

Senate Standing Committee on Environment and Communications

Answers to Senate Estimates Questions on Notice

Budget Estimates Hearings May 2014

Communications Portfolio

Australian Communications and Media Authority

Question No: 105

Program No. Australian Communications and Media Authority (ACMA)

Hansard Ref: In Writing

Topic: Telstra copper network

Senator Urquhart asked:

At the hearing in relation to questions about Telstra's copper network, Mr Chapman said:
'We have not been censored. I think Mr Cheah and Mr Tanner have indicated that we come at it historically from a consumer outcomes perspective against the benchmarks. We are not seeing anything in those performances, against those benchmarks, which would have required us to drill down further. We have not been asked for any advice specifically on the quality of the copper. As things currently stand, we have incomplete information about that.'

- a. Is the ACMA's position that it only concerns itself with the state of Telstra's copper network to the extent that it impacts the reporting metrics in relation to faults in the provision of voice services?
- b. Does section 8(1)(c) of the *Australian Communications and Media Authority Act* state that one of the ACMA's telecommunications functions is 'to report to and advise the Minister in relation to the telecommunications industry'?
- c. Does section 8(1)(d) of the *Australian Communications and Media Authority Act* state that one of the ACMA's telecommunications functions is 'to report to and advise the Minister in relation to matters affecting consumers, or proposed consumers, of carriage services'?
- d. Has the ACMA, in accordance with its functions under sections 8(1)(c) and 8(1)(d) provided any reports or advice to the Minister on the state of Telstra's copper network and its suitability for acquisition by the Commonwealth for the delivery of broadband performance outcomes mandated by Government policy (e.g. as set out in Exhibit 4-3 of the NBN Co Strategic Review for the Multi Technology Mix?)

Answers:

- a. The ACMA has to date concerned itself with the state of Telstra's copper network only to the extent that it is relevant to compliance with regulatory obligations and associated reporting metrics. This includes, for example, compliance with and reporting metrics for the connection and fault repair of services against the *Telecommunications (Customer Service Guarantee – Retail Performance Benchmarks) Instrument (No. 1) 2011* and associated *Telecommunications (Customer Service Guarantee) Record-Keeping Rules 2011*. While this is the historical position, the ACMA has the discretion to take a different position or a different approach if circumstances warranted.
- b. Section 8(1)(c) of the *Australian Communications and Media Authority Act 2005* provides that it is a function of the ACMA 'to report to and advise the Minister in relation to the telecommunications industry'.
- c. Section 8(1)(d) of the *Australian Communications and Media Authority Act 2005* provides that it is a function of the ACMA 'to report to and advise the Minister in relation to matters affecting consumers, or proposed consumers, of carriage services'.

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- d. The ACMA has not provided any specific reports or advice to the Minister on the state of Telstra's copper network or its suitability for acquisition by the Commonwealth for the delivery of broadband performance outcomes mandated by Government policy.