

5 July 2022

Communication Markets and Advocacy
Australian Competition and Consumer Commission

Sent by email to: nbn@accc.gov.au

Dear ACCC

Proposed variation to the NBN Co Special Access Undertaking

Thank you for the opportunity to comment on the proposed variation to the NBN Co Special Access Undertaking (SAU). To assist the ACCC with its assessment of the SAU, we offer insights into complaints my office handles about network service quality.

Our data about service quality complaints delivered over all networks

We handle complaints about issues with service quality when those issues affect the provision of services between retail service providers (RSPs) and consumers. Service quality complaints may be about services offered by telcos delivered over the NBN or via other networks, such as copper, mobile, or satellite networks. The main types of service quality issues relevant to the SAU that we see are intermittent service or dropouts, or slow data speeds.

Our data tells us that these complaints remain a key issue in FY2022, as illustrated below.

Table 1 – Service quality problems in TIO complaints for the first three quarters of FY2022, all service types

Service quality problem	Quarter 1 FY2022 ¹	Quarter 2 FY2022 ²	Quarter 3 FY2022 ³
Intermittent service or dropouts	#4 in top 10 issues 2,240 complaints 10% of all complaints	#4 in top 10 issues 2,003 complaints 11% of all complaints	#4 in top 10 issues 2,705 complaints 12% of all complaints
Slow data speed	#7 in top 10 issues 1,604 complaints 7% of all complaints	#7 in top 10 issues 1,369 complaints 7% of all complaints	#7 in top 10 issues 1,563 complaints 7% of all complaints

For context, in the last financial year, our Annual Report FY2021 showed that problems about:

- intermittent service or dropouts ranked #5 in the top 10 issues (10,913 complaints, representing 9.1% of all complaints), and
- slow data speed ranked #9 in the top 10 issues (7,122 complaints, representing 6% of all complaints).⁴

¹ [TIO Quarter 1 Report 2021-22](#).

² [TIO Quarter 2 Report 2021-22](#).

³ [TIO Quarter 3 Report 2021-22](#).

⁴ [TIO Annual Report 2020-21](#), p 46.

Our data about services delivered over the NBN

We do not report service quality complaints in a form that distinguishes which specific network the services were delivered over. However, we do report on the percentage of fault and connection complaints delivered over the NBN or over other networks.

Fault and connection complaints include issues from the following sub-categories: connection, no service, and poor service quality issue (like intermittent service or dropouts, and slow data speed).

In FY2021, our Annual Report showed that fault and connection problems about internet services were split between networks as follows:

- services delivered over the NBN: 19,982
- services delivered over other networks: 5,187.⁵

The proportion of fault and connection complaints received about internet services delivered over the NBN and services delivered over other networks so far in FY2022 is illustrated below.

Table 2 – Fault and connection problems with internet services by network for the first three quarters of FY2022

Network services are delivered over	<i>Fault and connection complaints: Quarter 1 FY2022⁶</i>	<i>Fault and connection complaints: Quarter 2 FY2022⁷</i>	<i>Fault and connection complaints: Quarter 3 FY2022⁸</i>
NBN	3,816 complaints 79% of all internet complaints about fault and connections	3,153 complaints 80% of all internet complaints about fault and connections	4,274 complaints 80% of all internet complaints about fault and connections
Other networks	1,006 complaints 21% of all internet complaints about fault and connections	808 complaints 20% of all internet complaints about fault and connections	1,036 complaints 20% of all internet complaints about fault and connections

Our FY2022 Annual Report will be released later this year and will build on this picture.

What we see when handle complaints about service quality

In our experience, issues about service quality for services delivered over the NBN can arise as a result of many different factors. A consumer's location, the technology available at that location, the status of maintenance activity in the area, and capacity issues can all present challenges in resolving a complaint.

When we handle complaints about quality problems with services delivered over the NBN, consumers may tell us:

- they are not getting the speeds they were promised, and were told that the available speeds are reasonable and cannot be improved

⁵ [TIO Annual Report 2020-21](#), p 51.

⁶ [TIO Quarter 1 Report 2021-22](#).

⁷ [TIO Quarter 2 Report 2021-22](#).

⁸ [TIO Quarter 3 Report 2021-22](#).

- they are unable to work from home because inconsistent speeds prevent participation in video calls and other work activities requiring connectivity, and
- they have reported service quality faults several times and despite several technician visits, the problems continue to resurface, and the consumer must repeat the process without any substantial improvement to their connection.

I hope you find this information useful.

Kind regards

A handwritten signature in black ink, appearing to read 'Cynthia Gebert', followed by a long horizontal flourish that ends in a small 'A' shape.

Cynthia Gebert
Telecommunications Industry Ombudsman