

CHANGES REINFORCE TELSTRA'S PAYPHONE OBLIGATION



Following an announcement in June 2006 by the Minister for Communications, Information Technology and the Arts, Senator Helen Coonan, in response to community concern about the removal of pay phones, ACMA is closely monitoring Telstra's compliance with its payphone obligation and has enhanced its payphone complaints process.

Telstra's responsibility under the universal service obligation (USO) is to ensure all people in Australia have reasonable access on an

equitable basis to pay phones, regardless of where they live or carry on their business. How Telstra meets these obligations is set out in its Standard Marketing Plan. Section 3.8 of the plan explains what Telstra must do to provide reasonable access to pay phones under the USO, including removal criteria. It also includes siting, installation and maintenance information.

To ensure communities can clearly understand their rights to a USO payphone, Telstra must amend its standard marketing plan to give a clearer description of what constitutes having reasonable access to a payphone and include a description of what constitutes a USO payphone. Telstra must also clearly identify which pay phones are provided under the USO and incorporate a USO payphone icon into its website payphone locator so communities of less than 50,000 people can identify the USO pay phones in their area.

Telstra must also enhance its consultation processes for removal of pay phones by including on its removal notice the reasons why it intends to remove a payphone and details about how a person can object to the proposed removal. The removal notice must also include an explicit reference to ACMA's role as the regulator of Telstra's payphone obligations.

Comments, enquiries and complaints about Telstra pay phones can be made to Telstra through its website at www.telstra.com.au/payphoneservices/contactus.htm or call 1800 011 433. Calls to this number are free from a Telstra-operated phone except a mobile.

Information about Telstra's complaints policy is available at www.telstra.com.au/contact/complaints.htm.

Consumers who are not satisfied with the response received from Telstra after making a complaint about the siting, removal or maintenance of pay phones can contact ACMA. ACMA will accept a complaint if:

- the complaint is about the provision of pay phones in the complainant's local area
- a complaint has already been made to Telstra and the complainant is not satisfied with the final response and
- the complainant believes that Telstra is not meeting its legal obligations under the USO and its SMP.

Telstra's payphone locator is on its website at www.telstra.com.au/payphoneservices and its Standard Marketing Plan is at www.telstra.com.au/universalservice/standard.htm.

Information about the pay phones complaints process and a complaints form is on the ACMA website at www.acma.gov.au (go to Phones > pay phones) or call ACMA on 1300 761 866.

ACMA and ACCC to work together on industry data collection

ACMA and the Australian Competition and Consumer Commission (ACCC) have agreed to work together to streamline and coordinate industry data collection practices. The agencies will identify overlaps in industry data requests, develop proposals for sharing data and explore opportunities for joint reporting.

To fulfil their statutory obligations to monitor and report on industry performance, ACMA and the ACCC both have needs for data from industry. Both agencies also have an obligation to inform the Minister for Communications, Information Technology and the Arts and parliament about communications issues. The Telecommunications Act makes it clear that meeting such

obligations should not impose undue financial or administrative burdens on industry.

The agencies have a mutual interest in data for fixed, mobile and broadband telecommunications services, particularly about take-up, bundling and market or price information. There are some areas where both agencies request similar information from industry and it is this overlap that they hope to eliminate, wherever possible. This will require industry cooperation in allowing full and generally applicable consent for the ACCC and ACMA to share broad categories of information collected. The agencies will initiate discussions with industry on ways to streamline industry information requests.

ACMA and the ACCC have established a joint working group to identify data holdings of interest to both agencies and develop proposals for coordinating data requests and for access to data. The group will also develop proposals for joint reporting on issues of mutual interest. Shared data will not only reduce the potential for duplicate industry data requests, but also improve the research capabilities of both organisations.

As part of the collaborative process, ACMA and the ACCC plan to produce a joint report on communications infrastructure as a pilot project to demonstrate the benefits of working closely together. The joint report will focus on the location of infrastructure and the state of the market for

telecommunications services. It will draw on the expertise of both agencies (the availability of services in the case of ACMA and market information in the case of the ACCC) to assist in the assessment of regional service adequacy by the Regional Telecommunications Independent Review Committee, which is to be convened in 2008. The review committee forms part of the government's future-proofing arrangements for regional telecommunications services.

This cooperative initiative is consistent with the government's response to the Banks report, which seeks to reduce red tape on industry.