

April 8th 2005

John & Jan Coombes

FACSIMILE TRANSMISSION

TO. Louise Gell

Company. Committee Secretary,
Senate Environment, Communications, Information Technology and the
Arts Committee

Fax No. 02-62775818

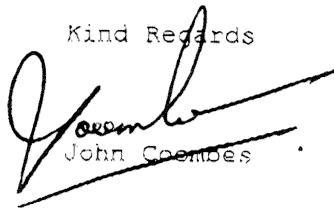
No of Pages. 8 (inc. Header sheet)

Subject. Submission for Senate inquiry into the Adequacy of the Australian
Telecommunications regulatory regime.

Dear Louise

Please find attached my submission to the above inquiry.

Kind Regards


John Coombes

RECEIVED TIME 8. APR. 9:49

PRINT TIME 8. APR. 9:54

8th April 2004

The Committee Secretary
Senate Environment, Communications, Information Technology and the Arts Committee
Department of the Senate, Parliament House
Canberra ACT 2600

Attention M/s L. Gell

Subject. Senate Inquiry: into the adequacy of the Australian telecommunications regulatory regime.

Dear Louise,

Please find enclosed a copy of a letter that I had forwarded to Telstra in response to a number of inadequacies in their provision of service to my home business.

The details listed, outline in detail, my belief that Telstra is NOT able to supply or service their existing customers. This ability I believe is due to the pressure of the Australian governments' intention to sell off the balance of Telstra and place a profitable bottom line for the sale as more important than the provision of services from Australia's main telecommunications carrier.

The response from both the Minister for Communications and Telstra in response to my letter has fallen on 'deaf ears' as no correspondence has been received and other than now the telephone service being replaced by a single line, there has been NO acknowledgement that Telstra is riddled with service inadequacies. No apology has been received by the organization, as that may admit 'liability' in the now loss/closure of a Business. No response has been received by the TIO who has written to Telstra in March 2005 to given reasons and answers to the complaints raised.

Other service utilities have shown a pre-emptive ability to ensure their service remains in place and provide a service not based under any guarantee. However Telstra through their non-committal and total lack of understanding I believe need to be forced into action and individuals and small business given a legal base independent of the TIO and a basis of public funding to take on this independent Dinosaur (Telstra) who believe they are not under any obligation to provide what has become a standard in the modern world. That of providing a service "beyond reproach".

A meeting with Telstra staff was held at my premises in the first week of February where agreed items and terms of settlement were discussed and the problems outlined so that a path to rectification was agreed upon. Again to date, other than the replacement of the ISDN service to a single telephone line no other action has taken place. An agreement on reverse of the billing has not taken place and no correspondence on the current position of the service has been received. Certainly no apology for the faults and their reasons for occurring.

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My personal observations of the Telstra organization is that it is out of control and needs to rebuild a culture of trust and acknowledgement that it's customers are the reason it is in business.

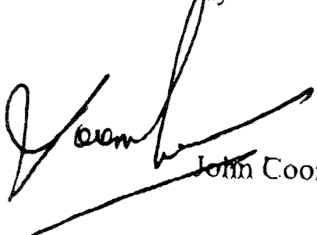
1. That the dependence that the community has on its service has to be acknowledged.
2. That the current legislative service standards need to be expanded to ALL Telstra offerings and not just limited to single service provision. So that ISDN, Internet service provision, Broadband (That would be nice to have in the Country) and other services are placed under regulatory authority with an immediate acknowledgement of registered faults of say more than 5 service calls or more are fully compensated to the user where Telstra has shown their laziness or tardiness in fixing a fault or even in my case even acknowledging one.
3. That Telstra sales staff be trained to understand what limitations are on which services before selling or recommending changes to customer services via call centres based outside the immediate region (i.e. Distance from the exchange problems)
4. That account departments look at issues/services as to why people are not paying their accounts and have access to fault records in their follow up with customers.
5. That the difficulties currently placed in getting through to people in authority be changed and that a more streamlined approach be put into place.
6. That correspondence with the organization be placed as high priority and that people respond to customer correspondence. (To date I have not received a reply to the letter attached in any manner to the person addressed or their superior).

At the present time I believe that it places itself in an elitist position and I have a perception that if they (Telstra) keep quiet about their problems then the problems will go away and no one will follow up on their complaints. I believe this attitude may mean that there are a high percentage of people who just walk away and not continue to outline their lack of service and that it creates a false overview of the adequacy of their service.

Being a long time Liberal voter who has become disillusioned with the 'Spin' that the average Australian accepts that Governments view that Telstra is ready for full privatisation. I am forced to concede and wonder whether the privatisation issue now has a hidden agenda and the real truth of the Telstra sale is being hidden from the general public. The average Australian does not have the resources to take on Telstra with Litigation so as a consequence it's real and perceived adequacy of it's provision of service becomes a 'quasi' false standard and one that the average Australian is supposed to accept so that in the end people business's and lives are put at risk by an organization that doesn't understand the meaning of service.

I trust the views outlined may be of some assistance to committee and it's abilities to enforce changes in the way this organization delivers it so-called service to the community.

Yours sincerely



John Coombes

24/1/2005

Ref: 163601

The Customer Relations Officer
NSW Regional Services
Regional Complaints Management Team
Telstra Corporation Limited
5/317 Hunter Street
Newcastle NSW 2300

Attention. M/s Tania Eveleigh

CC The Minister for Communication Australia Parliament House Canberra
The Member For the Hunter. Mr. J. Fitzgibbon Cessnock NSW 2325

Reference: 1636061

Dear Tania,

I acknowledge receipt of the documentation outlined in your letter of the 20th of January 2005 and confirmed today in our telephone conversation regarding the above complaint. Thankyou! for at least forwarding a general outline from Telstra of its procedures in some form for the first time in written format. The documents provided at least declare Telstra's liability in the event of death. What a positive statement.

The complaint appears to have no substance, according to you and Telstra, unless it is approved by you and your legal departments' assessment, due to your telephone statement that it is a single complaint and not an ongoing recorded fault with a track record of fault recognition. This is in spite of the acknowledged problems associated with the installation by your own Chief Regional engineer Mr. Colin Gillespie his technical staff members and Level 2 ISDN field staff. I believe that Mr. Gillespie has now updated you on the true current status of the connection problem.

I must admit I find it implausible to accept that there is NO moral acceptance by your department or Telstra to recognise, given the amount of information on your files of the number our telephone number, that alarm bells haven't rung of the lack of provided service attributable to the installation of this service. Complaints having been raised from its inception and installation, with NO Telstra received response, of the service from the 16th of November 2004 and it's associated long term recorded complaints and inadequacies.

Having made the initial enquiry about ISDN availability, at the local Telstra line man's recommendation, and service to our premises and now the ongoing debacle about it's installation and faults. I must admit I now find quite amusing, if it wasn't so serious, to have been told by yourself. the ACA as well as the Industry Ombudsman that there is absolutely NO service guarantee extension to this FULL Telstra provided service.

All of this with no documented or related communication forwarded to me about this major service change as well as no signature requirement for the change, no disclosure of information on Testra's part and certainly no acknowledgement of when or if a fix could or would ever occur on a fully offered Telstra product when it does breakdown.

In moving to the premises in April 2002 and placing Telstra as the carrier of choice for a standard PSTN service I should have learnt that even a service guarantee is no guarantee of adequate service provision. For your information that same service had had over 27 lodged/logged calls of fault and now I am finding over 35 plus calls from the 16th of November 2004 emanating from a non continuous supply on the new ISDN service. I have now received an invoice requesting payment for the connection to continue the service. I must admit I am more than perplexed where no recourse is available to me without litigation. Tania. I wonder whether you would accept 50 plus calls on a telephone service to do work at your desk as an acceptable provision of service over the time in question.

The following problems/complaints are still outstanding on this telephone number:

1. A recognition that a Telstra product offering is still not working every day as a standard service.
2. An obligation by Telstra to fix or offer an alternate service whilst it is corrected (Even though this was suggested by a repairer to me and would be included in his report).
3. That Telstra believes that it is OK to waste a customer's time to report faults on it's own systems. A total of 90 hours plus to date from installation travelling up to 9 klms to make the reports on a mobile phone at the customer's expense. (ISDN fault links are not a free call).
4. That integrated services under the link do not work even though Internet and domain name changes have been earmarked to change to Telstra. (Sorry! I forgot there is no guarantee of service on Internet services from Telstra either!!!).
5. That the initial installer was too lazy to return to his vehicle to get a ladder and stood on one of our stools breaking it. He did not even have the courtesy to tell us it was broken it was discovered a week after the installation. (Another \$140.00 cost to me)
6. The there was three (3) lines under the original PSTN service (
[Primary] [Secondary] [Secondary Duet] and that
these three lines were installed by the same installer as full ISDN lines
outside the original work order.

7. The installed primary number was made _____ even though was and has always been used and identified as the main connection number due to extension placements in the house and home office.
8. He didn't correct this or even log that he had finished the installation and that on the following day when NO service was available and the fault/complaint reported a Telstra fault operator applied an interim fix on the serviceable and incoming line connections.
9. That programs used in previous billings are replaced with non acceptable distance limitations of only 25 Klms for local calls and not the 75Klms previously applied.

The engineers mentioned earlier, have acknowledged to me that there is a programming problem and that they are at a loss to understand why a Telstra machine or staff member is reprogramming the system at 12:05PM each working day since last Friday to cause an continuing fault. My suggestion to engineers last Friday was that a monitor on the lines be set-up to ensure a continuation of the system and detect faults. This they stated was unable to be done.

I have requested on 5 separate occasions to them and to the Telstra sales staff that the ISDN be removed. That a standard single PSTN line be reinstalled at no cost to my organization or me. This has not been carried out. I believe, due to Telstra's perceived desire to ensure revenue maximisation on a system that there is no perceived guarantee over. Forget the clients desire to have a working service to obtain an income. A maximisation based on a falsehood of provision of a service that does not work due to Telstra's monopoly of services to the Country/Bush and perceived conception of let them take it or leave it.

A suggestion from the writer that maybe Telstra should look into it's ACA customer service guarantees and see whether it can meet it's obligations and also ascertain whether it is not only able to meet them but to comply with them. Maybe then people in the bush wouldn't be so cynical and believe your services up to scratch and that privatisation could then occur.

The lack of services to my premises has now cost more than a lack of service. The following implications are now in place due to your organizations lack of customer service and or commitment.

- A. A loss of business due to the lack of an adequate, reliable telephone service of any sort from the home office.
- B. A desire by customers/contractors to be able to contact me to provide them with an adequate service of supply of my services. Rather than attempting on 5 call backs as one client had to do in trying to reach me and went elsewhere as she couldn't reach me.
- C. An inability to use the Internet to post Photographs to my Web Gallery and offer them for sale.
- D. An inability to contact family caught up in the recent Tsunami Disaster in South East Asia (Phuket) and check on their well-being.

The obligations outlined and expected of Telstra have now also cost me my livelihood and an inability through the impact and loss of the Telstra service through non-revenue to pay my bills for the first time in my business career. Through the inability to obtain a recognized level of expected service from Telstra my house has been placed on the market as customers have suggested that they will not deal with my organization as they cannot contact me to discuss their requirements and book my time.

Even the real estate agent under the current Telstra problems cannot reach me to arrange inspections of the property. I wonder if any prospective purchaser would also like to hear of the Telstra inadequacies and still go ahead with the purchase. I cannot apply for alternative employment as no prospective employer can reach me to offer employment.

To make a telephone call I now have to drive 9 Kms to _____ and use the mobile when there is no other service available to the house when the lines are down. Even the mobile coverage in the area is not up-to scratch. I enclose a report of a conversation with your Telstra representative to a local community representative published in our local newspaper. (Maybe locally we should call the _____ and surrounds Telstra's forgotten valley).

I am unable to forward my current photographic work to my publishers so deadlines of my work are now missed and I am unable to use the new ISDN Big pond connection purchased and placed on the ISDN link due to the irregularity and indifference of the service you now say is a standard workable offering and one that Telstra suggest I should now accept as the correct acceptable offering.

All of this acceptance, even though you have been corrected again today as I understand, in your conversation with me by Colin Gillespie, your own Telstra engineer, that the existing service still has problems, has from day one and is not working even though it is within specs.

Bigpond was connected and the transfer of my Internet Domain Name from AAPT was arranged as part of the ISDN link. This service also now needs to be disconnected at no charge; I will now reconnect/revert to a carrier that can provide what they say they can. AAPT!!!!

Added to this I recently received an invitation from Telstra to change my connection to Broadband, at no charge, as it is now available in the _____ exchange. No connection fee and no paper work and again No knowledge by Telstra sales staff on the limitations of this service over the distance to the property from the exchange to run the service. Having experienced Telstra delays in the installation of the ISDN service with a lack of truth exercised by Telstra Sales staff I wonder what other experiences I would have to endure under this new service provision from Telstra. Being an Internet connection is it too excluded under the service guarantee and Telstra's legal obligations under law?

Tania! I WILL NOT be paying any Telstra account billed under this current service that you suggest is normal and a standard service. Living or dying with the knowledge that even though I have been a good paying Telstra client for over 30 plus years and with no overdue accounts Telstra is only interested in one thing. Telstra. Should this non-payment then need action on Telstra part for recovery fine! I will defend my actions of non-payment to the maximum and expose Telstra in the courts for it's lack moral fortitude and unscrupulous dealings in wanting to be paid for a service that does not work, it does not guarantee but still wants payment for. I live in the knowledge that I did not cause this problem Telstra did and has moral obligations to provide a continuing services that it charges for that work under the Trade Practices Act. Just like any other business in Australia.

Due to the amount of time (90 hours plus wasted in trying to get some form of customer satisfaction from Telstra) I will not waste any more time based on your organizations inefficiencies. I will not fill out any forms provided by Telstra that are based on vagaries, without reason or do not provide or obtain a mutually agreed result. Should you or any other Telstra staff member, other than those engineers mentioned previously, wish to contact me now in regard to this or any other Telstra matter I reserve the right to charge Telstra at my going working rate of \$1000 per day or part thereof for any call. A charge I have made to clients in the past in recommending ISDN services and connections for their computer connections prior to broadband applications.

Refusal of this charge and immediate non-removal of the ISDN service without provision of the single PSTN service will ensure that a non-associated, non copper, carrier of Telstra will be used in any future communication requirements and recommended to all clients. This will occur within two weeks of the writing of this letter and be informed of to Telstra of where their product can be collected from. Maybe the local Council Tip is a good recovery point!!!!

My right to charge this fee is based on the fact that my firm is also not governed by a regularity authority and there is no written provision of a service guarantee or access to my property. Should a Telstra representative or agent enter my property without permission he/she will be charged with trespass and be treated the same way I have been treated by Telstra in this matter.

I have learnt, over the past 6 months, that you don't trust anyone in provision of business services especially Telstra, an organization perceived by the writer to be only interested in it's own future and not the mutual business services that it declares openly it is in partnership with business's to achieve. Business's that even without Telstra that are trying to engage and employ usable services in a living dynamic Australia. Working in real time not Telstra time or its' acceptable fix and non-provision of a realistic resolution.

Yours sincerely

John Coombes

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