

**Serge Jean Noël Pérombelon**

Committee Secretary  
Senate Select Committee on the National Broadband Network  
Department of the Senate  
PO BOX 6100  
PARLIAMENT HOUSE  
CANBERRA ACT 2600

Monday, 29 June 2009

Dear Sir/Madam

I am making a submission to the Committee as a concerned consumer.

I live in the southern suburbs of Brisbane and as such my experience is limited to a metropolitan environment but my concerns may be equally applicable to other parts of the country. They revolve around service delivery.

Because of the unknown nature of the implementation, I can only base my remarks on the present system in the hope that you will take them seriously into account in your recommendations to Government as they in their eventual implementations.

I am not aware of any studies conducted to ascertain the current level of satisfaction households express with their present internet services, choices of service, service delivery, costs, complaint handling and protection.

However one only has to pay a quick visit to the Whirlpool forums with its high number of complaints to get a microcosm of what could be a more widespread phenomenon of dissatisfaction hidden from view and exposure.

#### Accountability

The basic problem as I see it is that Internet Service Providers are not subject to any regulation and accountability in terms of Service Performance which leads to a mishmash of self regulation where they are free to decide their own procedures at the expense of consumers.

#### Performance

Rewards and penalties based on performance apply to nearly every aspect of life. So why should it be different for ISPs?

I understand that the only guarantee that ISPs have to provide is a broadband connection speed of 1.5 MBs which in my reckoning should a provider not be able to satisfy on a permanent basis then it should not be in that business in the first place. Let's face it, 1.5MBs can hardly be regarded as a reasonable benchmark for broadband provision in today's world.

But that is only the tip of the iceberg. Then there is the issue, amongst many

others, of peak and off peak usage which in my opinion disadvantages people on fixed income who are forced to take smaller plans but is also an unwarranted imposition on consumers.

I recently had to take issue with my provider as my contract was never subject to any of those conditions and was unceremoniously downgraded to dial-up speeds without my ever having been made aware of any changes in the conditions of the plan.

You are free to view my experiences by going to the forum post entitled Very high unusual download stats (<http://forums.whirlpool.net.au/forum-replies.cfm?t=1216604>)

As I stated there, I really think that internet charges should be linked to performance. Everything else is.

I am firm in the belief that ISPs should not only report on the amount of data used but be made also to keep records if they are not already doing so and advertise on the monthly average speed obtained during the period peak and off peak, total downtimes, number of disconnections and other pertinent data affecting the service and then be subject to penalties set according to a reasonable scale of expectations and not just on satisfying the minimum.

Perhaps a ranking system could then be established so that consumers have an independent but reliable source on which to base their buying decisions.

That would surely then cause ISPs to act more responsibly and urgently to customer problems and concerns as their bottom line profits would be at risk but it would also benefit consumers by forcing ISPs to disclose their performance targets and achievements but more importantly provide consumers with concrete rights and expectations together with an avenue to make informed decisions and access to an effective resolution process based on justice and equity which at present are sorely missing from the equation.

Serge Jean Noël Pérombelon