Mary Giacca
NBN Regulatory Review
Department of Communications
GPO Box 2154
CANBERRA ACT 2601

NBN Regulatory Review

Dear Mary,

Thank you for the opportunity to respond to this review. Unfortunately with the restricted time available to respond the Internet Society of Australia (ISOC-AU) has been unable to undertake the level of consultation with its members that it would prefer. As such the response is in short form and incomplete in that it does not cover all aspects of this review. ISOC-AU would welcome the opportunity to submit further at a later date on the topics included for review.

ISOC-AU provides broad-based representation of the Australian Internet community both nationally and internationally from a user perspective and a sound technical base. We also consistently promote the availability of access to the Internet for all Australians. Because the Internet is a central driving factor in the demand for broadband, ISOC-AU has a direct interest in the outcomes of the assessment of proposals for the national broadband network infrastructure.

ISOC-AU takes this opportunity, however, to reinforce the following principles with respect to the NBN and NBN Co:

- Competition at the physical level is reasonable, however must preserve the open access model at all times, and ensure equity to the extent technologically possible for users in so-called uneconomic areas
- It is preferred that any NBN, or NBN service provider, deliver services at ISO OSI Layer 2, however with provision for IPv6, IP Quality of Service and IP Multicast at Layer 3 to work effectively.
- Consumer protection is an extremely important value to be factored into all aspects of this initiative
- Minimum performance standards should apply to all providers, and that these standards ensure:
    - o Upload data rates be taken into account as well as download
    - o Important performance standards other than data rate apply such as uptime in order to ensure reliability
    - o Higher order protocols work effectively, such as IPv6 and other internet standards as defined by bodies such as W3C and the IETF
    - o Fit for service testing needs to take place before, or in tandem with, assigning infrastructure for service. The existing model of assigning copper pairs is ineffective and results in considerable cost and rework and consumer dissatisfaction

- o NBN Co, or other NBN wholesale infrastructure providers, should publish their performance measurements in order to allow independent analysis of performance and effective trouble shooting by retail service providers and the end user
- If changes are made to the agencies regulating these services, that agency has must be substantial, and the agency must have a track record of effectively utilising the powers, and the expertise and resources to do so.

About the Internet Society of Australia

The Internet Society of Australia (ISOC-AU) is a non-profit society founded in 1996 which promotes the Internet development in Australia for the whole community – private, academic and business users: the Internet is for everyone! ISOC-AU is a chapter of the worldwide Internet Society and is a peak body organisation, representing the interests of Internet users in this country. We have a longstanding and ongoing commitment to the effective representation of these interests in legislative and policy review, code development and self-regulatory processes in the telecommunications, domain name and Internet-related services industries.

Yours sincerely,

Narelle Clark
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