

ACCC NBN wholesale service standards inquiry

Hi,

For well over a year now I have been connected to NBN's Fixed Wireless service. Throughout my connection period I've been plagued by congestion on the NBN portion of the Fixed Wireless network. My 50Mbps connection routinely drops to 9Mbps, an 82% reduction in speed, most evenings, weekends and public/school holidays.

In working with two Retail Service Providers (RSPs), Telstra and AussieBroadband, it has been determined that NBN allows retailers to offer 12/1Mbps, 25/5Mbps and 50/20Mbps services on a network designed such that it is "operating as designed" with speeds as low as 6Mbps.

NBN have designed a network/service that, despite a RSP provisioning more than enough Connectivity Virtual Circuit (CVC), will more often than not, not meet user or RSP expectations.

As per the Statement of Expectations

(<https://www.nbnco.com.au/content/dam/nbnco2/documents/soe-shareholder-minister-letter.pdf>) NBN is required to:

- Provide wholesale download rates of at least 25Mbps
- Ensure that its wholesale services enable retail service providers to supply services that meet the needs of end users.

As NBN considers anything above 6Mbps to be operating "normally", this fundamentally contradicts the Statement of Expectations. This is the point I'd like to highlight – the system which is REQUIRED to provide 25Mbps has been DESIGNED to achieve 6Mbps during busy periods. This is not an accident – Bill Morrow himself has stated that this is per design. Only when speeds reach as low as 3Mbps, will NBN take any action (and that often takes years).

The ACCC has ruled that fixed line services should never reach less than 60% of their advertised speeds. For some reason this does not apply to Fixed Wireless customers, who could lose as much as 94% of their advertised speeds during peak.

Plan (Mbps)	6 Mbps as a % of plan	3 Mbps as a % of plan
12/1	50% (i.e. 50% slower)	25% (i.e. 75% slower)
25/5	34% (i.e. 66% slower)	12% (i.e. 88% slower)
50/20	12% (i.e. 88% slower)	6% (i.e. 94% slower)

While the ACCC has laid down guidance on what RSPs need to offer during peak periods, see <https://www.accc.gov.au/consumers/national-broadband-network/broadband-speeds>, these only apply to NBN Fixed Line Services (FTTN, FTTB, FTTP, and HFC). Under the Mixed Technology Model of the NBN Australians have no say in how they'll be connected and no user should be disadvantaged by the connection type.

The NBN was meant to close the digital divide, not to increase it. NBN are currently allowing speed drops of up to 94% on the Fixed Wireless service which is something that no city users, on other technologies, experience.

It is my hope that the wholesale service standards inquiry will allow the ACCC to investigate and ensure that NBN is capable of providing RSPs with the ability to provide services that meet the needs and expectations of users.

Kind regards,
Alistair Phillips