

2 October 2024

Senate Environment and Communications References Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Environment and Communications References Committee

Thank you for your follow-up questions about our submission to the inquiry into the Optus Network Outage of November 2023 (**the Outage**). We write to provide an update on the total complaints received by our office about the Outage.

How many complaints has the TIO received regarding the Optus Network Outage?

Between 8 November 2023 and the end of financial year 2024, our office registered 1,013 complaints which involved issues relating to the Optus Network Outage. We also received hundreds of enquiries about the Outage in that time period.

This total complaint number was calculated through a manual review of cases which we have filed under complaint issue keywords that we believe are relevant to the Outage. There may be a low number of additional complaints related to the Outage filed under other complaint issue keywords.

We received the majority of these complaints within the first week of the Outage, and 88% of these complaints before the end of December 2023.

What types of compensation were requested in these complaints?

As discussed in our submission to Senate in November 2023, consumers requested a variety of types of compensation from Optus, including compensation to cover:

- Service charges for the period affected by the Outage, or for additional days/weeks/months beyond the Outage
- Loss of income, sales or profits due to the Outage
- Stress, inconvenience, or other harm caused by disruptions to:
 - Contacting friends or family members
 - Studying or attending exams
 - Making payments towards food, bills or essentials
 - Attending medical appointments
- Unspecified harms, where the consumer named an amount of compensation they wanted from Optus without clearly saying how they reached this amount, or

- Unique examples of individual detriment, such as a consumer claiming they could not prevent damage to their property as they could not call their builder that morning.

Consumers also requested other remedies from Optus besides compensation, including changes to their plans, cancellation of their plans, free data, additional information about the outage, or apologies.

What were the outcomes to these complaints?

The majority of complaints made to our office resolve when we refer them to the service provider in the first instance. We initially require service providers to contact the consumer directly to discuss their complaint and offer a remedy to resolve the complaint. As part of our process at the time of the Outage, we expected that consumers will only contact our office again if they did not hear from their service provider, or if they were not satisfied with their service provider's offer and they wished to progress the complaint further.

For consumers that return to our office unresolved after our initial referral process, the TIO will work with the provider and the consumer to achieve a fair and reasonable outcome for both parties.

Our review of these conciliated outcomes for Outage complaints showed that, on a case-by-case basis, Optus was willing to work with consumers to provide financial remedies such as billing adjustments, debt reductions, credits towards monthly service charges, or compensation amounts. Given the wide variety of impacts felt by consumers during the Outage, individual financial outcomes ranged from relatively smaller amounts (such as \$15 billing adjustments) to relatively larger sums (such as over \$1,000 in compensation). At least one complaint also reached our limit for non-financial loss (\$1,500), in addition to other billing adjustments made by Optus.

In total, we recorded \$52,950.77 in total credits offers, compensation paid, or debts adjusted, although we note this total does not take into account the non-financial remedies (such as Optus changing consumers to a different plan) or the majority of complaints where we did not learn the outcome of the complaint.

Thank you again for inviting us to be part of this Inquiry.

Yours sincerely,

Cynthia Gebert

Telecommunications Industry Ombudsman