



Who dials wins?

Consumers' Telecommunications Network Annual Conference, 5 August

That question was the title of CTN's annual conference, held on August 5 in Sydney. It was clear from the Conference proceedings the answer is not necessarily a resounding yes for consumers.

ACIF's recently appointed Chair Greg Crew opened the conference with his invitation to industry and consumers to share in developing a vision of new telecommunications products and his announcement that Johanna Plante is ACIF's new CEO (see CU 135).

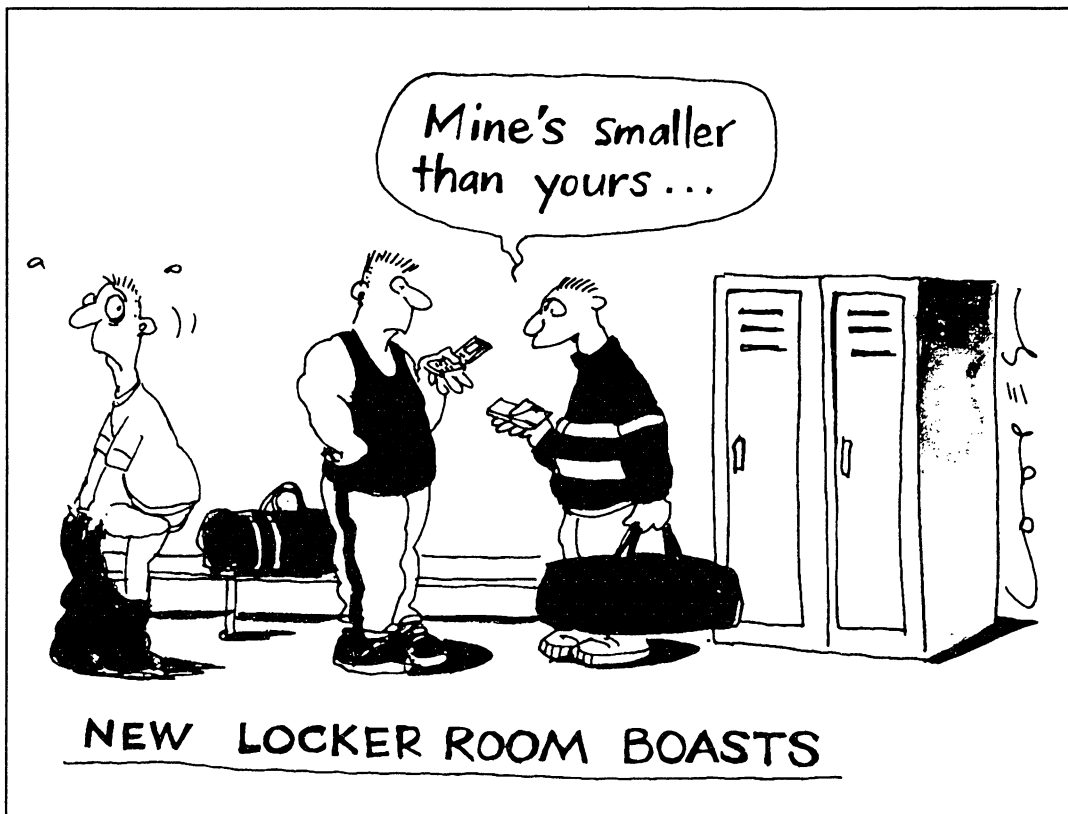
formation and intrusion issues such as telemarketing.

The 'black letter' rules for carriers and carriage service providers are an expanded and somewhat modified version of provisions in the 1991 Act.

sioner is to monitor such provision of information.

Industry Codes provide the other area of privacy protection. The former Privacy Advisory Committee of AUSTEL established very useful principles on issues such as

telemarketing, silent lines, caller ID and the protection of customer information which, hopefully, will provide the basis for the new codes. Industry, in the first instance, will develop the codes but, where codes are not developed or if a code is considered



Privacy issues

Privacy Commissioner Moira Scollay used her keynote address to remind the audience of the importance of privacy protection, not only within the new telecommunications regime, but for its more general prominence as the 'consumer issue of the 90s'.

Ms Scollay was pleased that privacy has been given a high focus in the new telecommunications legislation in two ways: the 'black letter' rules on handling of personal information and provision for voluntary industry codes covering personal in-

formation and intrusion issues such as telemarketing. Her main concern with the rules are the new arrangements for access to personal information by law enforcement and public revenue protection authorities. Under the new arrangements, the onus for deciding whether personal information needs to be released has shifted from the information holders (carriers/carriage service providers) to those seeking the information – the authorities. There are some safeguards, however, in the requirements that carriers and carriage service providers must record information provided to those authorities and the Privacy Commis-

sioner is to monitor such provision of information. deficient, the ACA can issue legally binding 'standards'. Importantly, for codes dealing with privacy issues, there must be prior consultation with the Privacy Commissioner. Scollay's final comments, however, echoed disappointment with the government's backing away from privacy legislation which extends to the private sector. As she explained in response to questioning, the private sector would prefer uniform federal legislation which applies nationally, rather than the spectre of a patchwork privacy regulation which differs from state to state and between the public



and private sectors. In the end, business fears it will be more costly to comply with several different privacy regimes than comply with one national co-regulatory 'light handed' approach under the Privacy Commissioner.

Another important issue raised is funding in a self regulatory regime, and who bears the costs for consumer participation in the processes as well as consumer education, information and complaints mechanisms. As Ms Scollay observed, the Human Rights and Equal Opportunities Commission (of which the Privacy Commissioner's office is a part) had its budget cut by 40%, so money won't come from there. But, as CTN Chair Pam Marsh later observed, if consumer participation is not funded, consumers simply won't be at the table.

Prices

The two workshops following were about the future of mobiles and the issue of prices for services post 1997. In the pricing session 'Are we paying too Much?', Mara Bun of the Australian Consumers' Association said the answer to the question depended on a number factors: what are we comparing prices too when we say 'too much'; who is the 'we'; and what pricing issues are we addressing when we talking about paying: are we assuming prices should reflect underlying costs, are we looking at the issue in terms of cost to consumers or are we emphasising the need for pricing at levels which insure access even for those on low incomes?

ATUG's Chair Allan Horsley answer to the pricing question was a clear 'yes'. The actual technology and operational costs of providing the products and services are falling, so capacity is there for prices to drop. Already, in the first month of open competition, the price of international calls has fallen dramatically and there

are simplified pricing structures being offered. But ATUG will be monitoring price movements, using ABS statistics to check whether prices do, in fact, fall. And his message to consumers was 'Who *thinks* wins'. Consumers must learn to exercise their 'choice skills' to understand their own usage patterns of the telephone as well as what services best meet those needs at the best price.

Regional communications

The next set of workshops looked at Electronic Commerce and at the Regional Telecommunications Development Fund. The fund of \$2.5 million is earmarked for regional, rural and remote communities, and it will be up to those communities to identify their telecommunications needs and how the funds can address those needs. To a fairly cynical audience, Fund Board member Johanna Plante explained the basis on which the major proportion of the funding will go to Tasmania and Queensland – the allocation is based on the percentage of people who live outside of the metropolitan areas.

CSG or TIO?

The TIO's Helen Bailey left the audience wondering why customers would use the customer guarantee scheme under the new legislation. Under the scheme, customers can complain to the TIO about connection and fault repair times in relation to a standard telephone service and related services. If the carrier or carriage service provider has exceeded the agreed time lines, the TIO, after an investigation, can issue an evidentiary certificate to that effect, which can then be used in court proceedings for recovery of up to \$25,000.

In contrast, the TIO can investigate not only a range of issues relating to the standard telephone service

including billing matters and directory assistance, but issues relating to mobile telephony and internet services. In addition, the TIO can order carrier payment of up to \$10,000 and recommend payment of an additional \$40,000 – and without the expense and delay of the court system. Why, one was left asking, did the government bother with the customer guarantee scheme.

Ozemail's Michael Ward pointed to the difficulties when a regulatory regime, designed with current industry structures in mind, is applied to new services. Internet service providers do not fit neatly into one industry. Nor can they clearly define one level of service provided. Internet services are not standard services; they are based on a less reliable data protocol. Yet ISPs are viewed under the new rules as providing a mainstream product. It will take understanding by the ISPs of the new structures and their place in it, as well as the rest of the industry understanding what ISPs do and how they do it.

Hyper-thetical

The final 'hypothetical' session saw Telstra pitted against Nortel, Vodafone, Optus, AAPT and BT Asia to be named universal service provider for the outback town of Dyllanumbarrup in West Australia. The bidding became hot and furious, with pledges, if named universal service provider, to take the grand prix away from Victoria and move it west, mobile phones not only for every resident, but all the sheep as well, and in the bargain, compulsory viewing of Gilligan's Island. The winner – Vodafone. And the audience left musing that Telstra's draft universal service plan looks nothing like the final stages of the bidding war of the conference – although that does save us all from Gilligan's Island.

Holly Raiche