

Senate Economics Legislation Committee

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates, 16 & 17 February 2005

Question: Add 14

Topic: ACCC - Transposition

Hansard Page: E13

Senator Lundy asked:

I am getting complaints and requests – for example, a consumer is told a transposition is not possible by TPG and, when the request is made by Telstra, they are told it is possible. It is a similar issue to the request for ADSL, but it is another layer into the network infrastructure.

Could I ask you take that on notice and investigate this matter?

Answer:

A transposition process is undertaken where a customer wishing to connect to a DSL service is unable to do so due to a technical limitation, such as the presence of a Pair Gain line or a RIM (remote integrated multiplexer) at the local exchange. The transposition process is where an alternate path is sought for the customer's line so that DSL can be provisioned despite the technical limitation. Not all transposition requests are successful.

The ACCC has received a number of complaints from consumers and ISPs which compete with BigPond about alleged inconsistencies in the provisioning of ADSL services. The complaints have included alleged inconsistencies in the application of the transposition process, with customers allegedly being advised that they are unable to have ADSL connected by an ADSL provider and, upon contacting Telstra BigPond, being advised that ADSL can be provided. Complaints have also included alleged inconsistencies in the provisioning of ADSL where a service qualification (SQ) fails due to excessive transmission loss. In relation to the latter complaint category, the ACCC has obtained assurances from Telstra that it will:

- permit a customer to transfer to their chosen ADSL provider where that customer's line fails SQ due to excessive transmission loss, but the customer is currently being provided with an ADSL service by BigPond; and
- permit a customer to transfer to their chosen ADSL provider at no cost and with no break fees where an ADSL order placed through a Telstra wholesale provider fails SQ but Telstra subsequently accepts an order via BigPond for the provision of ADSL on the same service line.

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It is important to note that the transfer process applies where:

- ADSL services are supplied by either Telstra BigPond or Telstra Wholesale;
- the Telstra BigPond connection occurred within 30 days of the original failed SQ result; and
- the difference between the original failed SQ result and the subsequent pass SQ result was due to an error and not because of other circumstances, for example, as a result of a network upgrade during the intervening period.

The ACCC is currently investigating whether the assurances obtained are sufficient to resolve the matter, and how, if at all, the remaining complaint categories fall within the provisions of the TPA.