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## **Inquiry into Telecommunications Legislation Amendment (Universal Outdoor Mobile Obligation) Bill 2025**

OneWiFi & Infrastructure (OneWiFi), a Mobile Network Infrastructure Provider, welcomes the Government’s initiative to modernise universal service obligations through the proposed **Universal Outdoor Mobile Obligation (UOMO)**. Ensuring that Australians can access mobile coverage outdoors—whether in metropolitan, regional or remote settings—is critical for **public safety, equity, and economic participation**.

This submission is based on our submission to the consultation by Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts on the draft UOMO legislation.

While the Exposure Draft represents a significant step forward, certain provisions risk favouring incumbent Mobile Network Operators (MNOs) at the expense of consumer interests, particularly those who rely on **pre-paid services and Mobile Virtual Network Operators (MVNOs)**. These users often include regional Australians, First Nations communities, and low-income households—the very groups that universal service policy is intended to protect.

We propose targeted amendments to strengthen the Bill, consistent with its objectives, while preserving its technology-neutral and future-proofed design.

### **Key Issues**

- 1. Default designation of MNOs**  
The Bill hard-codes Telstra, Optus and TPG as the only “Primary Universal Outdoor Mobile Providers” (s 12L). This risks entrenching oligopoly power and potentially excluding wholesale or neutral-host solutions.
- 2. Risk of discrimination by plan type**  
The Bill and explanatory note suggest consumers may not be covered if they lack the “right plan” or device. Without safeguards, MNOs could make UOMO access contingent on higher-value or post-paid plans, excluding pre-paid and MVNO customers. In addition, concerns around device compatibility raises the question of LEOSat technology and ecosystem maturity to deliver a universal service.
- 3. Lack of explicit non-discrimination requirements**  
The current draft obliges MNOs to provide UOMO services, but it does not require them to offer these services on a non-discriminatory basis across retail channels. This opens a loophole whereby obligations are technically met but consumers are practically excluded.
- 4. Ministerial discretion without consumer guardrails**  
While flexibility is important, broad powers to define “reasonably available” could enable exemptions that undermine the universality principle.



**Proposed Amendments**

We recommend four simple but powerful adjustments:

1. **Section 12F (Universal obligation)** – Explicitly include MVNO and pre-paid users within the scope of UOMO.
2. **Section 12K (Provider obligations)** – Insert a non-discrimination clause requiring equivalent access for MVNO and pre-paid customers.
3. **Section 12L (Default providers)** – Allow the Minister to designate additional providers where this promotes equitable access.
4. **Definition of “Reasonably available”** – Clarify that service availability cannot be restricted by retail plan type or provider, provided the device is technically capable. Technically capable device should be baselined as a basic 4G handset.

**Universal Outdoor Mobile Obligation (UOMO) – Key Amendments for Consumer Protection**

Clause	Current Draft Bill Wording	Proposed Amendment (Tracked Changes Style)	Consumer Benefit / Rationale
12F – Universal outdoor mobile obligation	“... the obligation to ensure that mobile coverage is reasonably available outdoors to all people in Australia on an equitable basis.”	“... equitable basis, including to end-users accessing services through Mobile Virtual Network Operators (MVNOs), pre-paid services, or any other carriage service provider, provided the device used is technically (4G) capable.”	Ensures all consumers (including pre-paid and MVNO users, often lower-income and regional) have guaranteed access to UOMO services. Prevents exclusion by commercial choice.
12K – Obligations of primary providers	Obligation applies individually to each designated primary provider; no explicit consumer protections.	(2A) “A primary universal outdoor mobile provider must not discriminate ... between its own retail customers and customers of MVNOs or pre-paid services ...” (2B) “Terms of supply, pricing, quality and availability must be offered on an equivalent basis to all retail providers.”	Creates a non-discrimination rule, ensuring MVNOs and pre-paid customers have the same access to D2D/UOMO services as MNO retail customers. Prevents MNO “lock-in” behaviour.
12L – Default primary providers	Automatically designates Telstra, Optus and TPG as the only Primary Universal Outdoor Mobile Providers.	Add: “... and any other carrier or carriage service provider the Minister determines is capable of providing equitable access, including providers offering wholesale access to MVNOs.”	Opens the framework to additional providers if they can deliver equitable coverage. Prevents a hard-wired MNO oligopoly.
Definition – “Reasonably available”	Explanatory note suggests consumers could be excluded if they don’t buy the “right” plan.	“Reasonably available ... means available to any end-user with a technically capable device, regardless of whether the service is accessed through a post-paid, pre-paid, or MVNO plan. Restrictions based on plan type or retail provider are not permitted.”	Prevents MNOs from artificially restricting access (e.g., making LEO access post-paid only). Locks in consumer equity across retail offerings.



## Consumer Benefits

- **Equity:** Ensures all Australians—regardless of plan type or provider—can access baseline mobile services.
- **Safety:** Guarantees that people in remote areas on pre-paid plans can still make an emergency SMS or call using LEO/D2D services.
- **Competition:** Prevents incumbent MNOs from leveraging UOMO obligations to entrench exclusivity or lock out MVNOs.
- **Accountability:** Strengthens transparency and aligns with the original intent of universal service—ensuring “all people in Australia” are covered, not only those on select plans.

We also note that there are inherent limitations with the technology and as such safeguards should be put in place to protect consumers, as LEO is not the ‘silver bullet’ for all use cases. The fundamental challenge for delivering terrestrial equivalence is that the LEO network’s ability to handle multiple user stations in the same locality is limited.

## Conclusion

The Universal Outdoor Mobile Obligation will only achieve its objectives if it delivers **practical, universal access** for consumers. Without explicit non-discrimination provisions, there is a risk that pre-paid, MVNO, and basic 4G handset customers—who represent millions of Australians—will be excluded from UOMO’s benefits.

We urge the Government to adopt the proposed amendments. They are consistent with the framework of the Bill, light-touch in drafting, and crucial to ensuring that the UOMO reflects its name: **universal** access to outdoor mobile coverage for all Australians.

## Overall Impact of Amendments

- Ensures **universality = actual consumer access**, not just obligations held by MNOs on paper.
- Prevents the **exclusion of MVNO and pre-paid customers**, who make up a significant portion of rural/remote and low-income users.
- Reduces risk of **MNO–satellite exclusivity deals** limiting consumer benefit.
- Builds in **non-discrimination and wholesale equivalence**, aligning with the spirit of universal service rather than market concentration.

## Alignment with Community Expectations

The expectation of a universal service is that it is available and works for a reasonable period of time generally when and where needed, and to the extent that UOMO may not be able to meet such community expectations, appropriate caveats need to be stated.

It is difficult to view the current envisaged design of UOMO as Universal or Equitable when a user requires a premium handset and must bear a premium service charge. Furthermore, the capacity of LEO networks to support an avalanche of demand such as when a natural disaster creates high demand from within an area could result in failure to provide an urgent service, a reasonable expectation for rural and remote users. Application of UOMO in peri-urban and in new developments presents a challenge through implementing shared terrestrial network solutions because of the inability of LEO networks to reliably support high user density localities. Different LEO networks used by each primary universal outdoor mobile provider will likely provide different service performance absent service standards.



Yours faithfully,



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