

## AMTA Submission

### Consumer Safeguards Review Part B – Reliability of Services

18 January 2019



**Australian Mobile  
Telecommunications  
Association**

#### *Introduction*

The Australian Mobile Telecommunications Association (AMTA) welcomes the opportunity to provide comment on the Department of Communications and the Arts (DoCA) consultation (Consultation Paper) on Part B of Consumer Safeguards Review in relation to reliability of services.

As the Consultation Paper is focused on fixed services, AMTA's response is limited to Principle 4 and specifically Proposal 3 of the paper that suggests mobile networks would be included in the proposal to oblige network operators to report on network availability.

#### *Proposal 3 and Principle 4 - Network reliability is an important purchasing consideration and should be transparent*

The Consultation Paper proposes that network operators should report on the availability of their networks (i.e. the percentage for time that consumers are able to connect to the network) as this will help inform customers' decision making around whether a service will meet their needs and act as an incentive for network operators to minimise outages.

AMTA does not support such an obligation applying to mobile networks or mobile network operators (MNOs) for the following reasons.

First, as noted by ACCC Chairman, Rod Sims, Australia's mobile market has strong infrastructure-based competition.<sup>1</sup> There is a clear commercial incentive for MNOs to ensure that outages and faults are minimised.

As Rod Sims, ACCC Chair stated most recently in a speech delivered at the ACMA's Radcomms conference, 2018:

*"Competition is the single most critical driver of investment. It can be the catalyst for innovation and can see operators build wider, better networks, to provide higher quality services than their competitors.*

*We see this in Australia. Despite the challenges of our geography and our comparably low population, much of whom are situated along the coast, Australia has some of the best mobile*

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<sup>1</sup> Rod Sims, ACCC Chair, [Speech](#) at Radcomms 2017 conference.

*networks in the world. Why? Because competition created the environment that led to these services being developed and delivered to the Australian consumer.”<sup>2</sup>*

Competition in Australia’s mobile market is underpinned by the ability of consumers to switch providers easily due to mobile number portability, established under the co-regulatory framework.

As the ACCC’s report on the declaration of domestic mobile roaming states:

*“Consumers are readily able to switch from one mobile service provider to another as mobile number portability facilitates switching behaviour by allowing consumers to keep their mobile number when switching to a different provider. However, switching may be less likely to occur in regional areas where consumers have less choice of providers.”<sup>3</sup>*

Likewise, there is a strong market incentive to compete on both coverage and network performance as evidenced by the ACCC’s findings, as well as the marketing strategies of the MNOs.

While the ACCC has asked for greater transparency in relation to mobile coverage, we do not believe that reporting on network availability will provide the requisite information that consumers need. This is because customer experience is paramount in terms of a reliable measurement of mobile network performance and reliability. Providing statistics or percentage measures in relation to network reliability will never be an accurate or reliable guide for any individual consumer as there are many variables that can impact on mobile network reception and coverage in any particular location at any given time.

We believe it is more useful for consumers to be provided with timely and accurate information on network outages as well as scheduled network maintenance and upgrades in their area. AMTA’s in-market MNO members, Optus, Telstra and Vodafone currently provide this information on their websites and communicate outage information via their social and digital channels as needed.

Further, Australia’s MNOs all offer their customers a network coverage commitment or guarantee that allows a customer to exit a new plan without penalty if a customer experiences a network coverage issue.

Customers also benefit from the guarantees provided to them by the Australian Consumer Law (ACL), which entitles customers to repair, replacement or refund of their mobile devices or services. The ACCC provides advice to consumers about the rights that apply under the ACL at the [ACCC’s website](#).

In conclusion, AMTA strongly believes that customer experience will always be the ultimate test of promised network reliability or performance. And in a highly competitive market, customers will choose the network that meets their requirements. Regulation that imposes an obligation for mobile network operators to report on network availability metrics are not required.

### *Contact*

For any questions about this submission, please contact Lisa Brown, Public Policy Manager, AMTA at [lisa.brown@amta.org.au](mailto:lisa.brown@amta.org.au) or 02 8920 3555.

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<sup>2</sup> Rod Sims, ACCC Chair, [Speech](#) at Radcomms 2018 conference.

<sup>3</sup> ACCC Mobile Roaming Inquiry [Final Report 2016](#)