COMMUNICATIONS ALLIANCE LTD

ACCC Consultation on NBN SIO RKR
COMMUNICATIONS ALLIANCE SUBMISSION
OCTOBER 2017

INTRODUCTION

Communications Alliance's RSP members welcome the opportunity to comment in response to the ACCC's Further Consultation Paper: Review of the National Broadband Network Services in Operation Record Keeping Rules (October 2017).

We note this consultation does not relate to the Disclosure Direction and that the ACCC has indicated it will consult separately on any proposed variations to the Disclosure Direction. These responses may vary depending on any outcomes of those proposed variations.

Communications Alliance has responded to selected questions for which its RSP members have a common view.

This submission is not confidential.

Disclaimer

nbn has not contributed to the preparation of this response. The views contained herein are attributable only to RSP members of Communications Alliance

About Communications Alliance

Communications Alliance is the primary telecommunications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including carriers, carriage and internet service providers, content providers, equipment vendors, IT companies, consultants and business groups.

Its vision is to provide a unified voice for the telecommunications industry and to lead it into the next generation of converging networks, technologies and services. The prime mission of Communications Alliance is to promote the growth of the Australian communications industry and the protection of consumer interests by fostering the highest standards of business ethics and behaviour through industry self-governance. For more details about Communications Alliance, see http://www.commsalliance.com.au.

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RESPONSES

1. Is the proposal to vary the NBN SIO RKR to account for MTM technologies sufficient or is additional information required?

RSP members are of the view that the proposed amendments to account for multi-technology mix technologies in the NBN SIO RKR at Attachment A to the consultation paper are appropriate.

Communications Alliance notes that Rule 18(a) in the NBN SIO RKR at Attachment A refers to data on interim satellite services collected under Rule 8 of the NBN SIO RKR. As it's proposed that Rule 8 be deleted, it would seem that Rule 18(a) is no longer necessary and could also be deleted.

2. Should the ACCC vary the CVC related reporting requirements so daily and more detailed peak period CVC utilisation data are reported?

The ACCC has indicated to Communications Alliance that it will consult separately with nbn, industry and stakeholders on any proposed changes to the Disclosure Direction related to the NBN SIO RKR, which would include whether, and in what form, any additional data obtained under the NBN SIO RKR reporting requirements is published.

RSP members are most concerned about the potential publication of any access seeker-specific CVC data and would oppose the reporting of this additional CVC information if the information is intended to be published.

CVC data could be easily misinterpreted by consumers if published and would not provide any meaningful insight into nbn end-user experience. End-user experience can be influenced by a range of factors, some of which can be specific to a particular technology or premises, for example, copper line length and interference from legacy services during the migration period are two significant influencers of FTTN end-user experience. In addition, other factors (some of which an RSP cannot control) can significantly influence end-user experience, including in-home wi-fi interference, modem quality, gateway capacity, backhaul capacity, core network dimensioning, caching, international transit and traffic management policies.

Nor could CVC data be used by consumers for reliable comparison of RSP network provisioning as an indication of network performance or end-user experience. The CVC data of large providers does not distinguish between what is used for their own retail services and their wholesale nbn aggregation services. Similarly, smaller RSPs may acquire a mix of services (incorporating CVC capacity) directly from nbn and from nbn wholesalers. In addition, there would be no visibility over the CVC data of resellers who only acquire services from nbn wholesale aggregators. Therefore, CVC data could not be used by consumers as a means of reliably comparing RSPs.

In addition to the potential confusion that could be caused by misinterpreting CVC data, publishing CVC data could also raise competition concerns. Publication could potentially be anti-competitive by giving industry participants some insight into the operation of competitors' networks. This could reduce incentives for access seekers to invest in provisioning CVC capacity in order to differentiate their services and thereby inhibit competition at the aggregation and retail levels.

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3. Should more detailed peak period reporting apply for all traffic classes or only TC4?

RSP members consider that more detailed peak period information should only apply to TC4 traffic, as this is traffic relating to residential services.

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