

Aussie Broadband Pty Ltd
PO Box 3351
Gippsland Mail Centre
Victoria 3841



E info@aussiebroadband.com.au

aussiebroadband.com.au

25 August 2020

Aussie Broadband Pty Ltd
PO Box 3351
Gippsland Mail Centre
Victoria 3841
P 1 300 880 905
E info@aussiebroadband.com.au

aussiebroadband.com.au

Dear Kelly Griffen-Barrett and Shane Grosser,

Due to recent developments in wholesale products offered by NBN Co, Aussie Broadband has welcomed the opportunity to provide a submission to the ACCC in relation to updating the Broadband Speed Claims – Industry Guidance. Aussie Broadband has reviewed the consultation questions provided by the ACCC and have provided feedback for each one listed below.

At Aussie Broadband we consistently want to operate in the best interests of our customers and in doing so, our submission reflects what we believe to be important to our consumers in relation to the high speed tier offerings from NBN Co.

1. Do RSPs plan to market >100 Services uniformly regardless of underlying access technology?

At Aussie Broadband we do not focus on underlying access technology and we plan to market these services uniformly. On the Aussie Broadband website, we do provide a disclaimer about our 250/25 and Home Ultrafast speed plans that informs our customers that these speeds will require a FTTP or HFC access technology to perform at these speeds but this is not a clear marketing focus.

We recommend that RSP's should be able to market these services uniformly regardless of underlying access technology.

2. Are there any issues with specifying that RSPs should utilise the lowest end of a range of speeds provided by a wholesale provider, where RSPs rely on that information in advertising typical off peak speeds?

We understand the notion of advertising the lowest end of a range for typical off peak speeds but we have highlighted one key issue.

Aussie Broadband have identified that the likelihood is high in regards to misrepresenting speed data if we are consistently achieving speeds that are above the lowest end of the range. Misrepresenting these speeds to consumers can lead to further confusion in which we believe is not in the best interests of the consumer, ACCC and Aussie Broadband. The issue is that the Home Ultrafast NBN plans having speeds that range from 500-1000Mbps. The large speed gaps between the two make it difficult to represent this data truthfully when an RSP's speeds are consistently outperforming the lowest end of the range.

We believe that for the high speed tiers, it would be a benefit to be able to market 'up to' the peak speeds. With a large gap, consumers should be expecting more than the lowest range from an RSP.

3. Can the meaning of burst speeds be readily conveyed to consumers in marketing material?

At Aussie Broadband, we understand the need to clarify burst speeds, but we have identified a few concerns with adding this information to our marketing material. To add a burst speed onto our marketing material would cause clutter and confusion to consumers. At Aussie Broadband we have identified that our consumers main concern is the price-point and typical busy speeds rather than burst speeds that they can occasionally get. Adding this information will take up considerable space and detract from the overall message being conveyed to consumers.

As an organisation, we believe that if burst speed information were to be included, this would not influence the consumers choice of service, instead price-points are more important. With the speed tiers being relatively new, we also have not seen a direct impact of burst speeds on the services that we are providing in relation to high speed NBN services.

4. Do you have any comments on the proposal that RSPs clarify off peak speed expectations for particular consumers where they differ from what is described in retail marketing?

To assist consumers, we believe that being able to market 'up-to' speeds would help alleviate some of the confusion and concerns. Being able to market this way will allow RSP's to clearly state that speeds can range for high speed wholesale services. The ability to have this information on an organisation's website will allow consumers to effectively consider the service knowing the differing range of speeds. At Aussie Broadband we will be happy to clarify these ranges in our POS information, CIS and KFS provided to consumers at the time of purchase.

5. Are there any barriers to RSPs provisioning their networks to ensure a high quality gaming experience?

We believe that there would not be any significant barriers in provisioning our networks to ensure a high quality gaming experience.

6. Do you have any comments on our proposed changes to the Guidance in respect of principle 4?

At Aussie Broadband we regularly provide advice to consumers about their ability to access services. Aussie Broadband welcomes the idea of disclosing to customers the limited geographic footprint for these high speed services. This will help support consumers in regard to supplying a service that fits their needs. Currently at Aussie Broadband, we do disclose this information currently through our marketing materials, POS and through our website.

We currently make recommendations to consumers to utilise quality hardware to help perform at a services full speed. We do not have any technical recommendations, but we do have hardware recommendations like using a Google Nest to help support consumers when providing a high speed service.

Disclaimers about specific hardware required to achieve these higher speeds are generally held at a POS level.

At Aussie Broadband, we recommend that if this information needs to be included, it should occur at a POS level.

7. Should the 'Premium' label be applied to >100 Mbps Services or should new labels be developed for >100 Mbps Services?

To assist consumers, Aussie Broadband believe that the current descriptive labels are ambiguous and do not account for variations and proper representations of these services. We have currently opted for the use of numerical labels to better represent the actual product itself and different variations which includes the upload speeds. This provides more meaningful information to consumers to help compare services, rather than generic labels that are not descriptive.

Our prospective is that these labels could have a variety of different meanings to our consumers. This lack of clarity can pose further confusion.

8. What would be the benefits and downsides to consumers from the development of new labels in addition to 'Premium' to apply to >100 Mbps Services?

From an Aussie Broadband perspective there are currently no major benefits to developing these new labels. The downsides are listed in the previous question but essentially consumers are not being properly educated about internet services with generic labels, whereas numerical representations offer an easy to comprehend comparison between services.

9. Is it appropriate to treat wholesale products that have the same download speeds, but different upload speeds, in the same way for the purpose of labels and typical busy period speed claims?

At Aussie Broadband, we believe that these wholesale products with differing upload speeds, but the same download speeds should be treated differently. With more people working from home, having flexible working arrangements and business-based services, this would be a disadvantage for consumers as they rely on upload speeds to send documents, conduct video conferences etc. Treating these wholesale speeds, the same would not represent fully the services that are being supplied. Although we believe that they should be treated differently, we believe that these products should still be tested together as the busy period speed claims are based on download speeds rather than upload speeds.

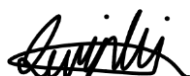
10. Do you have any other view on the proposed enhancements to the Guidance?

At Aussie Broadband, we consistently want to improve our customer's experience. From the feedback that we have received, price-points are the primary driver in relation to deciding on a broadband service. Providing extra information to consumers on top of what is already being supplied could cause confusion. The current guidance should be adequate for the high speed wholesale speed offerings from NBN Co.

This submission is to provide advice that will assist not only Aussie Broadband, but also other RSP's to assist consumers in relation to the new high speed broadband services.

We thank the ACCC for considering our submission and we will be happy to provide further information or work with the ACCC to assist with the development of this guidance moving forward.

Warm regards,



Leigh Winter
Marketing Compliance Coordinator