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SUBMISSION ON DRAFT INDUSTRY GUIDELINE DR G609:2017
PRIORITY ASSISTANCE FOR LIFE THREATENING MEDICAL CONDITIONS
PROPOSED DOWNGRADING OF THE PRIORITY ASSISTANCE CODE TO A
GUIDELINE

I oppose the downgrading of the code to a guideline for priority assistance, and would consider that the more appropriate course of action would be to increase the safeguards and requirements for those users who need priority assistance.

I also raise many points in relation to the proposed wording in the draft industry guideline.

Much of my input is based on being a priority assistance customer who experienced a continuous 385-day fault during which priority assistance was not provided and no interim service was ever offered. Since that outage during other faults, one interim service was offered by was never delivered as it was never despatched by the provider.

WHAT DO CONSUMERS EXPECT FROM A LANDLINE STS?

All phone users want is that, when they pick up the phone, they can make a call without interruption, on the first attempt.

They also expect that when someone rings them, the call comes through and they can communicate without interruption.

Contrary to our providers claim, if you have no dial tone for a week and someone has left a voice message and you get that message a week later when the service is restored, we consider you have had a working service for that entire period.

THE CODE AND PROPOSED GUIDELINE IGNORES THE REAL ISSUE OF WHAT IS NEEDED

The proposal reflects a poor understanding of the Customer Service Guarantee Standard 2011, which sets the repair, restoration and connection timeframes, compensation for failure to meet those timeframes and circumstances under which the repair, restoration and installation timeframes do not apply.

Anyone with any knowledge of the industry would be aware that for landline services, as soon as an offer of an interim or alternative service is made, those timeframes are removed.

The number of Australian's impacted by standard telephone service (landlines) failures is reducing significantly due to accessibility to mobile phone coverage and high rates of mobile phone ownership.

For those customers with a mobile phone, who are confident in the use of that phone and who have continuous mobile coverage at their residence, the ability to report faults in a

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timely manner is far better than those who have no option but to use landline or internet. Consequently, they are offered and able to accept an alternative of inbound and outbound calls at no cost or no greater cost than those on their STS, and the impact is negligible.

There is no longer an urgency to repair the STS when an alternative mobile service is put in place.

For a priority assistance customer with a life threatening medical condition, in nearly all cases the mobile provides an equivalent or better service than the STS. Particularly as the mobile can be taken with the person in areas of mobile coverage.

Any code or guideline should therefore stipulate that, as the primary factor, that in all instances the use of mobile where the user has a mobile, is confident in its use, and has consistent, continuous, high quality, stable mobile coverage, that this shall be the standard.

It is paramount that the diversion only be applied when the user has access to the mobile phone at all times, it can never be that the phone belongs to or is used by another person or persons who may not be in the residence at all times the person requiring access to the priority service is in the residence.

In the case of any diversion, it is also imperative that the mobile service be tested at the time of the diversion, to ensure that there is a continuous service, particularly in areas where the customer does not utilise the mobile regularly. This ensures that the continuous service does exist for the customer and provides a protection if there is a localised failure of the mobile phone facility and towers. As the user is likely to have rung the provider on the mobile in such a circumstance to report the fault, this element may already have been proven.

The wording of 4.12 in this draft guideline accurately sums up what in fact should be the opening clause of the whole code or guideline- that if you have a mobile, it is reliable, has coverage and the consumer believes it can be relied on to seek assistance in the event of emergency

In circumstances where the residence has a second phone line that is operational, a diversion to that line with the same cost structure as the failed service, this also qualifies under the CSG standard 2011 and can be stipulated as the provision of an alternative service for the purposes of both CSG and priority assistance, whilst that service remains fault free and a working service.

The significance of any code or guideline is where the failure of a service or failure to connect or reconnect an STS, has an impact in circumstances where there is no immediately accessible and useable alternative service.

This would include customers with-

- a) no mobile coverage

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- b) unreliable or unstable mobile coverage,
- c) no mobile phone, in an area of stable mobile coverage
- d) no satellite phones
- e) have access to a mobile phone with stable coverage, but not confident to use the phone service,
- f) mobile coverage, with a mobile during a power outage, which is likely to be lengthy (inability to recharge the mobile).

In the first instance, the code or guideline must consider that the customer is likely to have already had a period of no dial tone, no working service or intermittent service, as they will not have been able to report the service using an alternative voice service (no mobile coverage). Particularly in rural areas, this can mean a delay of hours or days before the person can either travel to the nearest payphone or to a location where mobile coverage exists.

It is important to note that where a customer reports a fault using a mobile phone, this should never be taken as proof of the existence of a mobile phone service at the residence, as they may not be at their residence, denying both CSG entitlement, repair timeframe and priority assistance repair timeframes.

From experience as a priority assistance customer, it is the practice that despite being on record there is no mobile coverage, and the TIO advising the provider there was no mobile coverage, the provider continuously claimed the customer had mobile coverage, had refused to accept an alternative service and the provider refused to offer any alternative service such as a satellite to the priority assistance customer over a period of almost two years.

Access to the internet, should not be construed in any way as being an alternative communication method to replace voice communication under both the CSG standard and the priority assistance code or guideline.

IMPROVE FAULT REPORTING PROCEDURES AND ACCESS

Providers who allow fault reports to be lodged online shall be required to provide a method by which priority assistance customers can lodge their faults, be acknowledged as received and acted on in a timely manner, commensurate with the timeframes that the same customer could expect a response if they had access to a voice telephone service to lodge the fault.

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I note that I have brought it both the TIO's attention and Telstra since 2015, that when reporting a fault online, there is no way for a person with a "diagnosed life-threatening medical condition" can report a fault and advise of their priority assistance other than to use their non-working service.

If you do use the online reporting form, as you do not have access to a working voice telephone service, you receive no prioritisation and our experience as a medical priority customer was we received no acknowledgment of the fault (other than the automatic reply) which normally comes via an email over a five-day period.

Telstra makes it clear on their form that the CSG (and therefore priority assistance timeframe) only commences from the time Telstra inputs the online fault into their system, which can be up to four days.

I use Telstra as an example below, as we have two Telstra sts landlines and are familiar with their reporting systems. It is also noted that they are the only mandatory legislated participant in the provision of priority assistance,

A search today of the Telstra website, under Home Phone faults page, says the way to report a home phone line fault is "to ring 132203".

It lists three other phone numbers for several types of customers, all with phone numbers.

• Reporting a Fault

You can report a fault in a few ways – please choose the one most relevant to you;

- Telstra Faults – call 13 22 03
- Telstra Home Phone Customers (NBN Only) – call 1800 834 273
- Telstra Business customers – call 13 29 99
- Telstra Enterprise and Government customers – contact the Customer Care team on 1800 730 053

If you select the troubleshooting button you are shown the following

"If you're having trouble completing this step, call us on 13 22 03 so that one of our consultants can help you.

Tell us your reference number and we can pick up where you left off."

The next step states

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“Please note, this tool will not automatically report a fault to Telstra.

You must call us on [13 22 03](tel:132203) to report your fault in order for us to take action.

If you are a rural or remote customer and do not have access to an alternative phone service to report your service difficulty, please [click here](#)”

When you click on this “click here “link you go to the following page

<https://service.telstra.com.au/general/home-phone-fault/?jsessionid=D0E9047142834DD34E15FB420348C746?execution=e1s1>



REPORT A FAULT - FIXED HOME PHONE SERVICE

Report a fault - fixed home phone service

Before proceeding, please contact us on 13 22 03 if:

- Anyone living at the premises has [a diagnosed life-threatening medical condition](#) with a high risk of rapid deterioration and whose life may be at risk without access to a working telephone
- Your fault is affecting more than one phone line
- You have reported a fault on the same service in the past 30 days

Telstra Home Phone customers connected to the NBN please call 1800 834 273

Telstra Business customers please call 13 29 99

Telstra Enterprise and Government customers please contact your Customer Care team on 1800 703 053

I also note that if you click on the highlighted line “a diagnosed life-threatening medical condition”, it does not provide any definition of the statement (nor provides a link to a fault report, but I note it does not purport to), but provides a “support “page which makes no reference to the subject.

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This should highlight what the issues are for all fault reporting and specifically in relation to this review, that there is no comprehension by Telstra that-

- a) If you do not have a dial tone you cannot ring to report a fault,
- b) If you do not have a dial tone and no mobile coverage you cannot ring to report a fault,
- c) That priority assistance customers have no way of reporting a fault by phone to ensure they receive priority assistance, unless they have a useable phone service.

If they can have a link which lets rural and remote customers without an alternative service to report their fault online, then why can't there be a link for those priority assistance customers who have a diagnosed life-threatening medical condition.

There is not even a dedicated phone number for priority assistance customers to use, so they do not have lengthy holding periods before being attended to on 132203. It would also be relevant to have dedicated staff who are familiar with the requirements and who can respond promptly to fault reports from such customers.

Since the other providers can provide, in effect, a priority assistance service for customers, without being registered under the code, as a voluntary service, surely this improved reporting facility would be appropriate for all providers.

Appendix A eligibility criteria

To qualify, the residential Customer, or a resident of their household, must be known to have a condition where there is a substantially increased risk of a life-threatening emergency:

- (a) with a significantly increased possibility of a rapid deterioration in the person's condition, to the point that it becomes life-threatening; and
- (b) (b) where prompt attendance by an ambulance, or prompt provision of telephone advice by a doctor or health professional could avert the incidence of death.

Whilst the criteria say the list is not definitive, the insertion of the word "or" after the word "and" at the end of paragraph (a) would be more appropriate.

There are many people who have diagnosed illnesses or conditions which would not be considered life threatening when medical intervention or ambulance attendance is readily accessible, such as in an urban area.

Where ambulance access is limited, such as in rural and remote areas, where ambulance services are often based on availability of volunteer crews and ambulances, prompt attendance by an ambulance is not possible or practicable.

It should be rewritten as and/or to accommodate situations where the medical practitioner is aware that the facilities available to the person is such that a

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condition not listed as life threatening, would be so, in the event of a wait of 30 minutes, an hour or hours to get an ambulance or to medical treatment.

Often in rural and remote areas, patients are prescribed medications which would normally not be prescribed, for use when symptoms arise for non-life-threatening conditions, which if untreated would become life threatening, due to the distance from or time to obtain or travel to medical treatment facilities. Often this medication will serve only to delay the onset of a condition, not relieve it.

“Other dependent patients who live alone, without support or in remote locations”

The definition should be changed to “...in remote or rural locations where access to 24-hour medical facilities and ambulance is not available”.

APPENDIX

B PRIORITY ASSISTANCE APPLICATION FORM EXAMPLE

The ongoing issue we faced during the 385 days of continuous faults on two landlines and during other fault periods, is the insistence that we have mobile coverage and the continued claim by Telstra that we were offered a mobile diversion and refused it, notwithstanding the case notes clearly showing we had no mobile coverage, the TIO advising Telstra they assessed we had no mobile coverage and Telstra’s own maps showing no mobile coverage.

The priority assistance form shall also incorporate the availability and access to mobile phone or a second STS at the place of residence.

Then when a fault is reported, the provider is immediately aware of the capability to offer an immediate alternative service, after checking the phone is still active and serviceable.

If the applicant has advised on the application they do not have a mobile that is operational at the residence, then the provider can ask if this is still the case, but the information on the form shall prevent the provider from saying they offered a mobile service, do not have to comply with the priority timeframes or CSG timeframes.

This is no use to someone who needs their phones, having to prove they should have prompt action or an alternative service, such as a satellite phone.

The information about the capability to use alternative services, either sts in the residence or a mobile, would also mean that if the service is faulted by another party, the provider can use the information on the application, to contact the customer and/or provide an alternative service.

Often users are not aware their phone is unserviceable. Instances such as not being able to receive inbound calls, whilst having a dial tone present, no dial tone at all undetected as they have not used the phone.

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It is therefore likely that a family member or provider of a service (medical alarm, district nurse, Silver Chain, Red Cross) that relies on contacting the resident will become aware of a phone failure before the user, and will lodge a fault. The information about alternatives would then be useful.

4.1 Eligibility for priority assistance

“NOTE: Examples of extenuating circumstances include: Customers who are in isolated geographic areas; Customers in financial difficulty who are unable to afford a medical consultation; and Customers who, due to mobility restrictions, are unable to visit a medical practitioner. Other certification (in isolated geographical situations) could include a letter from medical, police or postmaster personnel that specified the requirement for the Customer to require Priority Assistance. ”

It should be noted that a police officer or post office personnel would not have the medical qualification to say that the person has a medical condition, only they recommend they should be eligible for priority assistance.

Consideration should be given to include technicians from the provider. In the event of a fault occurring, a technician attending the residence may become aware of the resident’s circumstances and believe it warrants priority assistance. They would have visited, spoken and seen the affected resident and be in a better position than a police officer or postal worker to assess the situation, particularly as they would be aware of actual restoration timeframes for their area.

4.2 Priority Assistance – Connections

“4.2.3 Unless there are circumstances beyond the Supplier’s control, the Supplier should use reasonable endeavours to connect the first STS for a Priority Customer with the highest level of service practicably available but no later than: (a) 24 hours of the Priority Customer’s request in Urban and Rural areas; and (b) 48 hours of the Priority Customer’s request in Remote areas.”

The words “Unless there are circumstances beyond the Supplier’s control, the Supplier should use reasonable endeavours ...”

Shall be replaced with

“The supplier shall use reasonable endeavours...”

There are two reasons for this-

- a) Under the CSG standard 2011, if there are allegedly circumstances beyond the suppliers control, an exemption under the standard would be in place and there is a requirement under the standard for the provider to advise the client at the time of it becoming aware that it has or intends to seek exemption from the standard. In this circumstance, the provider

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would be able to advise the applicant at the time there is likely to be a delay.

- b) The 24-hour (or 48 hour) timeframe would mean the job would have to be allocated immediately, therefore any delay outside of a CSG standard exemption would be known immediately and can be relayed to the applicant at the time of lodgement.

4.4 Priority Assistance - Fault Rectification

“Unless there are circumstances beyond the Supplier's control, where a Customer reports to a Supplier that a Priority Assistance service is Inoperative, and there are no working STS's supplied by that or other Suppliers to that Priority Customer at that location, the Supplier should use reasonable endeavours to rectify the fault to ensure that there is at least one working service at the place of residence with the highest level of service practicably available, but no later than: (a) 24 hours of a Customer's request in Urban and Rural Areas; and (b) 48 hours of a Customer's request in Remote Areas.”

The words “Unless there are circumstances beyond the Supplier's control” and “a customer reports to a supplier...” “...and there are no workings STS's supplied by that or other suppliers to the priority customer at that location...” “the supplier should...” “...there is at least...” “with the highest level of service practicably available” are not relevant.

The paragraph, based on the standard and my recommendation about changing the code or guideline to reflect diversions to other working sts or mobiles as the primary action, should read-

“Where a supplier receives a report that a priority assistance service is inoperative and there are no alternative operating sts or mobile at the residence, the supplier shall use reasonable endeavours to rectify the fault to ensure there is one working service available to the priority assistance customer at the place of residence, no later than (a) 24hours of the report in Urban and Rural areas: and (b) 48 hours of a report in remote areas”

The reasons for the change are

- a) As described above, circumstances beyond the suppliers control is in the CSG standard 2011 and there are specified criteria,
- b) The supplier is required to advise the customer of an exemption at the time of the report, or as soon as they become aware of the intent to claim an exemption, and with the 24-hour timeframe (from time of report, exclusive of business hours) the task would need allocating immediately, thereby making the provider aware of any likely delay
- c) Under the CSG standard if the repair does not require attendance at a premise, the 24-hour timeframe applies anyway, regardless of the priority if reported during business hours (up to 7pm under CSG),
- d) The report of a fault is not required to be made by the customer, it can be made by any other party including a technician.

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- e) The term customer would mean a provider can claim that it does not have to act or pay csg until the customer makes the report,
- f) The existence of another working sts, would be covered by incorporation of my earlier suggestion of stipulating that immediate diversion to another sts or mobile would be the immediate action,
- g) The term location could infer that the other sts is on the same property, another building or residence on the property, but not at the residence, physically accessible to the person subject to the priority assistance, or have limited access hours (e.g. a shop on the property)
- h) Delete “at least” as there is no requirement under the CSG standard 2011 or the code to provide more than one sts, only to provide a working sts.
- i) “With the highest level of service practicably available” is irrelevant and dangerous. If the line is cut between the exchange and the residence and not repairable due to the damage, then the highest level of service practicably available is no service.
- j) “highest level of service practicably available” does not provide rectification or restoration of a fault, only the best service available which may still be deemed an inoperative service under the definition in the code or guideline, as it may still have noise, dropouts or other failures.
- k) The intention of the priority assistance is to provide a voice telephony service then, unless the Supplier is prevented from doing so by circumstances beyond the Supplier’s control, the Supplier should offer the Customer an Interim Service. For the purposes of clauses 4.6.1, 4.6.2 and 4.6.4 only, those circumstances listed in clause 4.9.2 should not be circumstances beyond the Supplier’s control that is useable and operative, or provide an alternative or interim service, not leave the customer with the best available indefinitely.

4.6 Priority Assistance – Interim Services

“ 4.6.1 Where: (a) the Supplier identifies that it cannot connect a service or rectify a fault within the timeframes specified in clause 4.2.3 or section 4.4; and (b) the Customer has not agreed to use an Alternative Service, then, unless the Supplier is prevented from doing so by circumstances beyond the Supplier’s control, the Supplier should offer the Customer an Interim Service. For the purposes of clauses 4.6.1, 4.6.2 and 4.6.4 only, those circumstances listed in clause 4.9.2 should not be circumstances beyond the Supplier’s control.”

The reference should be 4.2.3 (a), 4.2.3(b), 4.4(a) and 4.4(b) because 4.2.3 and 4.4 in their entirety have no timeframe because of the preamble that says there is an exemption.

The timeframes are those specified in the specific subparagraphs.

The term agreed to use an alternative service is not correct”, as if the alternative service is available and useable, this should eliminate the providers requirement to provide and interim service, as it does under the CSG standard 2011.

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Perhaps the wording of this paragraph should become-

“4.6.1 Where: (a) the Supplier identifies that it cannot connect a service or rectify a fault within the timeframes specified in clause 4.2.3 (a), 4.2.3 (b) or section 4.4 (a) and 4.4(b); and (b) the Customer does not have access to an Alternative Service, then, unless the Supplier is prevented from doing so by circumstances beyond the Supplier’s control as referred to in 4.9.1, the Supplier should offer the Customer an Interim Service. “

This therefore stipulates the correct timeframes and reiterates that only the circumstances in 4.9.1 apply, as the circumstances in 4.9.2 are not applicable as per the wording of 4.9.2.

4.6.4 Where prevented from meeting the timeframes set out in clause 4.2.3 or section 4.4 by circumstances beyond the control of the Supplier or Underlying Carrier as described in clause 4.9.1, the Interim Service should be supplied to the Customer as soon as practicable.

This should also refer to 4.2.3 a, b and 4.4 a and b, as explained above, as 4.2.3 and 4.4 already have no timeframe due to the exemption clause that is reiterated in 4.6.4.

4.6.8 Where a Priority Customer has a disability and requires a service equivalent to voice telephony, then an Interim Service should be offered to the Customer with the highest level of service practicably available.

The wording of this indicates that there is an intention under the code or guideline to provide interim or alternative services other than voice telephony, such as an email service.

The paragraph needs changing to reflect the intention that where a customer has a disability and requires a different service to the sts, such as the NRS. It also refers to the highest level of service practicably available which may be nothing.

4.7.3 If the STS is not meeting the service reliability requirements set out in clause 4.7.2, the Underlying Carrier and Supplier should both take reasonable steps to identify and rectify the underlying conditions contributing to the reduced reliability.

This should be consistent with NRF3 which only Telstra is required by legislation to comply with. There is no mention of the number of permissible outages in a 365-day rolling period, as there is under NRF3.

Whilst it is good to see this provision, there should be additional steps incorporated to ensure that action is taken, particularly as the matter is not required to be reported to ACMA as is the case under NRF3.

In our situation, NRF 3a and 3 b reported occurred, but ACMA refused to provide information to either the customer or TIO due to commercial in confidence.

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ACMA eventually agreed to ask Telstra and then advised the TIO that NRF 3 had been reported.

However, as the issue had been the failure of Telstra to record over 40 faults which were lodged, and had already given the TIO a rectification date which it knew was incorrect, the TIO was not permitted to check if the NRF3 reporting occurred at the correct times and display the correct restoration dates that were known at the time.

There is no mention under 4.7.3 of the monitoring of the service that is required under NRF3 when the two triggers are activated. This should be incorporated into the code and guideline.

The reliability requirement is also legislated as 99% of the time.

There is no reference to this in the code and guideline, whilst it is a requirement to provide 99% reliability. The provisions of 4.7.3 do not improve reliability, as the customer can have a fault every two weeks and meet 4.7.3 but not meet the 99% requirement.

It should also be noted that the TIO in their assessment referred to the 99% but upon querying did not know if this meant

- a) 3.65 days of no service
- b) How the 99% was calculated, on hours or individual days
- c) Whether four days had to be proven.

As the evidence supplied by Telstra and the TIO in their assessment showed over 40 days of no dial tone in a 365-day period, the assessment was shown to be incorrect anyway.

4.9 Circumstances Beyond a Supplier's or Underlying Carrier's Control

"4.9.1 For the purposes of this Guideline, circumstances beyond the control of a Supplier or Underlying Carrier, may include, but are not limited to:

- (a) damage to a facility or interruption to services of the Underlying Carrier or Supplier that is not caused by the Underlying Carrier or Supplier, e.g. power outage;
- (b) natural disasters or extreme weather conditions that cause mass outages of services;
- (c) a law of the Commonwealth, or of a State or Territory, that prevents an Underlying Carrier or Supplier from complying with this Guideline;
- (d) where the Supplier is prevented from connecting or rectifying a service, because the consent or authority of any person (other than the person making the request) is required before the Supplier is authorised to perform the works necessary to supply or rectify the service;
- (e) where it is unsafe for Supplier staff to connect or rectify a service (e.g. where the supply or repair of a service would put Supplier staff or the public at risk of exposure to unreasonable health or safety risk); and
- (f) the inability of the Supplier or Underlying Carrier to connect a STS or rectify a fault or service difficulty because the Supplier or Underlying Carrier is unable to obtain lawful access to land or a facility."

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The circumstances beyond a suppliers control are different to those under the Customer Service Guarantee standard 2011, and should reflect those same criteria, as the CSG standard 2011 would override the code and any guideline.

Clause b, is significantly different from the CSG standard 2011, and there is no criteria or definition for the natural disaster or the extreme weather conditions.

In Clause b, there is no definition of a mass outage.

The clauses would mean that where it is not a mass outage, that is it is a local outage affecting only 10 customers, there would be no exemption available under the code or guideline, but there would be under the CSG standard 2011.

As Telstra made many claims for exemptions in our case, that it confirmed affected 7 services (of which we are two), under the standard, these would not be considered a circumstance beyond their control in the code or guideline, under the proposed wording.

There is no notification requirement under the code or guideline for the exemptions, unlike the CSG standard. A failure to notify the exemption under the CSG standard would mean that CSG timeframes and compensation would exist whilst the provider would be claiming timeframe exemptions under the code or guideline.

The CSG standard 2011 would be legislation under clause (c) that would prevent compliance with the code or guideline, as it stipulates timeframes that apply to all STS in Australia and contradicts the code and guideline.

4.9.3 Where an Underlying Carrier seeks to rely on clause 4.9.1, it should advise relevant Suppliers within one Business Day of becoming aware that circumstances will affect its ability to supply or repair a STS within the relevant timeframes specified in this Guideline

The code and guideline says the timeframe is 24 hours yet the underlying carrier does not have to advise of a circumstance allegedly preventing this until one business day after becoming aware.

A fault reported at 1am on Friday eligible for repair by 1am Saturday under the code or guideline, yet the underlying carrier does not have to notify the supplier until close of business Monday about a circumstance it was aware of at 6pm on the Thursday.

Therefore, the supplier cannot comply with the code timeframe because the underlying supplier does not have to tell them, meanwhile the customer with priority assistance may be without a phone for 89 hours before the supplier is made aware of the circumstance.

As the intention of the code and guideline is to ensure supply of an sts or alternative to medical priority customers, 4.9.3 should be "within 2 hours of becoming aware of a

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circumstance that will affect its ability to supply or repair and STS within the timeframes” in order that the supplier can arrange an interim service.

4.12 Emergency Medical Requests from Customers Who Have Not Registered for Priority Assistance

4.12.1 The Guideline recognises there may be some Customers who have not yet registered for Priority Assistance but who, due to an unexpected life threatening medical condition (affecting them or a person living with them), have an urgent need for access to a working STS. Suppliers should respond to such requests on a case by case basis, and should adopt the procedures below in considering such requests.

4.12.2 The Supplier should provide the Customer with information regarding eligibility for Priority Assistance and how to register for the service. Should the Customer attest that they meet the Priority Assistance eligibility criteria, the Customer should be asked if they have access to an existing mobile phone service.

4.12.3 If the Customer has access to an existing mobile phone service, the Supplier should discuss with the Customer whether the mobile phone service:

(a) is reliable (e.g. there is good mobile coverage); and

(b) can be relied upon to seek assistance in the event of an emergency; in order to meet the needs of the person with the life threatening medical condition (until their STS is connected or the fault rectified).

This is the condition that should appear at the commencement of the code or guideline, as it says that if you need and STS for priority assistance, the first thing the provider should do is ask if you have a mobile, that is reliable with good coverage and can be relied on to seek assistance in an emergency.

This should be the basic tenet of the whole code or guideline.

It can be reiterated at 4.12 in relation to those who wish to make an emergency request.

4.12.5 The Supplier should keep the Customer informed of its progress in meeting the applicable timeframes as per clause 4.12.4.

This should not just be a requirement for emergency requests, but in all cases under the code and guideline.

4.12.6 If the Customer does not have access to an existing mobile phone service that can be relied upon to seek assistance in the event of an emergency, the Supplier should offer the Customer an Interim Service. Where the offer of an Interim Service is accepted by the Customer, the Supplier should, unless circumstances beyond its control prevent it, supply the service within: (i) 24 hours in Urban and Rural areas; or (ii) 48 hours in Remote areas; or

Again, this should be the wording at the start of the code or guideline, for all priority customers.

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5.4 Supplier Request for Priority Fault Rectification

- (a) 24 hours of a Customer's request in Urban and Rural Areas; and (b) 48 hours of a Customer's request in Remote Areas.

In 5.4 it refers to "an individual reports to a supplier that a priority assistance service is inoperative..." reiterates my earlier comment that a fault can be lodged by someone other than the customer eligible for the priority assistance.

Accordingly, clause a and b should refer to the report, not "a customer's request".

One such example is if the customer is in hospital and a fault is detected prior to their release, it would be appropriate that the timeframe commences when it is faulted, not once the customer makes a further request. It may be a condition of release from medical care that the sts is operative.

5.4.2 A Supplier that provides Priority Assistance should immediately, or in any case within two Business Hours of recording a Customer's fault, report the fault to the Underlying Carrier to arrange priority restoration for the affected STS.

Firstly within 2 business hours of recording the fault may be more than the 24-hour timeframe.

If the report is made a 6pm Friday, the rectification timeframe is 6pm Saturday, however the code and guideline stipulate the supplier does not have to notify the underlying carrier until 10.30am Monday (or 10.30am Tuesday) in the case of a public holiday.

The clause shall be "within two hours of receiving a fault report".

I change this to receiving, since as is the case with the Telstra reporting system, the report by a medical priority customer can go unattended for days if done online when the customer has no voice telephony.

In our situation with over 40 fault reports lodged either via 132203 or online, for which we received acknowledgments and reference numbers, which Telstra claimed did not exist, with this clause the failure of a provider to have appropriate fault reporting procedures and recording, would impact on the customer.

The onus should be on the provider to have appropriate systems in place, not upon the customer to check the provider has recorded a fault it has provided a reference for.

5.4.3 The Underlying Carrier on receipt of a fault report should:

The use of this terminology confirms my previous statement- upon receipt of a fault report, not upon recording a fault report later.

[Type here]

SUMMARY

Any change to the code should be an improvement in the quality and supply of voice telephony to priority assistance customers, not a reduction in the quality, reliability and supply.

No clause should exist which means that a customer may not get the stipulated rectification or connection, simply because the code or guideline says the report does not have to be made in a timely manner or within the timeframe itself.

No “get out of jail free” card should be given to suppliers at the expense of someone’s life.

Exemptions from complying for any excuse under the sun, as is proposed in this draft, by not using the definitions in the CSG standard 2011 is unacceptable.

Submission lodged by
Bruce Bebbington