdown has been very critical.

#	Comment
20	<i>When I spoke to my Telco about my phone being blocked they knew nothing about it. That was 3 days before it was blocked. [Nubia Red Magic 5S - NX659J - TAC: 86319804]</i>
23	<i>The decision to allow telcos to arbitrarily block devices of their choice feels corrupt</i>
25	<i>I spoke at length to my telco representative over phone and went through a number of tests and he said my phone was compatible, however when I kept getting sms messages saying the opposite I was alarmed that from within the organisation I was getting two distinctly opposite messages. Who to trust? [Galaxy S8 - SM-G950F - TAC: 35525709]</i>
31	<i>The Government has been hoodwinked into this situation by the telco industry. It is disgraceful. There is nothing in the shutdown of 3G that is in the public interest [...]</i>
36	<i>The whole thing sounds like a scam to benefit the phone retailers and telcos</i>
39	<i>I went to 2 different Telstra stores, both told me my 5G handset will work without issue based on I have 5G network and can do VOLTE, and advised me to ignore the message saying my phone will be blocked [Xperia 5 III - XQ-BQ72 - TAC: 35493043]</i>
87	<i>Should have been an option to prove a device could make E000 calls instead of batch blocking based on TAC.</i>
94	<i>Bad for ewaste, unnecessary, corporate greed</i>
108	<i>Giving someone who was previously a mobile technician four days notice of ACMA proposal to shut down perfectly capable device is a panic move, and negligent or lazy, or worse.</i>
109	<i>This is just about Telco and shareholder profits as usual.</i>
110	<i>Rushed, knee-jerk legislation</i>
119	<i>I'm on a disability pension. I saved up for so long to buy my phone. I waited for ages for it to come in special (\$999) as I could not afford its original pricing of approx \$1,800. I cannot afford to purchase an equivalent replacement phone. My phone is still in perfect condition....no scratches, chips, cracks, etc. I expected this phone to last me for at least 6 years after I purchased it. [...]</i>
129	<i>3 days (over a weekend) of notice from "we're going to block you" to being blocked is disgraceful, now I'm forced into purchasing a less capable phone just so I can continue to make phone calls for work while hoping that this can be undone.</i>
202	<i>Government makes changes, makes things worse. Story as old as time. Completely out of touch.</i>
234	<i>It's ridiculous and indicative of an out of touch government with the best interests of telcos in mind</i>
258	<i>What the government and telcos have done is completely unacceptable and despicable. Thank you for putting this together.</i>
261	<i>I have 5 phones in my family which are now all bricked by the shutdown. All are less than 1 year old</i>
267	<i>This is just another infrastructure mismanagement saga, the cost of which is being born by the tax payer.</i>
277	<i>I have the feeling that consumer rights had been deprived in this decision process</i>
278	<i>This fiasco is just another example of politicians being the stooges of business rather than advocates of the people.</i>
294	<i>Situation is completely f***ed. Replaced loads of 3G dialers with those Australian approved 4G dialers but only now we're finding out they're failing when people try to use them because of this firmware problem with Telstra. The more expensive dialers now have new Telstra updates but those ones don't.</i>
313	<i>The shutdown was completely unnecessary. My father who lives in regional NSW has no service now. He is 86 years old and is now completely isolated. He has to drive 10Kms to get flakey 4G service. Also, through no fault of my own my business has suffered as my phone got blocked and I'm out of pocket for hundreds of dollars now having to buy another phone. This is absolutely ridiculous.</i>

## Correcting some Misnomers

I would also like to correct and dispel some misnomers and incorrect information that has been circulated about this issue and device compatibility.

I've read that the carriers and ACMA say the reason why some devices are blocked only on some networks is that not all phones can place emergency calls on all networks.

*"Telstra has blocked your phone because that model is not configured to be able to make emergency calls on the Telstra 4G and 5G networks when the phone has a Telstra SIM card inserted. As Telstra has identified that the phone is not compatible with its network, it is required to block the phone in accordance with obligations in the Telecommunications (Emergency Call Service) Determination 2019. The ACMA is unable to compel Telstra to unblock the phone."*

*Response to a Petition Signer from the ACMA National Interests Section – February 2025*

### ***"Blocking of a device over one network but not the other***

*There are some circumstances where a phone may not work on one network but will work on another. This is because the behaviour of the phone can be impacted by the firmware settings of that phone, which dictates how calls are made depending on the carrier network being used. This may be occurring because of historical decisions made by the different network operators and phone manufacturers about the firmware of the phone and how the phone should operate over their network. It is quite possible, for example, that a device with a Telstra SIM may not be able to successfully make calls to Triple Zero over the Telstra network, whereas with an Optus SIM, it will be able to successfully make calls to Triple Zero over the Optus network. Provided that the device can successfully camp-on to the other networks (Telstra and TPG Telecom) when calling Triple Zero, this would not raise any issues of non-compliance with the ECS Determination. Camping on to another network is a separate functionality to accessing Triple Zero through use of a SIM. A phone will behave differently depending on whether a device is using a SIM with registered subscriber details available or whether it is camping-on to another network which means the device is in Limited-Service State (LSS)."*

*Response to a Petition Signer from the ACMA National Interests Section – March 2025*

This is technically true, in a very general sense, but it's important to understand to what extent this is actually true and how this typically occurs.

Emergency Calls are performed over a specific SOS connection (bearer) and Emergency Calling is supposed to be standardised between networks (nationally and globally, at least on paper).

Where a device is able to make an Emergency call on 4G it *should* work on any network, provided the telcos have done their job right. (Which Telstra seemingly hasn't). However there are devices that will load a different modem software/firmware (i.e profiles) when different sim cards are inserted.

Some of these older device configs (especially for Vodafone) can make regular VoLTE Calls but not Emergency Calls. (As I pointed out in my October ECS Submission and above in this document)

However if the device was running a Telstra config with a Vodafone sim card inserted the device would be able to place an Emergency Call on any network (including Vodafone) as the Telstra config supports Emergency Calling. The user would just be without regular call service.

This is the behaviour I've observed with numerous Android Devices with Qualcomm chipsets across hundreds of test calls (as per my testing tables from my October ECS Consultation Submission).

I would also like to point out the ACMA representative at the 24 July 3G Senate Inquiry hearing didn't appear to be aware of this issue and assumed I was talking about 'phone number portability' when that is not the issue. I say this to raise concerns there may be a misunderstanding about the nature and exact extent of this issue, given it appears I was the person to first raise it and understand it in depth.

APH Livestreams - 3G Shutdown Senate Inquiry Hearing – 24 July 2024 – ACMA 2hrs 48mins  
<https://www.youtube.com/live/HvDvnfWTou0?t=10108s>



## Questionable 'Upgrade' Messaging

The ACMA should also be aware I have observed some very questionable behaviour when testing a variety of devices on the Telstra network.

For reference some phones (such as US Model iPhone Xs and 11's) do not support Telstra's primary 4G LTE Band (Band 28 - 700Mhz). So these devices will experience limited or reduced coverage compared to Band 28 capable devices.

These devices are not blocked (as permitted by the ACMA ECS) because they can connect to other bands, but users of these devices are subjected to warnings regarding the limited connectivity and coverage.

This includes outbound messages when making a call that state:

*"Your device may have reduced network connectivity and will not always be able to call triple zero. For your safety, upgrade to a compatible device now. Call Telstra for more."*

*The ACMA may also be aware that Boost Mobile (Telstra MVNO) was selling Refurbished US Model iPhones that lack Band 28 to customers as recently as March last year, I made the ACCC aware of this when I spoke to them in August and since then a recall/exchange program has been established.*

*Choice - Retailers selling phones that could stop working properly within weeks – 2024-10-16*  
<https://www.choice.com.au/electronics-and-technology/phones/mobile-phones/articles/retailers-selling-phones-unprepared-for-the-3g-shutdown>

However I have also observed Telstra forcing this outbound message on some devices that actually have Band 28 and support all of the required Radio Bands for the Telstra 4G Network.

Making matters even more concerning, I have two identical devices, both officially supported and 'compatible' according to Telstra's Online Tool.

The **phone sold by Telstra is not subjected** to any outbound RVA message but **the phone purchased retail** (which is the exact same hardware, with the exact same Telstra software) **is subjected to this message** every time a call is made.

The only difference between the devices is the Serial Number (TAC), both are otherwise perfectly identical phones.

None of this is reflected in their IMEI/TAC Checker tool, both devices are classified as "Not Blocked", both on the frontend and checker backend.

Based on my testing it appears that Telstra is imposing this outbound message on certain TAC Codes (Device Model Numbers) of devices they didn't sell, and also depending on the detected Software Version on the device. (Also known as the IMEI-**SV** 'Software Version').

For example, an iPhone with an older version of iOS will also hear the *"Your device may have reduced network connectivity and will not always be able to call triple zero. For your safety, upgrade to a compatible device now. Call Telstra for more."* message.

Whereas the exact same device with an updated version of iOS **will not** hear that message, both devices have Band 28 support and both are capable of calling 000 on the Telstra network.

**Telstra is telling people with perfectly compatible phones with older software that they need to "upgrade to a compatible device now" as opposed to actually telling the customer their device software needs updating.**

This to me explains why I've seen a large number of perfectly compatible and officially supported devices being sold or discarded post shutdown. Prior to shutdown customers were also receiving a similar outbound message.

The 'reduced connectivity' device upgrade message **should only be played** on devices that actually lack hardware support for Band 28 (Telstra's primary 4G Band).

Telstra should be more than capable enough to have different outbound messages depending on the detected software version and TAC on the device.

*Though it should be said that the IMEI-SV (Software Version) indicator is not a particularly reliable indicator of the software capabilities of a device, especially for anything that's not an iPhone.*

*You can have two identical phones, both with the same general software version (and IMEI-SV), one can make an Emergency Call, the other cannot. As I've said previously, the determination of a device's ability to call 000 needs to be done on a per-device basis!*

For reference I've observed no such outbound messages with Optus or Vodafone.

Additionally it's worth noting that Telstra (in particular) has had device manufacturers make devices for Telstra with special model codes (TACs), despite the hardware model and brand name of the phone being otherwise identical to retail variants.

So there are devices on Telstra's support list that can only be used if you bought that exact phone through a Telstra shop.

If you have a retail or alternative telco version of the exact same phone it may be blocked from all service, or subjected to outbound messages every time you make a call, even when updated with Telstra official software.

### **Upselling of new Devices & Services**

In my view it appears the providers and industry are only interested in selling people new products and services as the solution to compatibility or coverage issues.

That is quite clear, it's quite possibly the only thing they really know how to do and this behaviour (which I assume is accidental) shows the clear disregard in ensuring accurate messaging during this process.

Those concerns seem to only extend to the devices Telstra or its handset partners have sold.

All of the burden and responsibility has been put onto consumers, not the telcos.

Carriers (and handset makers) are more interested in selling customers new products or services to 'fix' issues, not actually supporting people with their current devices and current service.

We've seen both Telstra and Optus accused by the ACCC of upselling vulnerable customers products and services they couldn't afford and don't need.

ABC - Telstra fined \$50 million over unconscionable treatment of Indigenous phone plan customers – 2021-05-13  
<https://www.abc.net.au/news/2021-05-13/telstra-fined-over-treatment-of-indigenous-phone-plan-customers/100132000>

ABC - ACCC suing Optus alleging it engaged in unconscionable conduct when selling phone products – 2024-10-31  
<https://www.abc.net.au/news/2024-10-31/accc-optus-court-action-unconscionable-conduct-first-nations/104541466>

The TIO confirmed similar behaviour occurred prior to shut down at the 24 July hearing.

**Ms Gebert:** *"We have seen some customers coming to us who have approached their telco in order to work out what device they need and have been encouraged to purchase additional devices that may not have been a direct replacement." [...]*

*"...it can mean a more expensive plan than maybe what they were on before. But we've also seen instances where there have been additional products put forward by the provider and sold as a broader package."*

Rural and Regional Affairs and Transport References Committee - 24/07/2024 - Shutdown of the 3G mobile network  
[https://www.aph.gov.au/Parliamentary\\_Business/Hansard/Hansard\\_Display?bid=committees/commsen/28168/&sid=0000](https://www.aph.gov.au/Parliamentary_Business/Hansard/Hansard_Display?bid=committees/commsen/28168/&sid=0000)



So the fact large numbers of consumers report issues with the 3G shutdown isn't a surprise and this behaviour is par for the course in my view.

*Along with Telstra and the telcos outright blocking perfectly working phones they didn't sell.*

There is clearly not enough oversight or transparency with the messaging and classification of devices by the telcos, this needs independent and public oversight to ensure fairness for consumers.

The telcos need to be forced to actually publish the list of blocked and unblocked devices and make it easily accessible to the public. (e.g. in a downloadable spreadsheet)

The lists also need to state with clear detail why a device is blocked or not, and the exact criteria that resulted in that device being classified that way.

The online tools from Telstra and Optus are also useless for finding supported devices, as users first need to obtain the exact 8 digit TAC 'Type Allocation Code' (Model Serial) for a device.

There are hundreds of thousands of possible TACs in existence, and devices are not listed for sale with their TAC or IMEI. Your welcome to try it yourself and see what I mean, links below.

#### **Optus Checker**

<https://www.optus.com.au/support/checkdevice>

#### **Telstra Checker:**

<https://www.telstrawholesale.com.au/3G-Network-Closure-Blocked-Devices-Checker.html>

There is no way to select a given make or model of phone from a drop down list and get a result. The only comprehensive public list that exists is the one I made for consumers.

So far I have compiled and queried of tens of thousands of different device TAC Codes (Models) and put them into a publicly accessible Google Sheet.

#### **Blocked Devices Google Sheet:**

[https://docs.google.com/spreadsheets/d/1FaJYdW0l9ZydAn8gS\\_fo-ix73XCPJBldOoJP0Lvwqpo](https://docs.google.com/spreadsheets/d/1FaJYdW0l9ZydAn8gS_fo-ix73XCPJBldOoJP0Lvwqpo)

It shouldn't have to take members of the public to do that.

This approach of obfuscating what devices are blocked, not blocked and why, does nothing for competition and consumers at large.

The telcos currently get to hide behind saying "that device is incompatible with our network" without having to provide any specific detail or proof to explain why.

Internally they have that information and they know full well they are blocking compatible devices, though they will deny that. They have the exact reasons why devices are blocked, including observed call volumes.

The classification of devices appears arbitrary, devices not sold by the telcos or their handset partners are being disproportionality blocked, even when they work for 000. This is a fact.

When customers show they've made historical 4G 000 calls in an Emergency, the customer support then comes up with some other justification why the device is 'incompatible'.

I along with many other telco customers have been repeatedly mislead by customer service, again as per my survey **75% have said their telco has been either Mostly or Very Unhelpful.**

I'm sure those with coverage issues post shutdown have had a similar experience.

Vodafone in particular seems to be training their support agents to tell customers 'it's the Governments & ACMA's list' and not Vodafone's.

Though some telco support agents will admit the lists aren't very accurate.

## Questions for consideration

### 1. What have you identified as matters of significant public interest or concern?

There is currently significant non-compliance with the Emergency Call Service Determination, the carriers are not using 'best endeavours' to identify which phones can and cannot call 000. The telcos have disproportionately blocked compatible phone sold by their competitors and they refuse to unblock devices that are shown to work on all networks for 000. Including devices officially supported by other Australian telcos.

Equally you can presently connect with devices that cannot make Emergency Calls, even though they may be on hardware 'support lists'. **This must be addressed.**

### 2. Have you identified matters relating to public safety that we should focus on?

More work needs to be done to ensure compliance with the ECS Determination and that all phones in use can make Emergency Calls and those that are currently blocked that can make Emergency Calls are unblocked.

### 3. Have you identified community safeguards that we should focus on?

The carriers haven't provided impacted customers with devices that are fit for purpose, many of the low or no cost options provided have been 'network locked' and aren't suitable for customers.

### 4. What do you see as being potential and actual causes of harm to consumers?

Consumers have put out-of-pocket hundreds to thousands of dollars needing to once again purchase new devices. Collectively consumers were impacted north of \$80-\$100 Million in costs. The ACMA ECS Cost Benefit analysis didn't take into consideration lost re-sale or trade-in value for devices, it also failed to consider people purchased phones within the past few years that cost more than \$1,000. These devices have been blocked and a \$300 replacement is not 'like-for-like'. Consumers have not been made whole and many report they were not offered low or no cost replacement devices by their provider.

Due to the failure of the carriers to accurately identify the 000 capabilities of devices, people are able to connect with devices that are 'hardware compatible' but software incompatible and be totally unaware they can't call 000. This is currently possible and happening, though hopefully in small numbers.

### 5. What are the high-level risks of non-compliance that you have identified, including from technological developments?

The same issues with VoLTE Calling, Emergency Calling and Network Compatibility also extend to issues around support for VoNR (Voice over New Radio) and device support for 5G Standalone (5G SA). Additionally devices may technically support 5G SA but to due software configurations on the device, certain 5G bands and band combinations may be disabled in software. In a future 5G Only network many of these devices will not work properly even though on paper they have that hardware band support and may also support 5G SA and VoNR.

### 6. What are the emerging issues where we can encourage compliant behaviour, deter noncompliance or boost public confidence?

The carriers need to be required to publicly publish in a spreadsheet the list of all of the block and non-blocked devices, they also need to be required to state in detail the exact criteria and call volumes that resulted in a given model being blocked or not. There is currently no transparency with the blocking of devices, the carriers get to hide behind saying 'that device is incompatible with our network' without having to provide any proof to explain why. Vodafone also has no publicly accessible IMEI/TAC Checker so you can't even do a basic compatibility check. Telstra and Optus have tools, but you need to have specific model TAC codes to find unblocked models. There can be no trust and public confidence in this process unless there is full transparency with what devices are block and why they are blocked.

### 7. Are there any technological or market developments that you think are testing the effectiveness of the regulatory framework? Refer above and below.

**8. In what areas can we clarify the scope and application of the law?**

The ECS needs to be clarified to ensure actual compliance with the Determination. The carriers are blocking devices that are perfectly capable for Emergency Calls out of the box, including devices sold by other AU Telcos, there are currently no recourse for this and the carriers are not penalised for this conduct. Many of these concerns were outlined in my October ECS Consultation Submission and please refer to that submission if you wish to genuinely take further action on this.

**In Closing**

As I warned in my October ECS Submission, the changes to the Emergency Call Service Determination did result in significant financial impacts to people, and during a cost of living crisis.

In the tens to hundreds of millions of dollars and largely due to the carriers failing to accurately determine the 000 capabilities of devices.

People have not been made whole by the telcos and are still individually out of pocket hundreds to thousands of dollars, and the (perfectly compatible) devices they bought prior to switch off have basically no use or resale value.

This was entirely foreseeable and entirely preventable. The actions and inaction of the Department, ACMA, ACCC and Minister resulted in this happening. Though perhaps unintended it may be.

**People did nothing wrong.** They did what they were told and upgraded to phones that work perfectly on 4G, including for 000, and they should be entitled to use the devices they own that work.

The telcos will always try to paint this situation in the best possible light for themselves, pushing the blame onto their customers, retailers or handset vendors and not taking any responsibility.

Is it correct that Telstra customers only received half a business days' notice their 4G/5G device would be artificially blocked from all services at midday on Friday the 25<sup>th</sup> of October.

It's also correct that Optus never included the word "Block" in their SMS messages to customers and in some cases would only include it in the fine print of emails. The telcos are blocking officially compatible phones sold by their competitors and are refusing to unblock them.

Without intervention, essentially the only recourse people now have is to take costly and time consuming legal action against the telcos, either individually or with a Class Action.

*Which I should mention many people are asking me about.*

Given the lack of actual compliance with the law by the carriers, it does seem to be the only opportunity people have to resolve this issue

However there is an opportunity here for the ACMA to resolve this issue by ensuring full compliance with the ECS Determination by the carriers.

I am more than happy to speak with anyone from the ACMA about this issue, and in a professional and constructive way. I can be available at any time and in any capacity.

I sincerely request that the concerns of consumers are taken seriously and are put at the forefront of compliance priorities for 2025, in addition to the safety issues with accessing 000.

Thank you for your time.

Regards

James Parker  
Brisbane, QLD