

Submission
to the Inquiry into the
Telecommunications Legislation Amendment (Competition and Consumer Safeguards)
Bill 2009
(Commonly referred to as the anti-Telstra Bill 2009)

Summary:

- Do politicians never learn?;
- Anti-Bills should never be passed;
- There is more value in the future than the past;
- Telstra needs a wake-up call, but not like this;
- This Bill is not innovative, creative, brilliant or even 'smart' – in fact dumb comes to mind, and it will dumb-down Australia;
- Senators should reject this Bill because it is anti Telstra, anti Future, anti common sense and anti Australian;
- Politicians should spend less time listening to industry 'experts' and more time listening to ordinary Australians who can see past all the rhetoric, spin and hype bubbling out of this rotten mess. Bury it and come up with something which is transforms and transports Australian telecommunications into the next productive and innovative burst of technology and wealth creation. This Bill is mired in the past, tries to re-invent the past, sends everybody into a time warp to the past, is focused on negatives, destruction and revenge – it is a very bad foundation for a otherwise bright future in Australia. Do everybody a favour, just reject it.
- It will forever and irretrievably destroy trust in Government sales and privatizations. Government cannot sell the same item twice and expect to get away with it.
- We need better from our legislators; we deserve better given the huge investment Australia makes in the Parliament.

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Do politicians never learn?

- ❖ Surely by now our politicians have learnt that Australian's are not totally stupid and naïve? You simply can't just flog off the PSTN and Telstra and then FORCE the owners to give it up so that the Government can sell it again under a different name, eg NBN Co? Honestly, how silly do they think we all are? Please, treat us with a bit more respect than that!

Anti-Bills should never be passed

- ❖ This Bill is so obviously anti Telstra that it is an embarrassment to intelligent Australians. It is dripping with revenge, hatred, arrogance and clumsiness and had it been drafted by a legal student doing Bill drafting 101 he/she would have failed and told to give up law. Surely our politicians, Ministers and their highly paid advisors can do a better job than that? How about a 'leap' into the big and bright future that telecommunications is and will be? There is NOTHING redeeming about this Bill, Nothing! It is devoid of anything positive, it is punitive, it is wealth destroying and it will distract the only company capable of doing the

NBN on the scale of Australia. Give it a run on “Hey, Hey, it is Saturday”, BUT please do NOT pass this Bill Senators.

There is more value in the future than the past

- ❖ This is the mother of all “fast forward to the past” Bill. It does nothing for the future of telecommunications in the near or far future. It does NOT set up Australia with a progressive, intelligent, agile and wealth creating regulatory framework for an industry with the greatest potential to create productivity. It is a platform with a use by date ten years ago. It is totally embedded in the past and old “stuff”. It simply is not understanding of what is required now for the future to explode with new innovation, creativity and wealth creation, and in that regard it is hugely disappointing, hugely disappointing. People who drafted or conceived Bill this clearly have great difficulty comprehending the web 2.0 space of social networking and future such platforms and technologies. I am NOT talking about using such technology, which a 2 year can master quickly, but actually comprehending the BIG idea behind this innovation and future such BIG idea yet to be invented, but in the pipeline of products of innovative telco companies. Let's get with such mental frameworks and not re-writing the dead, dull and boring waste land of the past – MOST Australians have left that thinking behind, even if they are still using legacy technology. They want to use Skype, iChat etc etc to keep in touch with family and friends and they want to use all these technologies, new platforms and other innovations so please Senators, do NOT anchor Australia in the past nor companies such as Telstra. Honestly, who else is going to do this? Who in the past has done this? Who is investing billions in new capital infrastructure for this industry? Who has the money and the inclination to do this massive investing? Guess you know the answer as well as most Australians. Let us NOT destroy EVERYTHING in this industry, NOW is NOT the time to do this. Tell the Government to be sensible and set up a decent partnership and get on with building the NBN, but not destroy what value remains for a few more years in the PSTN. Why take on all the 1.4 million Mums and Dads who bought the story from the previous Government and ‘saw’ the future in this industry which owning Telstra promised? Senators, please help the Government as they clearly are blinded by revenge and rage at Telstra. Tell them to get over it and get on with the real job.

Telstra needs a wake-up call, but not like this

- ❖ Telstra has been arrogant in the past. Telstra has been silly and bureaucratic in the past. Telstra has treated customers badly in the past. Mostly under Government ownership. Politicians and Governments have ‘protected’ the sheltered workshop within Telstra in the past. With ‘mark to market’ conditions prevailing when Telstra was privatized and sold off all this changed. Remnant rogues who resisted market discipline remained hidden deep in Telstra, but over time this has changed. There is some distance to go yet, so keep Telstra on its toes and customer focused. That is the obligation the Government has when it got all those billions from the Mums and Dads. But NOT like this. NOT by destroying the savings of the Mums and Dads. This Bill is wealth and value destroying for Mums and Dads. The executives will no doubt continue to get their ‘share’ of the value of Telstra – they always do, but the Mums and Dads and their superfunds who have invested their hard won savings, will not. It is not good enough for people to claim that there are still ‘buy’ recommendations from brokers, and thus this is solid gold proof that value has not, nor will be,

destroyed. This is the sort of empty logic one has come to expect. Brokers also had 'buy' recommendations on many of the US companies which were empty shells and debt ridden – there was NO value, even negative value, in such companies. So seeing a buy recommendation from brokers is of little merit in determining if value is present or absent. And sure any fool knows that? I am hopeful that Senators will see through such flawed and defective logic.

This Bill is not innovative, creative, brilliant or even 'smart' – in fact dumb comes to mind, and it will dumb-down Australia

- ❖ Where is the brilliant policy stroke in this? Where is the 'genius' in this Bill? Where does it lay out the future master plan with flare and flourish? Simply absent. Totally devoid of future proofing the industry. No bridge to the future, no creative bridge building between Government and private industry. It is narrow in its policy canvas, it is colourless in its palette, it is not visionary and has no mechanism for transitioning from the old to the new without mass destruction on the cross over. Surely, we as Australians can do better, we must do better. Show us where there is a smarter, more interesting path to follow – NOT the old worn and torn Nationalization path – that is so forties and fifties.

Senators should reject this Bill because it is anti Telstra, anti Future, anti common sense and anti Australian

- ❖ This Bill has NO merit and needs to be consigned to the waste basket, NOW!

Politicians should spend less time listening to industry 'experts' and more time listening to ordinary Australians who can see past all the rhetoric, spin and hype bubbling out of this rotten mess.

- ❖ Bury it and come up with something which is transforms and transports Australian telecommunications into the next productive and innovative burst of technology and wealth creation. This Bill is mired in the past, tries to re-invent the past, sends everybody into a time warp to the past, is focused on negatives, destruction and revenge – it is a very bad foundation for a otherwise bright future in Australia. Do everybody a favour, just reject it.

It will forever and irretrievably destroy trust in Government sales and privatizations.

- ❖ Government cannot sell the same item twice and expect to get away with it. Australians will not tolerate such deceitful practice. The 'Emperor has no clothes' and even little Johnny can see that.

We need better from our legislators; indeed we deserve better, given the huge investment Australia makes in the Parliament.

- ❖ Hopefully the good and honorable Senators will see this as well and reject this Bill.

Yours sincerely,

Paul Rasmussen