

## **Submission to ACCC on its public inquiry into the declaration of the domestic transmission capacity service, fixed line services and domestic mobile terminating access service**

**25 July 2023**

**(public version)**

Symbio Holdings Ltd (**Symbio**) welcomes the opportunity to make a submission to the Australian Competition and Consumer Commission's (**ACCC**) public inquiry into certain declared services.

Symbio is a communications provider which offers a complete solution for launching, scaling and managing communication services in the cloud.

As part of the provision of these services, Symbio operates one of the largest IP Voice networks in Australia and is interconnected with all major mobile and fixed networks. It also acquires the MTAS under commercial agreements and wholesale mobile services and provides wholesale fixed voice and mobile virtual network operator (**MVNO**) services to its customers.

Symbio is listed on the ASX and is currently making arrangements for expansion overseas by extending its software capability for customers underpinned by fixed voice interconnection and call traffic capability allowing any-to-any number calling.

In this submission Symbio has not sought to address all of the declared services currently being considered by the ACCC. Instead we have concentrated on the fixed terminating access service (**FTAS**) and domestic mobile terminating access service (**MTAS**). Both services are essential inputs into Symbio's business. Any changes to declaration would significantly impact on Symbio's business. Accordingly, Symbio considers itself uniquely interested in the outcome of the ACCC's inquiry.

### **FTAS and MTAS declarations should be extended for a further three years**

Symbio submits that the FTAS and MTAS declarations should be extended for a further three years.

Throughout time, these declarations have been a crucial wholesale input which has allowed businesses, such as Symbio, to enter and compete in the market. In Symbio's view this promotes a more dynamic market and has encouraged downstream markets which we believe is in the LTIE. Absent declaration, Symbio would be required to enter into direct commercial negotiations with the other service providers. Declarations greatly assist in contributing to a level playing field for all participants in the industry. In Symbio's experience, smaller or newer players are at a disadvantage in any commercial negotiations with the large market players by virtue of their size.

[c.i.c.]

### **Service descriptions require amending to ensure they remain fit for purpose**

In Symbio's view, the service descriptions for each of FTAS and MTAS require amending to ensure they remain fit for purpose. Symbio has set out its proposed amendments to the service descriptions at **Attachment A** [c.i.c].

### ***Amendments to FTAS service description***

Symbio has made changes to the service description for FTAS to clarify that the A-Party number can be either a geographic or mobile number. This change will ensure alignment with fixed and mobile models.

Currently, Symbio pays Originating Access for calls from mobiles to inbound numbers. These charges are not declared and hence are difficult to negotiate. Symbio believes a change to include a declared mobile originating service model to align with the fixed network would have assisted in ensuring the service does not discriminate against fixed network only operators.

Symbio has also proposed some changes to allow for TDM or SIP interconnect.

### ***Amendments to MTAS service description***

As suggested in the ACCC's discussion paper,<sup>1</sup> Symbio considers the service description should not include references to digital mobile networks. This will make the description more generic and align it, so far as possible, with the FTAS definition.

Symbio believes the changes it has proposed to the domestic MTAS description will better support innovative new services for business customers in Australia.

Businesses are increasingly choosing to use software platforms to better connect with their customers and need business phone numbers that support both voice and messaging. This business calling and messaging is originated and received via a software interface rather than a handset connected to a digital mobile network. These UCaaS and CCaaS software platforms support a suite of innovative services including sophisticated call routing logic, cloud-based retention of customer call recordings and message history as well as full integration with customer relationship management systems.

The existing service description for Domestic Mobile Terminating Access Services linking mobile calling to 'a B Party directly connected to the access providers digital mobile network' does not adequately support the evolving requirements of business customers. Further, Symbio believes short-messaging-service (sms) is an integral part of requirements into the future and supports the ACCC's review of how this can be incorporated into a revised service description and future model.

### **Conclusion**

In conclusion, Symbio considers that the FTAS and MTAS declarations remain an important tool for promoting competition in markets for telecommunications services and should be extended for a further three years. However, adjustments should be made to the service descriptions to reflect current technology and better support innovation for the ultimate benefit of end-users.

Symbio is happy to discuss concerns further with the ACCC whenever would be convenient.

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<sup>1</sup> ACCC, *Public inquiry into the declaration of the domestic transmission capacity service, fixed line services and domestic mobile terminating access service* (Discussion paper, May 2023) at 5.3.1.

**[c.i.c] Attachment A: Symbio's proposed amendments to FTAS and MTAS service descriptions**

[For ACCC's reference internal use] [c.i.c.]