



Australian
Competition &
Consumer
Commission

23 Marcus Clarke Street
Canberra ACT 2601

GPO Box 3131
Canberra ACT 2601

tel: (02) 6243 1111

fax: (02) 6243 1199

www.accc.gov.au

Our ref: 55249
Contact officer: Clare O'Reilly
Contact phone: 02 9230 3854

11 September 2017

Ms Judi Jones
Telecommunications Industry Ombudsman
PO Box 276
Collins Street West VIC 8007
By email to StakeholderEngagement@tio.com.au

Judi's
Dear ~~Ms~~ Jones

The ACCC welcomes the opportunity to comment on the proposed changes to the Telecommunications Industry Ombudsman's (TIO) terms of reference to reflect the increasing complexity of the telecommunications supply chain arising from the rollout of the NBN. We consider that the changes that have been proposed are a timely response to the concerns expressed by both consumers and retail service providers (RSPs) about the responsibility of different entities for an end-user's service.

We note that the proposed changes to the terms of reference:

- reflect the legislative requirement for carriers and intermediaries in the supply of telecommunications services (such as aggregators) to belong to the TIO,
- strengthen the obligation on members to provide information requested by the TIO in order to resolve a complaint, and
- strengthen the obligation on members, including members other than the RSP, to cooperate with TIO decisions.

The ACCC supports these proposed changes. Although we consider that an RSP is the entity that is responsible for complaints raised by their customer, NBN Co. and intermediaries play an essential role in the delivery of the customer's service and may be best placed to assist in the resolution of a service-related problem.

In our July 2017 submission to the TIO's Independent Review, we noted that the TIO is well placed to navigate the long supply chain to resolve individual consumer complaints about NBN services and to identify trends about the causes of consumer concerns.

As the roll out of the NBN has progressed, the nature and quality of consumer experiences on the NBN has become the centre of media attention and policy considerations. There have been numerous media reports in recent months in relation to NBN consumer issues. For instance, there are reports which note the poor quality of services, slow speeds, outages and the difficulties in understanding the wholesale and retail relationship in the supply chain.

We therefore consider that any changes to the TIO's terms of reference that clarify and strengthen its ability to resolve complex consumer complaints arising from lengthy telecommunications supply chains should be supported.

Please contact Clare O'Reilly on (02) 9230 3854 if you have any questions regarding this submission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Delia Rickard', with a stylized flourish at the end.

Delia Rickard
Deputy Chair