

# TELSTRA'S

## Universal Service Obligation

### POLICY STATEMENT

Approved by the Australian Communications Authority 30 October 2001. A variation of this policy statement, incorporating reference to Telstra's *Priority Assistance for Individuals* policy, was approved by the Australian Communications Authority with effect from 16 September 2002. A further variation of this policy statement was approved by the Australian Communications Authority with effect from 29 June 2005.

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## 1. Introduction

The universal service obligation incorporated into the *Telecommunications (Consumer Protection and Service Standards) Act 1999* (the **Act**), is designed to ensure that all people in Australia, no matter where they live or conduct business, have reasonable access on an equitable basis to:

- (i) standard telephone services;
- (ii) payphones; and
- (iii) prescribed carriage services;

each of which is classified as a separate service obligation. There are currently no prescribed carriage services.

The Minister for Communications, Information Technology and the Arts (the *Minister*) may make a written determination that a service area (generally, an area of land within Australia), determined in any way the Minister considers appropriate, is a universal service area in respect of one or more of these service obligations.

The universal service obligation is fulfilled by universal service providers (either primary universal service providers or, where the Minister has determined that a service obligation for a universal service area is contestable, competing universal service providers). All universal service areas have a primary universal service provider for each service obligation.

The Minister has determined that Telstra is the primary universal service provider for the whole of Australia in respect of the service obligations dealing with standard telephone services, payphones and prescribed carriage services.

In fulfilling its universal service obligation, Telstra will comply with the relevant requirements of the Act.

Where a service obligation is a contestable service obligation and a competing universal service provider for the universal service area concerned ceases to supply equipment, goods or services in that area, Telstra will, when requested by customers of the competing universal service provider, supply standard telephone services in accordance with the timeframes set out in Telstra's standard marketing plan.

This *Policy Statement* is a general statement of the policy Telstra will apply in supplying equipment, goods or services as the primary universal service provider. It describes the universal service obligation and the role of Telstra as the primary universal service provider.

Customers should also refer to Telstra's *Standard Marketing Plan*, which describes the standard telephone service and payphone service that Telstra will supply in fulfilment of the universal service obligation, including timeframes for supply and repair of services, and performance standards.

The universal service regime also includes the digital data service obligation, which is the obligation to ensure that either:

- (i) general digital data services; or
- (ii) special digital data services;

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are reasonably accessible to all people in Australia on an equitable basis, no matter where they live or conduct business.

Telstra is a carrier declared by the Government to fulfil the digital data service obligation throughout Australia. Customers who require further information should refer to:

- Telstra's Digital Data Service Plan for General Digital Data Service Areas;
- Telstra's Digital Data Service Plan for Special Digital Data Service Areas.

Both plans can be accessed on the Telstra web site at:

<http://www.telstra.com.au/corporate/ddsp.htm>;

or hard copies can be obtained by writing to the:

Group Manager  
Consumer & Compliance  
Telstra Regulatory, Corporate and Human Relations  
Level 39  
242 Exhibition St  
Melbourne Victoria 3000

## 2. "Reasonable Access"

Broadly, all people in Australia, regardless of where they live or conduct business, should have reasonable access, on an equitable basis, to standard telephone services and payphones. "Reasonable access" is a key component of the universal service obligation.

Any attempt to describe reasonable access in relation to the universal service obligation cannot be absolute. It must take account of those situations in which a normal carrier would not consider the net cost of supply to be excessive in the circumstances and where the standard telephone service could reasonably be supplied in an effective, efficient and economic way.

Telstra will be taken to have fulfilled its universal service obligation by supplying and maintaining the first standard telephone service to another person (the customer) at each particular place of residence or place of business, if that standard telephone service is reasonably accessible to persons other than the customer reasonably requiring the use of that service in that property or place.

The reasonable access policy objective of the universal service obligation will generally be met by the supply of the first standard telephone service to a place of residence or place of business.

Telstra considers the test for reasonable fulfilment of the universal service obligation to be objective. That is, each case must be determined by reference to what would ordinarily be considered reasonable in the circumstances of the request for a particular standard telephone service. The universal service obligation is not an absolute right for every Australian to have the standard telephone service at whichever location they demand.

In determining whether a person requesting a standard telephone service already has reasonable access to a standard telephone service, Telstra will consider the following general factors together with any other relevant circumstances:

- Is a standard telephone service already provided at the place of residence or place of business where the standard telephone service is requested?
- Does the place of residence or place of business where the standard telephone service is requested meet with any applicable ordinary principles of the meaning of a residence or business, for example, local planning laws?
- Is the place of residence self-contained? In other words, does it contain facilities to support independent living, for example, a separate kitchen and bathroom as opposed to shared facilities?
- Has the standard telephone service been requested for non-voice purposes? A service requested for telemetry purposes, for example, water level, weather data or traffic flow and the like will not be supplied under the universal service obligation.
- Has the standard telephone service been requested for a temporary site, for example, a mining exploration site? For temporary sites, Telstra will consider the supply of an interim service for the duration of the customer's stay to ensure the universal service obligation is fulfilled in an efficient and economic manner.
- Is there sufficient physical security for telecommunications equipment, particularly at properties in remote areas or that are not permanently occupied?

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- Is the standard telephone service able to be supplied in an effective, efficient and economic manner?

The following are examples of the situations in which Telstra will supply the standard telephone service in fulfilment of its universal service obligation (subject to the general factors described above). Telstra will supply the standard telephone service upon request to:

1. A distinct, self-contained place of residence on a property where the standard telephone service already exists at a separate place of residence on the same property, for example;
  - a block of flats or units;
  - a farming property that has separate places of residence for the property owner and a staff member;
  - retirement villages/nursing homes that comprise self-contained and distinct places of residence; and
  - a caravan that is permanently located at a caravan park and the customer is a permanent residence of that caravan park;
2. A place of business on a property where a standard telephone service already exists at a separate, distinct place (s) of business on the same property, for example, a group of retail stores/service outlets that are located on the same property; and
3. A place of residence on a property where the standard telephone service already exists at a place of business on the same property, or vice versa.

### 3. Fulfilling the Universal Service Obligation

#### 3.1 Standard Telephone Services and Payphones

For the great majority of Australians, the level of service available (for example, data and internet access) far exceeds the standard telephone service specified under the universal service obligation. These services are now provided on a competitive basis.

The provision of these services are profitable in themselves, so most people in urban areas are not reliant on the universal service obligation. The only notable exception is people with a disability.

However, the universal service obligation takes on greater importance in rural and remote areas of Australia, due to the higher cost of providing telephone services to these areas.

The Government has introduced an initiative to provide untimed local calls and untimed local call rate Internet access to people in the Telstra extended zones of remote Australia, which cover 80% of the Australian land mass. Telstra is the carrier chosen by the Government to deliver this initiative.

As the primary universal service provider, Telstra will ensure that people in Australia, no matter where they live or conduct business, have reasonable access on an equitable basis to standard telephone services and payphones.

Telstra's obligation extends to the supply, installation and maintenance of Telstra operated payphones in Australia, including public consultation and resolution of any complaints about the location of payphones.

In fulfilling its universal service obligation of:

- equity in provision of the standard telephone service and payphones; and
- meeting the obligation as effectively, efficiently and economically as practicable.

Telstra will consider:

- using alternative transmission technologies such as satellite, radiocommunications and wireline where necessary for the provision of voice grade standard telephone services and payphone services throughout Australia; and
- international best practice in the telecommunications industry, including compliance with relevant Industry Standards on network performance.

Telstra has established a number of FREECALL™ multi-lingual enquiry lines to assist customers from non English speaking backgrounds to obtain information about Telstra's products and services. The FREECALL™ numbers that are available can be obtained from the White Pages™ or from Section 4.2 of Telstra's *Standard Marketing Plan*.

## 3.2 People with a Disability

### 3.2.1 Overview

The universal service obligation includes the obligation to ensure that standard telephone services are reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business. This includes people with sight impairment, hearing impairment and other disabilities.

The standard telephone service is a carriage service for the purpose of voice telephony, or for a person with a disability, an equivalent service required to be supplied in order to comply with the *Disability Discrimination Act 1992*.

The universal service obligation includes the supply of customer equipment (including disability customer equipment) upon request to enable people to access the standard telephone service.

In conjunction with supplying the standard telephone service, Telstra will, at the request of a person with a disability, supply disability equipment by way of hire to enable that person to access a standard telephone service.

Telstra supplies disability equipment through its *Disability Equipment Program*. Equipment available under the *Disability Equipment Program* includes a teletypewriter (TTY), computer modem and Cochlear Implant Telephone Adaptor.

For further information on Telstra's Disability Equipment Program - see Section 2.8.1 of Telstra's *Standard Marketing Plan*.

### 3.2.2 Telstra's Disability Action Plan

Telstra's Disability Action Plan (the **Plan**) sets out strategies on how Telstra will work to achieve the objectives of the *Disability Discrimination Act 1992*. The Plan underpins Telstra's recognition of the needs of people with disabilities and efforts to improve the accessibility of its products and services.

Telstra has internal monitoring and compliance processes to report on achievements and progress against its current Plan, which is also subject to formal review. The Plan also contains a commitment by Telstra to regularly analyse disability-related complaints to identify causes and to take remedial action.

Further details on Telstra's initiatives in relation to the Plan and copies of the Plan, can be obtained from Telstra Disability Services on (03) 9634 5686 or by mail at Locked Bag 4960, Melbourne 8100.

### 3.2.3 Consultation

Telstra's consumer consultation process includes consultation with representatives of disability consumer organisations. Telstra engages willingly in consultation with Government, industry and consumers to achieve an industry-wide approach to meeting the needs of people with a disability. In consultation with disability consumer organisations, Telstra also seeks to improve its own consumer consultation process to ensure that it continues to meet the needs of customers with a disability.

As part of these consultation processes, Telstra convenes a Disability Forum in March and September of each year. The *Disability Equipment Program* Consumer Advisory Group also meets twice each year with representatives nominated by peak disability groups. Customers may participate in this process by contacting participating groups. In addition, the Telstra Consumer Consultative Councils include representatives of disability groups. Telstra Consumer Relations engages regularly with a range of disability groups around Australia through specific forums. Telstra also maintains a database of approximately 400 disability groups around Australia that regularly receive Telstra information briefs electronically and by printed newsletter. Information about Telstra's Consumer Councils is available on the Telstra website: [www.telstra.com.au/tccc](http://www.telstra.com.au/tccc).

Telstra uses these forums to increase awareness and access to Telstra's Standard Marketing Plan, and to respond to feedback from consumer representatives within the disability sector. A range of material is available to consumers with a disability, for example, *Telstra's Disability Equipment Program* and *Telstra's Services for People with Disabilities*. A comprehensive catalogue of Telstra products and services for elderly and disabled customers is also available. Telstra's *Customer Service Charter* also references Telstra's Standard Marketing Plan and disability services. Finally, Telstra participates in sponsored events and works with service providers and health professionals to enhance awareness.

### 3.3 Remote Indigenous Communities

The obligations to supply standard telephone services in remote indigenous communities are the same as those that apply to customers in other communities. However, in recognition of the requirements in servicing these communities, Telstra has introduced a number of initiatives – see section 2.9 of Telstra's *Standard Marketing Plan* for further information.

In planning and delivering network infrastructure, and supplying a suitable and adequate mix of services to remote indigenous communities, Telstra undertakes appropriate consultation with these communities to:

- distribute information for effective community decision-making about access to and use of land for telecommunication facilities; and
- assess a community's needs and the community's regional interdependence to ensure that its overall requirements are met.

### 3.4 Priority Assistance for Individuals

Telstra's *Priority Assistance for Individuals* Policy provides Telstra residential customers who have a diagnosed life-threatening medical condition (described in Section 3 of the *Priority Assistance for Individuals* Policy) with the highest level of service practicably available on:

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- the supply of a first standard telephone service (where no other standard telephone service exists, whether provided by Telstra or another provider); and
- the fault repair of an existing standard telephone service (where all other standard telephone services at the place of residence are inoperative, whether provided by Telstra or another service provider).

Telstra will effect supply/fault repair within the timeframes prescribed in its *Priority Assistance for Individuals Policy*.

A Priority Customer (as defined in Telstra's *Priority Assistance for Individuals Policy*) is entitled to Priority Assistance on one nominated standard telephone service per residence to maximise service continuity. Telstra's obligations are to:

- implement a communications strategy to generate awareness of Priority Assistance amongst customers;
- train staff to manage the end to end process for Priority Assistance;
- maintain a straightforward assessment and application process for Priority Assistance (as detailed in Sections 8 and 9 of Telstra's *Priority Assistance for Individuals Policy*);
- inform affected Priority Customers of Service Disruptions at the time a Priority Customer reports a fault with an existing standard telephone service or requests the supply of a new standard telephone service;
- implement methods of enhancing service reliability for Priority Customers;
- where service level timeframes cannot be met, offer Priority Customers an Interim Priority Service or the choice between an Interim Priority Service and an Alternative Service (as outlined in Telstra's *Priority Assistance for Individuals Policy*);
- provide Priority Customers with 24 hours/7 days per week service coverage for priority fault management, handling and repair;
- abide by the privacy requirements as outlined in the *Privacy Act 1988*;
- apply special credit management guidelines where a Priority Customer is repaying, or fails to repay, an overdue bill;
- ensure the complaint management process adequately manages customer complaints relating to Priority Assistance, including a Priority Customer's right to seek a review with the Telecommunications Industry Ombudsman (TIO);
- maintain records of Priority Assistance and report to the ACA on Priority Assistance as described in the record and reporting regime outlined in Telstra's Carrier Licence Conditions; and
- advise Priority Customers of Telstra's right to charge for prioritised connection or repair of a standard telephone service, where a customer is found to be ineligible for Priority Assistance and Telstra has incurred additional costs for the prioritised service of work undertaken.

For further information on the *Priority Assistance for Individuals Policy*, including the eligibility criteria, see section 2.7 and the Appendix of Telstra's *Standard Marketing Plan*.

### 3.5 Non-commercial emergency, essential and community service organisations

To ensure that eligible non-commercial emergency, essential and community service organisations have the first standard telephone service (or equivalent) in working order at their premises, Telstra will offer priority status for repair of the standard telephone service in accordance with its *Community, Essential and Emergency Services Policy* (refer to Section 2.5.2 of Telstra's *Standard Marketing Plan*).

### 3.6 Customer Complaints

Telstra aims to continuously improve its standard of service and would therefore like to hear from its customers if our service doesn't meet their expectations or they have any other concerns with Telstra. Telstra aims to resolve all problems or complaints at the first point of contact. Customers and members of the public have access to a formal complaint management process and can expect to be kept informed of proposed actions, expected timeframes, progress and the outcome of their complaint.

For information on how to lodge a complaint, see section 4.3 of Telstra's *Standard Marketing Plan*.