Submission

4 August 2022

Regional Mobile Infrastructure Inquiry 2022-23

The Australian Communications Consumer Action Network (ACCAN) thanks the Australian Competition and Consumer Commission (ACCC) for the opportunity to contribute to this important inquiry. We appreciate the chance to contribute to policy and program reform to improve the experiences of mobile coverage, resiliency and reliability for communications consumers in regional Australia.

ACCAN and our members have been long interested in the availability of mobile coverage across Australia, and the extent to which it adequately meets the needs of consumers, particularly those in regional, rural and remote areas. In recent years, community expectations for mobile services have evolved, especially in regional and rural parts of Australia, as service performance has improved and the mobile footprint has expanded.[1] As such, it is crucial that communications infrastructure, and the regulatory and commercial settings relating to it, adequately meets these community expectations about access to mobile services.

When mobile outages occur, or when mobile services perform poorly, consumers (including those in regional areas) are inconvenienced and frustrated. When these outages or reliability issues are experienced during emergency situations, the consequences can be life-threatening. This is particularly the case when there are no readily available fixed services.[2] Indeed, the bushfire and flooding events of recent years have highlighted the critical role of communications services in helping people stay safe and connected during emergency situations.

ACCAN acknowledges that the focus of this inquiry is to collect an evidence-base and clarify highly technical issues relating to mobile coverage, capacity and competition. While ACCAN cannot offer this technical expertise nor answer questions targeted at telecommunications and other infrastructure providers, we nonetheless offer responses to some of the consultation questions to reflect the lived experiences of communications consumers in regional Australia. This includes case studies from some of the many consumers who contact ACCAN to discuss their experiences of poor mobile coverage and reliability.

Our following submission is structured into two key sections. We first provide insights into consumer experiences in relation to access to towers and associated infrastructure. We then provide the consumer perspective in relation to access to mobile services during natural disasters and emergency situations.

ACCAN would gladly provide further feedback as opportunities arise over the course of this inquiry.

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[1] ACCAN 2022a, *Telstra TPGT MOCN Authorisation request submission,* p1, available: https://accan.org.au/accans-work/submissions/1997-telstra-tpgt-mocn
[2] Ibid.

Response to section 1: Access to towers and associated infrastructure

Consumer expectations and experiences

As ACCAN outlined in our 2021 response to the Regional Telecommunications Review,[3] the experiences of regional communities, particularly in the last few years, have heightened the need for reliable, resilient and affordable telecommunications services to be available for all. Mobile connectivity in particular is highly valued, especially given the limited alternative communications options available in outer regional and remote areas.[4] As such, further investments are needed to promote greater choice and availability for mobile users, and improvements are required to increase the reliability and affordability of communications services in regional Australia.

ACCAN is regularly contacted by consumers and small businesses living in regional, rural and remote areas who are frustrated at the lack of connectivity in their area – for example, they live or work in a mobile black spot, their copper landlines are degrading or due to the topography of their area services do not work sufficiently for them to engage fully in the digital economy.[5] In addition, ACCAN is aware of reports of mobile service deterioration in different regional areas, with a NSW Farmers survey in 2021 finding that 60% of respondents reported a decline in mobile coverage and internet connectivity in the previous 12 months, and a 2021 survey by the National Farmers Federation reporting that 49% of respondents observed that their mobile network coverage had declined in the previous year.[6][7]

To support feedback regularly received by consumers and ACCAN members, ACCAN recently commissioned research asking the Australian public about their top concerns when it comes to their communications services. This nationally representative survey of almost 1000 (n=998) adults aged 18+ was carried out in April 2022, as part of an Ipsos Digital Omnibus online survey. Amongst other things, the survey asked respondents whether they thought their mobile coverage allowed them to do everything they needed to do, and whether their mobile phone and internet services were high quality and reliable.

The majority (79%) of survey respondents reported that their mobile phone coverage allowed them to do everything they needed to do, and 79% of respondents also reported that their mobile phone service was high quality and reliable. However, 17% of respondents disagreed with both of these statements. It is worth noting that agreement with these statements differed between different parts of Australia, with those living in regional and remote areas agreeing least with the statements around mobile coverage, quality and reliability. 69% of respondents in regional and remote parts of Australia agreed that their mobile phone service was high quality and reliable (compared with 76% of those in capital cities who reported the same), and 71% of respondents living in regional and remote areas reported that their mobile coverage allowed them to do everything they needed to do (compared with 80% of those in capital cities who reported the same).

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[3] ACCAN 2021a, *Regional Telecommunications Review submission*, available: https://accan.org.au/accans-work/submissions/1921-2021-regional-telecommunications-review
[4] ACCAN 2022a, op cit., p1.
[5] The case studies referenced below are but three examples of these consumer contacts received by ACCAN.
[6] ACCAN 2021a, op cit., p9.
[7] ACCAN 2022a, op cit., pp1-2.

These research findings speak to the need for increased mobile coverage and improvements to mobile service quality. These consumer needs persist despite mobile infrastructure investments made to date.

The research also asked respondents whether they considered landline, mobile internet, mobile phone and home internet services to be essential – that is, services that no one in Australia should have to go without today. Mobile phone was considered the most essential, with 84% of respondents considering it essential, followed closely by home internet (82%).

The recent systemic investigation report released by the Telecommunications Industry Ombudsman (TIO) on complaints about mobile services also identifies mobile services as essential. This report illustrates the difficulties encountered by consumers when something goes wrong with their mobile service, including experiences of poor mobile coverage. In this report, a retail service provider comments that 'consumers generally expect they will have service across all of Australia'[8] despite limitations in coverage in certain areas. This is supported by ACCAN's research findings, particularly regarding consumer expectations of communications availability during emergency situations (discussed in more detail below). This speaks to the ways in which services are sold to consumers, which may lead them to believe there is more coverage than is actually the case. Additionally, ACCAN has previously submitted to the ACCC on the need to improve coverage maps to provide a better picture of the extent to which consumers can access services (and also access retail choice) across different parts of Australia.[9] There is a need for greater consistency in the assumptions used to predict coverage, and the standard of coverage captured by coverage maps, to support consumers to be able to more directly and accurately compare between providers.

Case Study 1: Hunter Region NSW

A consumer from the Hunter Region of NSW contacted ACCAN complaining about degradations to mobile reception over time. The consumer advised that mobile reception at her property has been getting steadily worse. In some instances, while she can make outgoing calls from her mobile, people on the other end of the line cannot hear her.

In one instance, this consumer had an emergency at her property and couldn't get reception to call emergency services. She drove to the closest cross-roads where she can typically get reception, however there was no reception available, and she had to continue driving to find a spot where she could successfully make the call. This consumer also reported other locals coming across a car accident and having to drive quite a way to get mobile reception to call emergency services.

The consumer informed ACCAN that there are no telecommunications towers in their town. While there is a tower 5-10km down the road, the topography of the area affects reception. The same can be said for a town 15km in the opposite direction, where mountains interfere with reception. The community is frustrated by these ongoing mobile black spots, and the fact that surrounding areas have towers that supply reception to properties in those townships, whereas reception from towers closest to their local area do not cover their residences.

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[8] Telecommunications Industry Ombudsman 2022, *Investigating complaints about essential mobile services: Systemic Investigation Report, July 2022.* Available: https://www.tio.com.au/news/investigating-complaints-about-essential-mobile-services-report-released
[9] ACCAN 2021b, *Audit of Telecommunications Infrastructure Assets – Record Keeping Rules Consultation submission*, available: https://accan.org.au/accans-work/submissions/1937-infrastructure-assets-audit

Case Study 2: Bega Valley NSW

A Bega Valley resident contacted ACCAN regarding continuous telecommunications issues in his small, remote community. This consumer reported that in the area, the reliability of landlines is patchy at best, many residents rely on satellite internet services, and they do not have mobile reception at their homes. He informed ACCAN that they have to drive 17km to make or receive a mobile phone call. In recent times this has meant a neighbour had to drive up the road to call an ambulance for urgent medical attention.

This area was significantly impacted by the 2019-20 bushfires, during which landline connections were destroyed by fire, and local residents protecting their properties had no access to communications services to provide them with information about encroaching fires or ways to escape.

The consumer informed us that while there is a repeater station near his area, a mobile phone antenna has never been installed on this infrastructure, much to the disappointment of the community. He and his community are calling for mobile phone reception to be urgently improved, not only for general use but also to support community safety and provide emergency warnings during natural disasters.

Case Study 3: Macdonald Valley NSW

ACCAN member, the Macdonald Valley Association (MVA), represents and advocates on issues and interests for the residents of the Macdonald Valley in NSW. The Macdonald Valley is a geographic area spanning some 45km from Wisemans Ferry to Higher Macdonald and Mogo Creek and taking in Wrights Creek and Webb's Creek. The area is a rural/remote community in the Hawkesbury Region.

The area is less than 100km and 2 hours from the centre of Sydney. Although remote, the area is still part of Greater Sydney.

There is no mobile reception in most of the Valley, with the area acknowledged 6 years ago as a mobile black spot, and a solution funded under Round 2 of the Mobile Black Spot Program. To date, this solution has not been delivered and the community's isolation has continued through bushfires and floods.

The Macdonald Valley area is regularly cut off when the power goes out. During the 2019-20 bushfires, the community was isolated with no means of communication. The community has also been cut off by flooding on a handful of occasions in the last 12 months.

In addition to power outages, the MVA reports that the landline infrastructure is not reliable enough to support community safety and welfare in emergencies, with residents from certain parts of the Valley having to drive 20-30km to make calls to emergency services on their mobiles.

Residents of the Macdonald Valley area are calling for a useable mobile network to provide both voice and data capability. In addition to effective and reliable mobile phone coverage, locals are also calling for proper backup power systems at the local telephone exchange and at future infrastructure sites.

Despite living in different parts of Australia, the experiences of these communities are quite similar. Of particular significance, all consumers contacting ACCAN from these communities spoke at length about their concern about accessing communications services during bushfires, floods or traffic accidents. This highlights the universal importance of connectivity, especially to mobile services, during emergency situations.

Remote Indigenous Communities

ACCAN has long been concerned about digital exclusion in remote Indigenous Communities, particularly due to the inadequacy and limited availability of communications infrastructure in these areas.[10] Connectivity problems in these communities continue to be an important issue that requires attention. Indeed, reports indicate that the digital divide in remote Indigenous communities, and in other areas, is in fact widening.[11] [12] Mobile coverage remains patchy in many locations and in some areas local public phones remain the primary mode for accessing voice services in community.[13]

In June 2020, ACCAN commissioned a review of programs that support telecommunications and internet access in remote Indigenous Communities and any gaps or outstanding needs identified by community stakeholders.[14] This report views infrastructure broadly to include last mile infrastructure such as Wi-Fi and community access facilities. The report provides a summary of the effectiveness of existing programs, and gaps within current state, territory, federal government and private sector investment in improving digital inclusion in remote Indigenous Communities. Despite infrastructure being increasingly available in remote communities, this report found that there are still significant gaps in access and usage of communications technologies, and indicated that Indigenous communities are among the most disadvantaged and digitally disengaged in the country.[15] [16]

Appropriately addressing gaps in telecommunications infrastructure will have a significant impact on communications consumers, including people in remote Indigenous Communities.[17]

Informed by our Indigenous Steering Committee and the lived experiences of Indigenous consumers, ACCAN is advocating for appropriate funding to be provided to Indigenous communities and community-controlled organisations for them to lead digital inclusion and other connectivity efforts. Local-level, place-based and co-designed solutions must be invested in to resolve connectivity gaps experienced by local communities, as a one-size-fits-all approach will not appropriately address the diverse communications challenges faced by Indigenous communities across Australia.[18]

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[10] ACCAN 2021a, op cit., p29.

[11] 'Indigenous Students Face a Digital Divide and Were "unfairly Disadvantaged" during Coronavirus Lockdowns, Says a Report', SBS News, accessed 16 September 2021, https://www.sbs.com.au/news/indigenous-students-face-a-digitaldivide-and-were-unfairly-disadvantaged-during-coronavirus-lockdowns-says-a-report/25c70b42-4594-407f-b47a2aa12c9654bc

[12] ACCAN 2020, *Youth Check-In Research Report*, available: https://accan.org.au/our-work/research/1813-accan-youth-check-inresearch-report

[13] ACCAN 2021a, op cit., p33.

[14] Dr Daniel Featherstone 2020, *Remote Indigenous Communications Review*: *Telecommunications Programs and Current Needs for Remote Indigenous Communities*, available: https://accan.org.au/accans-work/research/1821-remote-indigenous-communications-review-telecommunications-programs-and-current-needs-for-remote-indigenous-communities

[15] Ibid, p2.

[16] ACCAN 2021c, *Further action needed for regional Australia to stay connected,* Media Release, available: https://accan.org.au/media-centre/media-releases/1923-further-action-needed-for-regional-australia-to-stay-connected

[17] ACCAN 2021d*, Industry submissions for Infrastructure Australia's Regional Strengths and Gaps project submission*, p2, available: https://accan.org.au/files/Submissions/2021/ACCAN%20submission%20Infrastructure%20Australia%20Gaps%20and%20Strengths.pdf

[18] ACCAN Indigenous Steering Committee 2021, *Indigenous Digital Inclusion Plan submission*, available: https://accan.org.au/accans-work/submissions/1944-indigenous-digital-inclusion-plan-submission

Consumer concerns about tower divestiture

As part of the Regional, Rural and Remote Communications Coalition (RRRCC), ACCAN is aware that there is some concern amongst regional Australians about the sale of tower infrastructure.[19] In particular, consumers are concerned about the implications of these sales where towers have been constructed with the assistance of government co-contributions to address mobile black spots or other connectivity issues in regional parts of Australia. Consumers are also concerned that new tower operators coming into the market will make decisions that are not in the long-term interests of end-users, such as decisions that might negatively impact service coverage, reliability and the cost of mobile services.

In addition, as ACCAN recently submitted in response to the ACCC's Access to Telecommunications Facilities review of the corporate control percentage,[20] market developments have raised questions about whether carriers with less equity in a passive tower company continue to have the means and incentives to prevent access to alternative carriers.[21] In our submission we expressed our 'view that facilities should be shared as much as possible by making it easier for carriers to gain greater access to towers in order to increase consumer choice, as well as reduce the costs associated with duplication of infrastructure.'[22]

Network neutral proposals

ACCAN supports the findings of the Regional Telecommunications Review, and its recommendations regarding mobile infrastructure. In particular, ACCAN supports recommendation 10 regarding shared network access, where the Regional Telecommunications Independent Review Committee recommended that preference be given to Government funded mobile infrastructure providing shared network access. This aligns with ACCAN's own submission to the Regional Telecommunications Review, in which we called upon Mobile Black Spot Program (MBSP) funding to increase incentives for Mobile Network Operators (MNOs) to provide open access to all MNOs, with a focus on funding network neutral proposals. Making changes to the criteria for future iterations of existing programs, like the MBSP, could help promote increased coverage and more efficient use of mobile infrastructure. We welcome the ACCC's observation that co-contribution programs at federal and state levels are considering neutral host and active sharing models and we urge that more be done to support network neutral proposals. ACCAN would like to see the MBSP fund open access mobile towers that allow all mobile providers to offer coverage to consumers to promote choice and improved availability to the regions.[23]

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[19] As also noted in the National Farmers' Federation submission to the Regional Telecommunications Review, p43, available: https://www.infrastructure.gov.au/sites/default/files/documents/rtr2021-submission-no-594-nff.pdf

[20] ACCAN 2022b, *Access to Telecommunications Facilities: ACCC review of the corporate control percentage submission,* available: https://accan.org.au/files/Submissions/2022/ACCAN%20submission%20to%20ACCC%20Facilities%20Access.pdf

[21] Ibid p2.

[22] Ibid, pp2-3.

[23] ACCAN 2021c, op cit.

Response to section 2: Mobile roaming during natural disasters and other emergencies

The safety of communities during natural disasters and other emergencies is critically important. Mobile services play a crucial role in keeping communities connected, and as such, it is vital that steps are taken to improve the reliability and redundancy of mobile networks during emergency situations.

ACCAN agrees with the ACCC's assessment that:

> *the possibility to access information easily and quickly from almost any place and at any time is now not only much more possible but increasingly expected. People are now more and more reliant on their mobile phone and the expectation to be connected anywhere at any time is high, particularly in times of stress and emergency.*[24]

Indeed, ACCAN's research found that 88% of respondents expected their phone and internet services to work during emergencies like bushfires or floods.[25] When disaggregating this finding according to geographic information, the expectation that phone and internet services would work during emergencies was highest amongst those living in major regional centres (90%), followed by those living in capital cities (87%) and those living in regional and remote parts of Australia (86%). This expectation, across Australia, that phone and internet services should work during emergencies, speaks to the importance of communications services, the need for urgent action to improve mobile coverage and the need to implement different options to improve connectivity (and in turn, community safety) during emergency situations.

As noted in our submission to the Regional Telecommunications Review, the lack of choice and connectivity is reigniting interest in mobile roaming amongst some regional, rural and remote consumers.[26] For example, Victorian Central Highlands stakeholders are advocating for regional roaming.[27]

ACCAN considers that temporary mobile roaming during emergencies would benefit both the general public and emergency service organisations and personnel, as roaming arrangements may help improve the reliability and usability of mobile networks, both during and after natural disasters. While there would likely be limitations to this type of arrangement, such as congestion or capacity issues, the long-term interests of consumers, and the benefits gained through mobile roaming must be carefully considered.

ACCAN supports the idea of temporary roaming during emergencies, as a way to reduce the risk of network failure. It is worth noting that roaming arrangements already exist in some circumstances (for instance, tunnels in Victorian railways) and ACCAN suggests that these existing arrangements could be looked at as a model to identify whether congestion is an issue that needs to be accommodated in infrastructure design in vulnerable, at risk areas.

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[24] Consultation paper, p23.
[25] ACCAN 2022c, *Consumer check-in: Expectations in 2022*, available: https://accan.org.au/accans-work/research/2003-consumer-expectations-2022
[26] RTR submission, p42.
[27] Infrastructure Victoria 2021, *Central Highlands Summary*, available: https://www.infrastructurevictoria.com.au/wp-content/uploads/2021/08/Regional-Brochure_Central-Highlands-1.pdf

From ACCAN's perspective, to ensure the temporary roaming arrangements best meet the needs of consumers, text, voice and data services should all be made available during emergencies. This would acknowledge and facilitate the varied ways that consumers across Australia communicate. This would include, for instance, calls that may need to be placed to Triple Zero via the Video Relay Service or other National Relay Service calling options which require text or data capability.

Any consideration of temporary roaming arrangements in emergencies must supplement, not replace, existing programs that are currently helping to improve the resiliency of communications services for consumers. This includes programs like the Strengthening Telecommunications Against Natural Disasters program, which includes the Mobile Hardening Program to upgrade backup power supply at telecommunications facilities in disaster-prone areas. Indeed, it is ACCAN's position that any infrastructure built in bushfire or flood prone areas should be required to include longer lasting back up power, emergency power solutions for rapid service restoration, expanded protection zones around the telecommunications sites, redundant backhaul and any other physical hardening measures deemed necessary.[28] As ACCAN recommended to the Regional Telecommunications Review, the industry should review the use of satellite as a way to achieve greater communications redundancy and improve resiliency. This review could occur at the same time that temporary emergency roaming is explored, with consideration given to the possible ways in which existing and emerging satellite technologies could support roaming arrangements.

Finally, ACCAN is aware that in some parts of Australia communities are implementing their own emergency response plans. Indeed, in the case of the Macdonald Valley Association, this group has secured grant funding to purchase UHF Radios to overcome poor mobile coverage in the area, and the difficulties associated with power outages and satellite internet connections.[29] This grant funding is being used to create a residents' UHF Radio network and equip each property in the use of this network; provide emergency kit bags to help residents recover from disasters and provide a unique Community Emergency Response Plan to each property. The UHF radios have already been used in performing welfare checks, establishing neighbour-to-neighbour networks, and relaying messages when phone lines are down.

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[28] See ACCAN submissions regarding the 2019-20 bushfire season, available: https://accan.org.au/accans-work/submissions/1705-2019-20-bushfire-submissions
[29] More information available: https://macdonaldvalleyassociation.org.au/project/connected-prepared-community-emergency-response/

ACCAN's submission is endorsed by:

Macdonald Valley Association