

14 March 2025

The Manager
National Interests Section
Australian Communications and Media Authority
PO 13112 Law Courts
Melbourne Victoria 8010

Dear ACMA,

TIO submission on improving the emergency call service during outages

Thank you for the opportunity to comment on the proposed amendments to the *Telecommunications (Emergency Call Service) Determination 2019* (the **ECS Determination**). We are pleased to see the ACMA propose amendments to address the issues raised during the Department's *Review into the Optus Outage of 8 November 2023*, and the subsequent Recommendations resulting from the review.

We support the ACMA's proposed amendments to the ECS Determination. The amendments help ensure that when an outage occurs, all consumers can reliably call emergency services. The new Disruption Protocol also offers clear guidance on the obligations for carriers, providers, and emergency call persons during this period.

We offer feedback on the proposed definition of a 'significant local outage', which lowers the threshold from the previously-proposed 50,000 services in operation to the newly-proposed 1,000 services in operation. This is a positive change which will better serve the needs of Australians who experience outages in regional and remote towns. However, based on the complaints received by our office, the definition will still leave some remote and regional towns without the information or protections they need when an outage occurs.

Remote and regional towns rely on essential telecommunications services. When these services are not available, residents need access to accurate and timely information about what has occurred and when their services are likely to be restored. Despite these towns being small in population, the impact on their ability to work, study, access health and government services and respond to emergencies can be as great as it would be for a major outage. For some significant local outages the impact on individuals may be even greater than it would be in a major urban area, as those consumers will have less access to interim services and more restricted access to, for example, emergency services.

As we flagged in our October 2024 submission on the *Telecommunications (Customer Communications for Outages) Standard 2024*¹ (the **Customer Communications for Outages Standard**), in the last twelve months we have received complaints from residents of towns in regional and remote Australia that have relatively small populations. When these residents contact their providers about a lack of service, they sometimes receive inconsistent

¹ [TIO submission to the ACMA's Consultation on the Proposed Telecommunications \(Customer Communications for Outages\) Industry Standard 2024](#) (October 2024).

information about the existence or causes of the outage, and they can experience lengthy delays in having that outage restored.

In some cases, these regional and remote towns have relatively small populations, and so a local outage affecting a whole town may fall short of the 1,000 services in operation threshold to be considered a significant local outage.

Case study: Outages in Morawa, WA may not be considered a significant local outage under this new definition

In July 2024, we received over 20 complaints from residents of Morawa, a regional town in Western Australia. These consumers told us the town's mobile coverage had either dropped out or became unreliable for the previous 1-2 months, and these outages were affecting all residents. Residents reported there were "entire days" where they did not have reliable access to a service.

According to the 2021 Census data, Morawa has a population of just under 500 people. This means that, depending on how providers and carriers choose to interpret the term "distinct location" for the purposes of a significant local outage, the outages in Morawa would not enliven the proposed processes in the ECS Determination.

Although we acknowledge that carriers may experience difficulty when identifying potential outages in smaller regional areas, we encourage the ACMA to consider alternative lower thresholds for a significant local outage, to better capture the breadth of locations where such an outage may occur. For example, the definition of a significant local outage could be modified in a manner that reflects the definition of a major outage (e.g. where an outage is likely to affect all services in a distinct location in regional or remote Australia), or focused on all services within a given geographic radius. We also recommend the ACMA consults with regional representative groups to determine the most appropriate threshold for identifying a significant local outage.

Finally, we understand that outages in regional and remote towns can be subject to logistical issues and may take more time to diagnose and repair than outages in major urban areas. However, we do have concerns about the threshold for a significant local outage being as high as six hours, compared to the 60-minute threshold for a major outage.

One reading of this requirement is that an outage affecting a regional community for a five-hour window during trading hours is not 'significant' and does not require any change in processes, which is presumably not the intended consequence of these amendments.

We recommend the ACMA consider whether a shorter timeframe would be feasible for significant local outages.

We look forward to seeing the outcomes of this consultation.

Yours sincerely,

Cynthia Gebert
Telecommunications Industry Ombudsman