

22nd December 2017

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ACCC

Via email: Robert.wright@acc.gov.au; ssu-migration@acc.gov.au;

RE: Telstra's proposal to vary the Migration Plan to facilitate the rollout of Fibre to the Curb for the NBN

ACCAN wishes to thank the ACCC for the opportunity to submit to its discussion paper on Telstra's proposal to vary the Migration Plan to facilitate the rollout of Fibre to the Curb (FTTC) for the NBN.

ACCAN has some concerns, in general, about the process for consumers switching to nbn FTTC technology. Migrating to FTTC will have different and added complexities compared to other technologies which may increase the likelihood of consumers experiencing outages or unexpected service issues.

Our prime concern stems from consumers being responsible for initiating the switch by plugging in the Network Connection Device (NCD) [previously called the Reverse Power Unit (RPU)], the number of complexities that may arise in doing this, and the lack of confirmation that the migration was successful. Ultimately this may leave consumers disconnected.

While Telstra is applying the existing processes and will work with nbn to "support a positive customer experience", we believe that the added complexity of FTTC may require additional checks and protections.

Consumer driven switching issues which may lead to an unsuccessful migration

Consumers may face difficulties in successfully switching. Two particular features that we are aware of which may cause problems are:

1. "Foreign devices" such as alarms or analogue phones being connected inside the house will prevent the NCD from operating. If the consumer, either knowingly or unknowingly, has analogue devices connected then the migration may be unsuccessful.
2. An inappropriate set up in the house may require additional consideration or work by the consumer. For example the consumer may not have a power outlet at the first telecommunications outlet to plug in the NCD and VDSL modem. Alternatively, the first outlet may not be the convenient one to use or that they would like to use. Plugging the devices into outlets other than the first will not result in a successful switch. If adjustments need to be made (for example, the purchase of an extension cord), these may lead to delays in consumers taking the necessary steps to complete the migration.

It is possible for one of these reasons, or others, the consumer may fail to follow the switching procedure in the allotted timeframe. Once the order process is activated this timeframe may be significantly shorter than the disconnection date which the consumer may be aware of. The consumer may assume that even after taking delivery of the NCD and modem that they can migrate

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when they want by the disconnection date. However, as outlined below this may not be the case. We are concerned that the switching process may still continue and disconnection of the legacy service may occur.

Process of migration continuing and leaving a consumer disconnected

We understand that the NCD device is invisible to both nbn and the RSP. Only through witnessing data moving over the nbn network, is the switch known to be successful by nbn. However, the default nbn position is after a certain time frame (even if no data has been detected) nbn will complete the order for the premises and include the address in the Daily Migration File (DMF) that is sent to Telstra for disconnecting the legacy service.

Following confirmation from nbn (and requests from the legacy RSP for disconnection and local number porting), Telstra could proceed to disconnect the service. It could be particularly concerning if the consumer switches retail providers during migration, as the losing RSP will have no access or confirmation that the nbn FTTC service is working and the migration was successful. The consumer could be left in a position where the legacy service could be fully disconnected and/or the local number ported, without any functioning FTTC service.

Measures to protect consumers

In part these issues may be addressed by the proposed Service Provider Rule for RSP line-testing, which the ACMA will be introducing in 2018.¹ The ACMA state that this rule will require RSPs: “to undertake post-connection line-testing to proactively identify faults and ensure services are working after installation”. This may help to address faults as they arise, however, it may not fully protect consumers and it may not ensure consumers are not disconnected from legacy service.

ACCAN wonders if Telstra has a further role to play in ensuring that consumers do not experience a disruption in services. If it has been told to disconnect legacy services but can still see data on the legacy network, there may be an opportunity for them to hold the disconnection. We also suggest that nbn flag to Telstra in the DMF addresses that are included by default. Without this we believe disconnection will happen before the consumer is ready.

As so much of the process relies heavily on consumers understanding and active participation, we have concerns about the risk of disconnection, faulty FTTC set ups and the limited assistance to consumers.

Regards



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¹ ACMA, 21 December 2017. Protecting consumers on the NBN.
<https://www.acma.gov.au/industry/Telco/Infrastructure/The-NBN-and-industry/protecting-consumers-on-the-nbn>