

FOI

**From:** Grunhard, Samuel  
**Sent:** Friday, 19 September 2025 4:17 PM  
**To:** barnaby.kerdel@aph.gov.au; s22(1)(a)(ii)  
**Cc:** Media; s22(1)(a)(ii) McMullan, Kate; s22(1)(a)(ii) s22(1)(a)(ii) CHISHOLM, James; French, Angela  
**Subject:** Optus incident - suggested talking points [SEC=OFFICIAL]

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Barnaby, s22(1)(a)(ii) as promised some responsive TPs if asked about the Optus outage. Optus has not yet issued a statement but evidently will do so some time this afternoon/evening.

- The Department is aware that Optus experienced an outage impacting Triple Zero calls on 18 September.
- While details are still emerging, no Triple Zero outage is acceptable.
- Telecommunications carriers have obligations to ensure they successfully carry Triple Zero calls.
- The ACMA will look at this incident as the regulator for the Triple Zero obligations.
- The Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts will also look into the matter to determine if there are further lessons to be learned for the Triple Zero ecosystem.

Sam

**Sam Grunhard**  
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Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts  
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**From:** s22(1)(a)(ii)  
**Sent:** Friday, 19 September 2025 6:51 PM  
**To:** Grunhard, Samuel; barnaby.kerdel@aph.gov.au  
**Cc:** Media; s22(1)(a)(ii) McMullan, Kate; s22(1)(a)(ii) s22(1)(a)(ii) CHISHOLM, James; French, Angela  
**Subject:** RE: Optus incident - suggested talking points [SEC=OFFICIAL]

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Thanks Sam – I will update the 2 x documents provided by the media team with the additional background.

REgards

s22(1)(a)(ii)

Advisor • Office of the Hon Anika Wells MP

Minister for Communications • Minister for Sport • Member for Lilley

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**From:** Grunhard, Samuel <Samuel.Grunhard@COMMUNICATIONS.gov.au>  
**Sent:** Friday, 19 September 2025 6:45 PM  
**To:** s22(1)(a)(ii) <s22(1)(a)(ii) mo.communications.gov.au>; barnaby.kerdel@aph.gov.au  
**Cc:** Media <media@infrastructure.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii) infrastructure.gov.au>; McMullan, Kate <kate.mcmullan@infrastructure.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii) infrastructure.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii) mo.communications.gov.au>; CHISHOLM, James <James.CHISHOLM@infrastructure.gov.au>; French, Angela <Angela.French@infrastructure.gov.au>  
**Subject:** RE: Optus incident - suggested talking points [SEC=OFFICIAL]

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Sorry <sup>s22(1)(a)</sup><sub>(ii)</sub> answers in line below.

Sam

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Sent: Friday, 19 September 2025 6:32 PM

To: Grunhard, Samuel <[Samuel.Grunhard@COMMUNICATIONS.gov.au](mailto:Samuel.Grunhard@COMMUNICATIONS.gov.au)>; [barnaby.kerdel@aph.gov.au](mailto:barnaby.kerdel@aph.gov.au)

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Angela <[Angela.French@infrastructure.gov.au](mailto:Angela.French@infrastructure.gov.au)>

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Thanks Sam – there are a couple of areas I need the department to fill in – now highlighted in yellow

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Thanks s22(1)(a)(ii) All of the below is correct (I assume the ACMA investigation info is from their website). One suggestion in red regarding the ACMA's regulatory role.

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**Sent:** Friday, 19 September 2025 6:24 PM  
**To:** Grunhard, Samuel <[Samuel.Grunhard@COMMUNICATIONS.gov.au](mailto:Samuel.Grunhard@COMMUNICATIONS.gov.au)>; [barnaby.kerdel@aph.gov.au](mailto:barnaby.kerdel@aph.gov.au)  
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Sam

Can the department the below check these and fill in the gaps.

Regards

## Policy Background

### The legislation

- Optus is a carrier and carriage service provider
- Carriers and carriage service providers have legal obligations under:
  - Telecommunications (Emergency Call Service) Determination 2019 (the Determination)
  - Telecommunications Act 1997 (the Act)
  - Telecommunications (Consumer Protection and Service Standards) Act 1999 (the TCPSS Act)
- These laws required carriers/CPS and emergency call persons to ensure access, carriage, handling and transfer emergency calls. They must comply with the Determination, carrier licence conditions, and service provider rules.
- **ACMA regulates compliance with these laws.**
- ACMA can investigate suspected breaches of any of these legislative instruments.
- Triggers for an investigation include
  - a network outage (disrupts access to Triple Zero or emergency services),
  - failure to notify Telstra (the emergency call person for triple zero) or the government in a timely way.
  - Complaints or referrals
  - Self referral from an entity.

### The ACMA investigation process

#### 1. Preliminary Assessment

- ACMA reviews incident reports, outage data, carrier notifications
- It checks whether reporting timelines and procedures in the determination were met.

#### 2. Formal investigation

- ACMA can compel information under the Telecommunications Act (e.g. outage logs, internal comms, risk assessment)
- Technical analysis is undertaken to see whether call routing, carriage and transfer obligations were met.

#### 3. Engagement with the Carrier

- ACMA seeks explanations from the carrier on what has occurred,

#### 4. Findings and Enforcement

- If ACMA finds a breach/es it can
  - Issue a warning or direction to comply
  - **Impose a penalties – per infringement (up to \$19,000)? Correct**



- Impose a civil penalty of a breach of a service provider determination (currently up to \$250,000 per breach??, but being amended through the TECS Bill before the House) **Correct – noting I don't believe the increase would have retrospective effect if passed by Parliament**
- Accept a court enforceable undertaking from the carrier
- In serious cases, recommend changes to conditions or refer to the Minister.

### Other outages of this type

- 30 June 2025 - [TPG warned for failure to comply with Triple Zero rules | ACMA](#)
  - ACMA issued a formal warning for failure to notify Telstra in a timely manner that an outage had affected emergency calls from its network.
  - ACMA found the TPG network was between 12:40am and 2am on 15 August 2024.
  - The investigation found TPG did not notify Telstra until 9:07am.
  - The majority of Triple Zero calls made during the outage were able to camp-on to other networks.
- 4 June 2025 - [Telstra penalised for disruption to emergency call support service | ACMA](#)
  - ACMA fined Telstra \$18,780 for accidentally disabling connect to 106 emergency call relay service for 12 hours and 46 minutes between 5-6 July 2024.
  - It was the maximum amount ACMA could fine them (why?)
- 11 December 2024 - [Telstra pays \\$3 million penalty for Triple Zero outage | ACMA](#)
  - ACMA fined Telstra just over \$3M for a technical disruption to Telstra's 000 emergency call centre, lasting 90 mins.
  - During the disruption, calls to 000 needed to be transferred to relevant emergency service organisations were hampered
  - ACMA found 473 separate breaches of the rules governing 000
- 8 November 2024 - [Optus pays \\$12 million penalty for Triple Zero outage | ACMA](#)
  - ACMA fined Optus experienced a whole-of-network outage causing significant disruption to millions of Australians, leaving many without the ability to call Triple Zero.
  - **What for and why>** The ACMA found Optus failed to provide access to the emergency call service for 2,145 people during the course of the outage. Optus then failed to conduct 369 welfare checks on people who had tried to make an emergency call during the outage (welfare checks are a requirement under the Emergency Call Services Determination).
- The government appointed Mr Richard Bean to undertake an independent review of the outage. The government accepted all 18 recommendations in the final report.
  - The Australian Government has fully implemented 12 of the 18 recommendations in the Optus Outage Review, with the remaining 6 underway
    - Status of the remaining 6 are:
      - Rec 3: Mandatory Testing Code: Six-monthly end-to-end Triple Zero ecosystem tests.
        - The University of Technology Sydney has been procured to facilitate testing with Telstra, Optus and TPG.
        - Testing commences from November 2025.
      - Rec 4: Customer Device Information Code: requiring disclosure to customers of potential device limitations in accessing Triple Zero
        - The Department is working with the mobile network operators and the University of Technology Sydney to consider how this



recommendation can best be implemented in response to the upcoming testing.

- Rec 8: ECS Contract Review: review of Telstra's Emergency Call Service contract to strengthen governance and separate the Emergency Call person role from broader business functions.
  - The Department and Telstra are reviewing the contract and is expected to finalise changes in the near future (what does this mean? – when?) I can't expand upon 'in the near future'. It will be very soon – we are in final contract negotiations with Telstra.
- Rec 14: Temporary Outage Roaming – explores roaming outside of natural disasters
  - Industry is developing TDR (what is TDR) (Apologies: Temporary Disaster Roaming) capability and drafting an MoU to support its development.
  - Broader roaming work now partly overtaken by the Universal Outdoor Mobile Obligation.
  - This recommendation has no set deadline.
- Rec 18: Joint Regularly and Legislative Review: Review of all legislation and regulation relating to Triple Zero,
  - To commence after other recommendations are fully implemented.

s22(1)(a)(ii)

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From: Grunhard, Samuel <[Samuel.Grunhard@COMMUNICATIONS.gov.au](mailto:Samuel.Grunhard@COMMUNICATIONS.gov.au)>

Sent: Friday, 19 September 2025 5:10 PM

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**Subject:** RE: Optus incident - suggested talking points [SEC=OFFICIAL]

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Some further TPs as requested. Also reproviding below the recent fines and investigations so you have them in one string, as requested.

### **Bean review**

- The Australian Government has fully implemented 12 of the 18 recommendations in the Optus Outage Review (the Bean Review), with the remaining 6 underway.
- Work is underway to improve industry accountability and end-to-end oversight of the emergency calling ecosystem.
- The government is committed to ensuring Triple Zero is readily available for all people in Australia, and that consumers and businesses have certainty of access to telecommunications.
- The Optus Outage Review recommendations implemented to date include:
  - o Amendments to the Emergency Call Service regulations to strengthen obligations on telcos for outage reporting, tower wilting (mobile towers resetting during an outage to stop mobile phones connecting to them, to allow them to call Triple Zero on other networks) and real-time information sharing.
  - o New rules for telcos to communicate specific information about outages to customers.
  - o Updates to the Complaints Handling Standard to ensure the effects of outages are appropriately accounted for.
  - o Updated Telecommunications Industry Ombudsman (TIO) guidance to enable a standardised approach to mass complaints resolution.
  - o Updated guidance to help the community prepare for and recover from outages.
- The government is continuing to work with industry to:
  - o Establishing a Triple Zero Custodian, with oversight of the functioning and performance of the broader Triple Zero system.
  - o Review the Triple Zero contract with Telstra.
  - o The development of Mutual Assistance arrangements between carriers.

### **Recent investigations and fines**

- 30 June 2025 - [TPG warned for failure to comply with Triple Zero rules | ACMA](#)
- 4 June 2025 - [Telstra penalised for disruption to emergency call support service | ACMA](#)
- 11 December 2024 - [Telstra pays \\$3 million penalty for Triple Zero outage | ACMA](#)
- 8 November 2024 - [Optus pays \\$12 million penalty for Triple Zero outage | ACMA](#)

Kind regards



Sam

Sam Grunhard

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s22(1)(a)(ii) (duplicate email)



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## OFFICIAL

Hi s22(1)(a)(ii)

Let me know if this provides what you need.

- The Bean Review into the Optus Outage of November 2023 recommended the establishment of “a Triple Zero custodian, with oversight of and overarching responsibility for the efficient functioning of the Triple Zero ecosystem, including monitoring the end-to-end performance of the ecosystem.”
- The Government accepted the recommendation, and tasked the Telecommunications Industry Ombudsman (TIO) with leading a Steering Committee to examine how the Custodian should be implemented.
- The TIO finalised a report outlining the committee’s recommendations.
- The then Minister considered the report and chose to establish the Triple Zero Custodian within the Department. The Custodian function will be performed by senior staff within the Department.
- Legislation is now being developed to provide the Custodian with formal powers.
- In advance of legislation, the Department has consulted with stakeholders, including telcos and the states and territories, on appropriate arrangements to ensure better visibility of activity across the Triple Zero system. However, legislative powers are needed to enable the Custodian to require telcos to provide information to Government.

### Background

- The Triple Zero call centre service is operated by Telstra. However, all carriers and carriage service providers are required to ensure that calls from their customers are carried from their networks to the Telstra Triple Zero call centre.
- The Bean Review found that no one entity in the telecommunications ecosystem had end-to-end visibility of the proper functioning of Triple Zero. Carriers, including Telstra, can only see into their own networks. The Review considered that Government needed to have better visibility and proactive management of the proper functioning of the Triple Zero ecosystem.

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a/g Deputy Secretary

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**To:** Grunhard, Samuel <Samuel.Grunhard@COMMUNICATIONS.gov.au>  
**Subject:** Re: Optus incident - suggested talking points [SEC=OFFICIAL]

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Asap would be good - and really just where it's at and if it's in place, and what it's supposed to do effectively

Thanks Sam

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**From:** "Grunhard, Samuel" <Samuel.Grunhard@COMMUNICATIONS.gov.au>  
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Will do. s22(1)(a)(ii) please let me know if you have specific questions (will provide general background and current status), and when you need answers by.

Sam

**Sam Grunhard**

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**From:** "s22(1)(a)(ii)" <s22(1)(a)(ii)@mo.communications.gov.au>  
**Date:** Friday, 19 September 2025 at 8:25:31 pm  
**To:** "Grunhard, Samuel" <Samuel.Grunhard@COMMUNICATIONS.gov.au>, "barnaby.kerdel@aph.gov.au" <barnaby.kerdel@aph.gov.au>  
**Cc:** "Media" <media@infrastructure.gov.au>, "s22(1)(a)(ii)" <s22(1)(a)(ii)@infrastructure.gov.au>, "McMullan, Kate" <kate.mcmullan@infrastructure.gov.au>, "s22(1)(a)(ii)" <s22(1)(a)(ii)@infrastructure.gov.au>, "s22(1)(a)(ii)" <s22(1)(a)(ii)@mo.communications.gov.au>, "CHISHOLM, James" <James.CHISHOLM@infrastructure.gov.au>, "French, Angela" <Angela.French@infrastructure.gov.au>  
**Subject:** Re: Optus incident - suggested talking points [SEC=OFFICIAL]

OFFICIAL

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Hi Sam

Can you get some more detailed TPs and background (including policy background) on the triple zero custodian to help Chris with potential media tomorrow.

Many thanks

s22(1)  
(a)(ii)

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**From:** "Grunhard, Samuel" <Samuel.Grunhard@COMMUNICATIONS.gov.au>  
**Date:** Friday, 19 September 2025 at 6:45:19 pm  
**To:** "s22(1)(a)(ii)" <s22(1)(a)(ii)@mo.communications.gov.au>, "barnaby.kerdel@aph.gov.au" <barnaby.kerdel@aph.gov.au>  
**Cc:** "Media" <media@infrastructure.gov.au>, "s22(1)(a)(ii)" <s22(1)(a)(ii)@infrastructure.gov.au>, "McMullan, Kate" <kate.mcmullan@infrastructure.gov.au>, "s22(1)(a)(ii)" <s22(1)(a)(ii)@infrastructure.gov.au>, "s22(1)(a)(ii)" <s22(1)(a)(ii)@mo.communications.gov.au>, "CHISHOLM, James" <James.CHISHOLM@infrastructure.gov.au>, "French, Angela" <Angela.French@infrastructure.gov.au>  
**Subject:** RE: Optus incident - suggested talking points [SEC=OFFICIAL]

s22(1)(a)(ii) - duplicate email



**From:** Grunhard, Samuel  
**Sent:** Saturday, 20 September 2025 3:17 PM  
**To:** barnaby.kerdel@aph.gov.au; s22(1)(a)(ii) s22(1)(a)(ii)  
**Cc:** CHISHOLM, James  
**Subject:** FW: Contact points during this crisis [SEC=OFFICIAL]

OFFICIAL

Barnaby, s22(1)(a)(ii) s22(1)(a)(ii) FYI – presumably this is what Stephen Rue is about to say to the media.

Sam

**Sam Grunhard**

a/g Deputy Secretary

Communications and Media Group

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*I would like to acknowledge the traditional custodians of this land on which we meet, work and live.  
 I recognise and respect their continuing connection to the land, waters and communities.  
 I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.*

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**From:** s47F <s47F@optus.com.au>  
**Sent:** Saturday, 20 September 2025 3:14 PM  
**To:** Grunhard, Samuel <Samuel.Grunhard@COMMUNICATIONS.gov.au>; s47F <s47F@optus.com.au>; CHISHOLM, James <James.CHISHOLM@infrastructure.gov.au>; s22(1)(a)(ii) <s22(1)(a)(ii)@pm.gov.au>  
**Cc:** Silleri, Kathleen <Kathleen.Silleri@infrastructure.gov.au>  
**Subject:** RE: Contact points during this crisis [SEC=OFFICIAL]

Dear Sam and James, Kate and s22(1)(a)(ii)

Please see below. New information has come to light which Stephen will address in media. I have shared this with Barnaby and spoken with him also. Please note this is draft and subject to change:

- As I confirmed yesterday, Optus conducted a network upgrade on Thursday 18 September and within this process a technical failure impacted Triple Zero calls.
- As has been reported, this was in relation to a firewall upgrade.
- This resulted in the failure of a number of Triple Zero calls in South Australia, the Northern Territory and Western Australia.



- The loss of the lives of three people, two in South Australia and one in Western Australia, is absolutely tragic.
- I would like to once again extend my deepest condolences to their families and friends and I promise that we will fully cooperate with any and all investigations in relation to this.
- In terms of our own investigation into the technical failures I can confirm that this is ongoing, and I will be fully transparent as we establish the facts of the matter.
- In this regard, I have some new information to share with you.

#### **Length of outage and alerts, commencement checks**

- I would like to address the rightful question around the length of the outage and how we were alerted to this.
- The system upgrade that took place in the early hours of Thursday morning, around 12:30am, was a regular upgrade.
- When the upgrades and changes were implemented, initial testing and monitoring did not indicate there were any issues with calls connecting – normal calls were connecting as they should and call volumes at a national level did not raise any red flags.
- There was a technical failure in the system, and further, there were no alarms to alert us that some emergency calls were not making it through to emergency services.
- We became aware of the severity of the incident when a customer contacted us directly at around 1.30pm.
- We were further notified by South Australia Police shortly thereafter (1:50pm).
- Once notified we began to confirm with relevant stakeholders such as police and other regulatory and government agencies and departments that we had experienced an outage impacting 000 and that we would be commencing welfare checks.
- Welfare checks commenced later that evening and into the following day, Friday. (delay due to complexity of pulling records from the network)
- During the course of those welfare checks we were advised by three households that there had been loss of life and that they could not reach 000.
- While I am not able to comment in more detail regarding these individual situations as it is more appropriate for other agencies, you have my commitment that Optus will share any new information that is appropriate for us to share as we know more.

#### **Confirmation with Agencies, SA Government and WA Government**

- I now would like to comment on our notifications to regulatory and government agencies and departments.
- While communication with regulatory and government agencies including police commenced in relation to the outage on Thursday, the communication of fatalities confirmed through welfare checks was not possible until yesterday.
- Once we had this information and were confident of its accuracy we shared this with our Board, ACMA, the Federal Government and other bodies.
- What I have asked my team to look into is what operational notifications could and should exist between retailers and the emergency services when there is a welfare check that determines a death has occurred. I will update further on this as I am able to establish the facts.
- I am sorry that the lack of this process led to the late notification of the Premiers and Chief Ministers, and while there was an intention was to ensure an earlier awareness of our intention to speak to the media, my team did end up making contact at roughly the same time.
- That said, I reiterate my belief that there should be a formal notification process in these instances, and I have asked my team to look into that urgently.
- This was a complex situation where Optus was keen to be sure of the facts that were emerging and believed to be true, and at the same time we did not push out public notification any further.



- I also want to reiterate that we take full accountability for the technical failure and due to the absence of alarms, we were unaware of this for a period of time which is an unacceptable gap in time I will ensure is fully investigated.

### TIO Referrals

- I now want to make you aware of the fact that we have had two complaints referred to us by the Telecommunications Industry Ombudsman.
- Both surround two individuals calls to the Optus contact centre made on Thursday morning where they complained that the 000 service was not working.
- Early review suggests that we have not handled these calls as would be expected. I will be able to say more about these in due course but I do want to be transparent that we now know we were notified by two individuals that they could not connect into triple zero and this information was not surfaced with the relevant escalation at the time.
- We will be working with the TIO on these complaints and I will provide more details in due course. We are also conducting a review of all calls to our contact centres during the time of the outage.

### Independent Review

- I would like to conclude this update with my confirmation that Optus will be appointing an independent person to lead a review into this entire incident from every aspect. I hope to confirm that person in the coming days but need to speak with relevant stakeholders both internally and externally to confirm prior to my announcement.

s47F

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From: Grunhard, Samuel <[Samuel.Grunhard@COMMUNICATIONS.gov.au](mailto:Samuel.Grunhard@COMMUNICATIONS.gov.au)>

Sent: Saturday, 20 September 2025 10:45 AM

To: s47F <s47F@optus.com.au>; CHISHOLM, James <[James.CHISHOLM@infrastructure.gov.au](mailto:James.CHISHOLM@infrastructure.gov.au)>

Cc: s47F <s47F@optus.com.au>; s47F <s47F@optus.com.au>; s47F <s47F@optus.com.au>;

s47F <s47F@optus.com.au>; Silleri, Kathleen <[Kathleen.Silleri@infrastructure.gov.au](mailto:Kathleen.Silleri@infrastructure.gov.au)>;

McMullan, Kate <[kate.mcmullan@infrastructure.gov.au](mailto:kate.mcmullan@infrastructure.gov.au)>

Subject: RE: Contact points during this crisis [SEC=OFFICIAL]

[External email] Please be cautious when clicking on any links or attachments.

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Thanks <sup>s47F</sup> Is there any further information Optus can share now as to what went wrong, whether camp-on to other networks functioned correctly, and so on?

Kind regards  
Sam

### Sam Grunhard

a/g Deputy Secretary

Communications and Media Group

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I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.*

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**From:** <sup>s47F</sup> <<sup>s47F</sup> [@optus.com.au](mailto:@optus.com.au)>  
**Sent:** Saturday, 20 September 2025 10:43 AM  
**To:** CHISHOLM, James <[James.CHISHOLM@infrastructure.gov.au](mailto:James.CHISHOLM@infrastructure.gov.au)>; Grunhard, Samuel <[Samuel.Grunhard@COMMUNICATIONS.gov.au](mailto:Samuel.Grunhard@COMMUNICATIONS.gov.au)>  
**Cc:** <sup>s47F</sup> <<sup>s47F</sup> [@optus.com.au](mailto:@optus.com.au)>; <sup>s47F</sup> <sup>s47F</sup> [@optus.com.au](mailto:@optus.com.au)>; <sup>s47F</sup> [@optus.com.au](mailto:@optus.com.au)>  
**Subject:** Contact points during this crisis

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Hi James and Sam

As we all know this will be a sustained crisis for Optus and we are mobilising to ensure we can manage this for a long period of time.

<sup>s47F</sup>, our new Head of Government and Regulatory Affairs, will be keeping you and other government stakeholders updated as we move through. <sup>s47F</sup> number is <sup>s47F</sup> and <sup>s47F</sup> email is above.

Of course, I am always here if you want to speak with me at any point, but I just wanted to be clear that <sup>s47F</sup> will be proactively keeping you updated when we have new information. We intend to do a press conference today at around 2pm, I have told Barnaby in the Minister's office this as well.

Thanks,



s47F

s47F

Mobile: s47F

1 Lyonpark Road, Macquarie Park NSW 2113 Australia

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Optus acknowledges the Traditional Owners and Custodians of the lands on which we live, work, and serve. We celebrate the oldest living culture and its unbroken history of storytelling and communication. We pay our respect to Elders – past, present, and future – and we strive together to embrace an optimistic outlook for our future in harmony, across all of Australia and for all of its people.

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