Telstra submission: Extending rules about requests for USO voice services

Public submission

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1 Executive summary

Telstra welcomes the opportunity to comment on the Department's consultation on the draft *Telecommunications Universal Service Obligation (Standard Telephone Service – Requirements and Circumstances) Amendment Determination 2026* (the Draft Determination).

Telstra broadly supports the Draft Determination and its continuation for a further three-year period, noting this timeframe will maintain alignment with operational realities, evolving technologies, and the broader USO framework, while providing regulatory certainty for Telstra, customers, the ACMA and the TIO.

Telstra supports the proposed amendments that align the Determination with the current Customer Service Guarantee (CSG) Standard and expand the definition of a "request" to reflect modern network practices, including technology withdrawal and managed migration scenarios. These changes improve clarity and ensure the framework remains coherent and fit for purpose.

Telstra also supports amendments to clarify the circumstances in which supply of a standard telephone service (STS) may not be required, including where necessary preconditions - such as access to electricity or technical installation requirements - are not met. A technology-neutral approach remains critical to ensure the framework can adapt to evolving delivery methods without embedding assumptions about specific technologies.

While supporting the intent of improved customer information outcomes regarding electricity supply requirements, Telstra emphasises that obligations should be limited to the provision of general information, rather than premises-specific advice, given the involvement of third parties and lack of visibility over individual premises. In this regard, Telstra does not support a requirement to provide indicative timeframes for electricity supply, as this is not a matter that Telstra has visibility or control of (or can provide general information about) and therefore risks causing customer frustration or confusion. We suggest Subsection 7(4)(a) is amended to include a requirement for the primary universal service provider to provide a person written notice that sets out 'general' information about power supply. This will ensure the intent of this obligation is clear.

Finally, Telstra considers it appropriate that the Determination is also amended to align with the Statutory Infrastructure Provider (SIP) regime by including a general exemption for requests that are not technically or physically feasible, recognising that supply obligations are subject to impediments due to the location or circumstances of the site.

2 Proposed Amendments to the Draft Determination

2.1 Telstra supports a three-year timeframe

Telstra supports the proposed three-year timeframe of the Draft Determination. These rules play an important role in the USO framework by clearly defining valid requests and the scope of the obligation to supply. They should remain current and reflect both operational realities and the technical capabilities of the services being offered. A three-year term is appropriate to maintain that alignment. Continuing these arrangements will reduce uncertainty for Telstra, customers, the regulator and the TIO.

2.2 Alignment with the current CSG Standard

Telstra supports the consequential updates aligning the Determination with the Telecommunications (Customer Service Guarantee) Standard 2023. This is a necessary and sensible update that ensures the Determination continues to operate coherently with the current CSG framework.

2.3 Expanded definition of "request"

Telstra supports expanding the definition of "request" to cover circumstances where a technology used to supply an STS is withdrawn or ceased. This reflects how network modernisation occurs in practice and provides clarity during managed migration and product exit scenarios.

3 Telstra supports additional amendments to provide clarity of obligations

Telstra supports retaining a technology neutral approach to USO supply. Focusing on what is reasonable and practicable in the circumstances allows the framework to adapt as delivery technologies evolve, without embedding assumptions about any single platform.

3.1 Power supply notice – scope and practicability

Telstra supports the policy intent of the amended electricity supply provision in paragraph 7(4)(a). Requiring clear written information about steps and technical requirements should assist customers who need to arrange power to support an STS.

However, further clarity is needed to ensure the obligation is framed as the provision of general information, rather than premises specific advice. Telstra does not have visibility of, or control over, individual premises' power supply. The obligation at paragraph 7(4)(a) must be clear that the provision of general information is sufficient. It is appropriate to provide consumers with standardised information (such as guidance materials), but it must be clear that Telstra is not expected to undertake site specific assessments nor required to tailor notices for individual customers. For example, 7(4)(a) could provide this clarification by amending the clause to state "given the person written notice that clearly sets out ***<u>general information relating to:</u>***"

3.2 Indicative timeframes for electricity supply

We are concerned about the addition of a requirement for the primary universal service provider to provide *"indicative reasonable timeframe"*. We would caution against conflating a requirement to provide general information regarding the pre-conditions for obtaining a service, with information regarding an indicative timeframe to obtain an electricity supply.

The timeframe for availability of electricity supply at a customer's premises is dependent on a range of variable matters outside of Telstra's reasonable visibility or control, for example:

- the timeliness with which the customer takes action to make appropriate arrangements;
- the timeliness with which third parties, such as electricians and energy providers, respond to the customer's request (which in turn will depend on the location and circumstances of the premises); and
- the readiness of the customer's premises and availability of access.

Given these variables, and the need for the notice to include only general information as submitted above, requiring the notice to provide customers with an indicative reasonable timeframe risks causing customer confusion or frustration.

For these reasons, Telstra proposes that the new subparagraph 7(4)(a)(iii) - which would require providing an "indicative reasonable timeframe" for obtaining an electricity supply - be removed from the final Determination. This will avoid the risk of confusion or frustration for customers caused by imposing obligations that are beyond Telstra's control.

3.3 Addition of Recognition of technology constraints

Telstra notes that the SIP regime includes a general exemption for requests that are not technically or physically feasible, recognising that supply obligations are subject to impediments due to the location or circumstances of the site.

Specifically, Part 2, Division 1 6(m) of the *Telecommunications (Statutory Infrastructure Providers – Circumstances for Exceptions to Connection and Supply Obligations) Determination 2024* (the SIP Determination) states that:

> *(i) after conducting an on-site inspection of, or undertaking other inquiries or analysis of, the location where the premises is sited, a relevant SIP reasonably determines there are particular topographical or other features of the premises or its location that either impact or prevent the connection and/or would render the premises incapable of being supplied with a properly functioning eligible service (the impediment);*

Section 7(4) of the Determination similarly relieves Telstra, where appropriate notice is given, from its obligation to supply a STS for any period during which the customer fails to provide necessary preconditions such as an adequate power supply, trenching, infrastructure or access to the premises. However, there is no similar exception relating to topographical or other impediments that render the premises incapable of being supplied. Telstra considers it appropriate to apply the same principle to impediments to the delivery of an STS due to the location or circumstances of the premises, given the aligned policy intent.

For decades, USO voice services have been delivered using multiple technologies – including fixed line (copper), fixed wireless (point-to-point radio and terrestrial mobile networks) and satellite. These technologies are inherently subject to technical and physical limitations that may prevent service delivery in particular locations, notwithstanding that services are generally available. For example, Low-Earth Orbit (LEO) satellite services require a clear line of sight to operate effectively, and physical obstructions at a particular location (such as terrain, vegetation or structures) may mean the premises is incapable of being supplied with a properly functioning STS.

Accordingly, Telstra recommends that the Draft Determination includes an additional circumstance that replicates the exception in the SIP Determination. This exemption would operate consistently with section 7(4), including the requirement to provide appropriate notice to the customer.