



Committee Secretary
Senate Standing Committee on Environment and
Communications
PO Box 6100
Parliament House
Canberra ACT 2600

Via: ec.sen@aph.gov.au

16 November 2023

Dear Chair,

I am writing to address the matters referred to the Environment and Communications References Committee for inquiry regarding the Optus network outage that occurred on 8 November 2023.

The AMTA is the peak industry body of Australia's mobile telecommunications industry. Our purpose is to be the trusted voice of industry, promoting the adoption, monetisation and sustainability of mobile telecommunications technology for the benefit of all Australians.

Our members include mobile network service providers, handset manufacturers, network equipment suppliers, retail outlets and other suppliers to the mobile telecommunications industry.

Yours sincerely,

Louise Hyland
Chief Executive Officer

Network resiliency and future outages

There is an understandable expectation from the Australian public that mobile and broadband services be available without interruption, but no telecommunications network, in Australia or elsewhere, is 100 per cent resilient. While network operators strive to minimise network problems by building in redundancy and diversity – the scale, complexity and interconnectedness of modern telecommunications networks means it's unrealistic to expect that major outages will never occur, regardless of whether the network is privately or publicly owned.

There are numerous examples of outages that have occurred in telecommunications networks around the world in recent years including in the USA, Canada, Japan and multiple European markets. The restoration times for those outages have varied from between five hours and 61 hours, depending on the scale and complexity of the underlying faults.

When network failures do occur, individual telecommunications companies should have a disaster recovery plan in place, as well as a crisis management plan to communicate effectively with affected stakeholders.

Customer complaints and compensation

The telecommunications industry has an independent ombudsman to handle complaints. Consumers must first raise their issue with their telecommunications provider before going to the ombudsman.

The Telecommunications Industry Ombudsman (TIO) provides an avenue for customers to complain and seek resolution. The TIO's purpose is to provide a fair, independent, and accessible external dispute resolution service and to improve outcomes for telecommunications consumers.

The TIO is funded by its members and can investigate, resolve, make determinations and give directions relating to complaints by residential and small business consumers of telecommunications services. The TIO can direct telecommunications providers to pay up to \$100,000 in compensation.

The TIO has published detailed information for consumers about the Optus outage. In that advice, the TIO has advised that because telecommunication providers do not offer a fault free service, a one-off outage is unlikely to be considered a major failure which would constitute a cancellation of contract under the Australian Consumer Law¹.

When service interruptions do occur, individual companies should consider how to respond, including whether to compensate their customers. If consumers are dissatisfied with the response from their telecommunications provider, including any compensation offered, consumers can seek to raise a complaint with the TIO or look at what alternative service offerings are available in the market.

¹ <https://www.tio.com.au/news/support-consumers-and-small-businesses-impacted-optus-network-outage>

The role of government in ensuring Australians have reliable access to telecommunications technology;

We consider the best way for Government to ensure Australians have reliable access to telecommunications technology is to continue supporting competitive infrastructure and service outcomes so consumers and businesses can gain efficient access to alternative network options.

Government can also improve the availability and resilience of telecommunications infrastructure though assisting with the funding of investment in situations where the business case would otherwise not be viable.

One example is the Government's Mobile Black Spot Program (the MBSP) that invests in telecommunications infrastructure to improve mobile coverage and competition across Australia. The MBSP is supported by co-contributions from state and local governments, the Mobile Network Operators (Optus, Telstra, TPG Telecom Ltd (formerly Vodafone) and Field Solutions Group), businesses and local communities.

Other examples include the Universal Service Obligation, the Regional Connectivity Program, the Peri-Urban Mobile Program, the On Farm Connectivity Program and the Mobile Network Hardening Program.

Government response to mobile network outage.

We consider that the Communication Minister's public response to the outage was constructive and timely.

Additional matters

Roaming onto other networks

There has been some public commentary of the possibility of having customers roam onto other mobile networks during outages.

Roaming to other networks in the event of a major outage poses significant technical and operational challenges. Most importantly, if the outage disables access to the core of the network then roaming from other networks is not possible as they are unable to authenticate and connect the impacted user devices. Even in situations where roaming is technically possible, there is high risk of the other networks also failing or becoming congested due to the massive surge in the number of devices attempting to connect and communicate with them.

Note: The mobile network operators are already working with Government to explore the feasibility of enabling temporary roaming during disaster scenarios. However, to avoid the risk of harm to surviving networks this solution must be carefully designed, including limiting its scope to base stations within a localised area near the disaster.

More detailed questions on roaming during network outages should be directed towards the individual mobile network operators, as they are best placed to advise on the technical and practical facets of roaming.