

TELSTRA CORPORATION LIMITED

Submission to Treasury's Consultation on

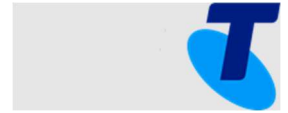
**Consumer Data Right Sectoral Assessment -
Telecommunications**

19 August 2021



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01 Introduction

We welcome the opportunity to comment on Treasury's consultation into whether to extend the Consumer Data Right (**CDR**) to telecommunications.

We have previously expressed our support for CDR and continue to believe that providing customers with their data in a common, accessible format will enable them to make better, more informed decisions and help drive competition and innovation across the economy. The telecommunications industry is, however, different from the banking and energy sectors and any designation will need to take into account the inherent complexity and dynamic nature of the industry. As such, Telstra is of the view customers will benefit from designation of product data (excluding network coverage and service quality data) and customer data but there are limited benefits from designating other forms of data, particularly network data and usage data.

This view is supported by:

- the high levels of regulation that already exist in the industry which adequately solve concerns around customer choice and switching;
- the fragmentation of the telecommunications industry with hundreds of smaller RSPs for whom designating customer data could be prohibitive, yet missing out on CDR would also leave smaller RSPs behind competitively; and
- the fact that customer usage data is more easily and accurately captured on a customer's own device rather than through individual service providers.

Further, there are a number of issues we believe warrant more detailed consideration and that are not adequately discussed in the consultation paper. It is our understanding that Australia is the first jurisdiction in the world attempting to apply a CDR regime to the telecommunications industry. As a result, unlike Open Banking, there is no international precedent for CDR in telecommunications. As such, we believe it would be prudent to consider in more detail what information can actually be captured by service providers, how accurate the information is, the cost of providing that information to customers and whether providing that information to customers is useful or could potentially be misleading or unnecessarily confusing to customers.

A large amount of data is also already digitally available to customers through telecommunications providers themselves as well as through government agencies and enterprises (such as the ACCC, ACMA, and NBN Co), the TIO and other external bodies. Therefore, consideration must be given as to whether it is more efficient for this data to be provided by one of those bodies, or whether hundreds of telecommunications firms should be required to standardise their data into a CDR format and provide it individually. We encourage such analysis to be undertaken as would normally be required in a standard RIS. Data sets should not be designated lightly as the cost of improperly designating data could lead to reduced consumer outcomes through a decrease in competition, choice and innovation and/or an increase in prices.

The remainder of our submission is structured as follows:

Section 2: discusses the dynamic nature of the telecommunications industry and the high levels of competitiveness and regulation that already exist in this market

Section 3: sets out the datasets which should and should not be designated

Section 4: discusses the issues unique to the telecommunications industry which evidence why other datasets should not be designated

Section 5: details questions that have not been consulted on

Section 6: summarises Telstra's suggested way forward



02 The telecommunications industry is highly competitive and dynamic in nature

2.1. The telecommunications industry is highly competitive

The telecommunications industry today is highly competitive with consumers benefiting from ongoing price reductions and increases in value inclusions across both the mobile and fixed sector. The mobile sector is characterised by strong competition with the ACCC noting in its 2019-20 *Communications Market Report* that the annual feature adjusted price of mobile phone services decreased by 16.7% (from 2019 to 2020) and mobile broadband prices decreased by 24% in the same period. The fixed market has undergone one of the most substantial restructurings in the Australian economy to promote competition, by structurally or functionally separating retailers from infrastructure ownership. The ACCC also noted in its report that “NBN Co’s entry has significantly boosted competition” in enterprise markets as service providers have been able to use improved wholesale offers to increase the value of their retail services. During this period, the ACCC also reported that the feature adjusted prices of fixed broadband services decreased by 1.6%¹.

Despite ongoing price reductions, accompanied by increased inclusions and slimmer margins, network operators continue to make significant investments in infrastructure. In particular the rollout of 5G by Telstra, Optus and TPG Telecom is costing hundreds of millions of dollars for the benefit of consumers. Such investment is taking place, and will continue to do so, in response to competition to maintain network superiority. Throughout this period, consumer complaints have also reduced with the TIO reporting a 4%² reduction in complaints from 2019-2020 and the ACCC reporting a similar reduction in complaints against telecommunications providers of approximately 3%³ on the previous year.

The telecommunications sector is also highly regulated with wholesale pricing arrangements in place, competition limits for spectrum auctions, as well as regulation which facilitates switching from one supplier to another. Two regulations which directly assist with some of the principal objectives of the CDR regime include:

- The *Telecommunications Numbering Plan* which requires all carriers and carriage service providers (**CSPs**) to implement number portability for fixed and mobile services. This means the removal of technical barriers to customer switching – a principal objective of the CDR regime – is already satisfied within the communications sector.
- The *Telecommunications Consumer Protections Code* requires suppliers to provide critical information summaries (**CISs**) (short but detailed information about plans) to customers at the time of sale and contains standardised bill inclusion requirements. This means that a large proportion of the data being consulted upon to be designated is already regulated in telecommunications.

There are also many regulations in place that already require telecommunications firms to retain and/or share data with government bodies, that need to be considered so as to avoid overlapping and inefficient government regulations:

- ACCC Record Keeping Rules require parties to provide data to the ACCC who, in some pertinent cases, publishes that data.
- The Statutory Infrastructure Provider (**SIP**) legislation requires carriers to provide mapping information to the ACMA for each of their SIP service areas, as well as anticipatory notices where the carrier has contracted to install telecommunications network infrastructure in new developments. The legislation also requires SIPs to publish their broadband offers on their websites

¹ p6, ACCC Communications Market Report 2019-20

² p44, ACCC Communications Market Report 2019-20

³ p45 ACCC Communications Market Report 2019-20



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- The TCP Code includes requirements to retain records relating to customer contracts, interactions between suppliers and customers, billing information, authorised representatives and customer transfers.
 - The mandatory data retention regime require telecommunications providers to collect and retain a minimum standard set of telecommunications data and to retain that data for a minimum of two years. Data retained includes call records, the location of the relevant mobile cell towers at the beginning and end of a call and the start and end times of internet sessions and can be accessed by national security and law-enforcement agencies.

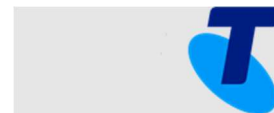
2.2. The telecommunications industry is dynamic in nature

Telecommunications, unlike the banking and energy sectors, is highly dynamic with technology types, products and services changing rapidly from year to year. This means that the needs of customers 5 years ago are different to what they are today, and they will be different again in 5 years' time. In the mobile space, Telstra's 5G network already covers more than 75% of the population and we have announced plans to switch off our 3G network in June 2024. Mobile broadband is a reality at home with hybrid modems providing a seamless fixed mobile experience even for households with only an NBN service. Video calling and VoIP is now commonplace seamlessly complementing and substituting voice calls. In addition, SMS messages traditionally carried over the mobile network have now been significantly overtaken by messages carried through over-the-top providers (OTTs) such as Google, Facebook and Apple.

Over the past few years, due to leaps in technology and the rapidly changing needs of customers, telecommunications providers have been required to overhaul their products and services with a focus on simplicity, transparency and flexibility. Throughout 2018 and 2019, Telstra undertook a radical overhaul of its fixed and mobile plans with the aim of removing common pain points customers complained about most often. The most material changes we introduced were:

- the removal of excess data fees aided by a trend towards all-inclusive plans including unlimited data;
- the removal of "lock in" fixed term contracts for the underlying fixed or mobile service attached to a handset or modem; and
- the ability to move between plans once a month.

Since the introduction of these simplified plans, we have seen complaints about excess data charges drop by 88% for FY18 compared to FY21. We now have 8.9m services with no excess usage and are on track to complete our migration to no excess data plans during FY22.



03 Datasets that should and should not be designated

The tables on p.16-18 of the consultation paper outline a range of possible datasets that could be made available under the CDR if the telecommunications sector is designated. The datasets are grouped into two broad categories of product data and consumer data. Telstra's position on each of the datasets is set out below in Tables 1 and 2.

Table 1: Product data

Data category	Designate?	Reason
Service details	Yes	Already provided in CIS.
Advertised internet speed	Yes – other than speed test data	Already provided in CIS.
Contract information	Yes	Already provided in CIS.
Charges and fees	Yes	Already provided in CIS.
Mobile network coverage	No	Already provided under ACCC RKR, and in searchable format on MNO's websites. Coverage data varies greatly and dynamically for specific address depending on environmental factors, making it difficult and expensive to provide under CDR.
Fixed network coverage	No	Already provided to Government by Statutory Infrastructure Providers and in searchable format on Government website (data.gov.au).
Service quality	No	Subjective & difficult to measure.

Table 2: Consumer data

Data category	Designate?	Reason
Customer contract information	Yes	Customer identity data can be provided.
Service information	Yes	Customer already has digital access to this information. To identify which plans the customer purchases.
Rate plan, fees and charges	Yes	Customer already has digital access to this information. Helps identify which additional fees and charges the customer incurs, if any.
Contract information	Yes	Customer already has digital access to this information. Some proposed data will be relevant to understand the contracts. However, we caution that there are often complicated and dynamic relationships between plans (e.g. mobile handset repayment plans might not be linked to a mobile plan).



Data category	Designate?	Reason
Hardware	No	Customers often self-supply hardware, keep old hardware from another provider, own hardware outright, and transfer hardware to other customers without the knowledge of their provider. Service providers may not retain this data.
Usage information	No	Not needed by customers to make informed choices because majority of plans include unlimited calls, SMS and/or data. Telecommunications carriers retain only a subset of usage data, so scope of CDR would need to be increased to include all the providers (e.g., calling and messaging). Multiple networks can be used to provide data access for single plans (e.g. WiFi), so usage in this context has less meaning for customers and can be complicated to measure. Usage data is more accurately captured on an individual's own device, to which consumers already have access.
Network information	No	Complex to provide as there may be multiple underlying wholesale networks in the vertical and horizontal supply chain (e.g. service providers can use different wholesale providers to supply the same customers for different times of the day). For competition reasons don't want to lock RSPs into commercial arrangements and remove their ability to switch wholesale providers. It is not clear that the CDR legislation accommodates this type of data.
Technology information	No	Complex to provide because underlying technology may change over time and may change from time to time e.g. a broadband service with a hybrid modem can seamlessly switch from fixed broadband to the mobile network. It is not clear that the CDR legislation accommodates this type of data.
Internet speeds	No	Advertised speed would already be available to customers under product data (see above). Maximum NBN line speed is theoretical only and can lead to a mismatch in expectations vs reality. NBN speed tier might not reflect the advertised speed for the plan a customer purchases, resulting in customer confusion. It is not clear that the CDR legislation accommodates this type of data beyond advertised speed.
Fault information	No	Where a customer lodges a fault, this information can be obtained on request. Customers, in some cases, notify us of a fault when there is none (e.g. normal congestion on a network can be misinterpreted as a fault). Also, when another party (e.g. NBN Co) is aware of a fault, retailers might not have this information. The data is complex and expensive to provide through CDR in relation to individual customers.



As shown in Table 1 above, Telstra generally supports product data being designated as the majority of this information is already available in CISs. The two exceptions to this are network coverage data and service quality data.

- Network coverage data is extremely important to customers as it can help a customer decide whether they are likely to have available coverage at their home, workplace and common places that they travel. MNO's have recognised this and provide searchable coverage maps on their websites. However, there are limitations to the accuracy of this data, as they are based on engineering algorithms and dependent on external environmental factors such as vegetation, topology, building materials etc, and whether the customer is indoors or outdoors. Therefore, it is unclear what information from published coverage maps would be included in CDR. More consultation would be needed to understand this. Additionally, mobile coverage maps are provided to the ACCC and fixed (Statutory Infrastructure Provider) coverage maps are available at data.gov.au. Designating this dataset under CDR would, therefore, overlap existing regulations and likely add significant compliance cost for MNO's for minimal customer benefit.
- Service quality data, while important to customers is extremely subjective, difficult to measure and highly dynamic. Reducing this important information down to standardised data is unlikely to be successful and is prone to being misinterpreted by customers. It is not clear what elements of service quality Treasury is concerned with nor how the data is proposed to be measured and reported to customers.

As show in Table 2 above, Telstra supports customer contract information being designated, however we do not see the benefit in designating other forms of customer data.

- Hardware information would be very difficult to provide as customers often self-supply hardware and suppliers do not typically know what customers do with hardware after it has been paid for (e.g. it could be a gift). Therefore, Telstra is of the view that including this data as designated information is unnecessary and simply adds cost and complexity to the industry for no additional customer benefit.
- There are significant issues with designating usage information, network information, technology information, internet speeds (beyond advertised speed) and fault information as discussed in section 4 below. Telstra does not believe these datasets should be included as designated data without, at least, a more detailed analysis of the relative costs and benefits. In some cases, the data is already available from more efficient sources, and in other cases it is not clear that the CDR legislation accommodates the designation of this type of data.

04 Designating certain datasets is unnecessary or inadvisable due to issues unique to telecommunications

4.1. Usage data

4.1.1. Usage data is likely to be incomplete and potentially misleading

One of the biggest changes in the industry over the past decade has been the emergence of OTT applications and their increasing use and popularity. Applications such as Facebook messenger, Whatsapp, Snapchat and Apple iMessage/FaceTime have seen exponential growth in usage as customers seamlessly switch between OTT applications and the mobile network as substitute forms of communication. While this trend began with SMS, customers are now regularly using OTT applications for voice and video calls. Therefore, unless OTT application providers are also designated as telecommunications providers under the CDR regime, consumers will only to be able to access incomplete records of their usage. This will greatly limit the utility of the data and may also cause consumers to draw incomplete or erroneous conclusions from it.



The concern that data may be incomplete and potentially misleading is further compounded by multiple users on single broadband accounts (e.g. for families and share houses). There remains an outstanding question as to how a user of a shared broadband account accessing their usage data can accurately distinguish between their data and others on the account. This also raises privacy issues particularly in domestic violence scenarios, share house arrangements and situations in which the employer pays for the employees' account.

Lastly, due to innovation and advances in technology, customers can now seamlessly switch between the mobile network, wireless and fixed broadband when making calls, texting friends and consuming data. This occurs on a regular basis throughout the day as customers and their devices move around connecting to different networks. A customer's mobile and fixed broadband provider may not be the same and, even if they are the same, their usage data will be incomplete per service and service provider. Also, some fixed broadband retailers offload data onto their mobile networks, particularly if there is a fixed line outage, or even if the customer disconnects their modem from their fixed line. This makes measuring usage complex depending on what problem usage data is intended to solve in a CDR context.

4.1.2. Usage data is not required for customers to make switching decisions

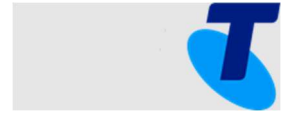
While Treasury has considered a situation where customers may be interested in their usage per service in order to choose a new plan or switch plans, the use cases for this are likely to be limited given the market trend towards including unlimited calls, SMS and data in almost all plans. This can be evidenced by a simple search on any comparison website where unlimited plans dominate. Further, where there is a restriction on data usage in a plan, as previously discussed, RSPs generally now throttle speeds and offer the customer a data pack for a set cost to avoid excess charges and bill shock. Real time usage is generally available to customers through many providers' apps. For example, as at August 2021, 4.5 million Telstra customers were active My Telstra app users, with an additional 2.1 million Telstra customers accessing usage information online.⁴ As set out above, these changes have been extremely successful in reducing negative experiences for customers and giving customers greater control of their services.

For these reasons Telstra considers it unlikely that designating usage data for CDR would be beneficial for customers nor that it would outweigh the cost of collation and provision of that data. Particularly because, as discussed below, usage data can more easily and accurately be captured on an individual's own device.

4.1.3. Consumers' devices hold more accurate usage data than service providers

Due to the unique nature of telecommunications products and services, and as a result of changes in consumer behaviour, customers actually hold more complete and accurate data of their usage at any given time on their own devices. For example, mobile phones store calling histories for calls made on the provider's network, and via apps like WhatsApp and Facebook Messenger, as well as data consumption (which may be on a "per app" basis). This level of detail far exceeds information that could be gathered by a service provider for compliance with the CDR regime as the service provider has no visibility of calls or messages from OTT applications or of data consumption at a "per app" level. While designating usage data makes sense for the banking and energy sectors, designing systems to provide customers with incomplete sets of data per provider which they already have access to on their own devices does not seem like good policy.

⁴ Of 19.47m services in operation. See Telstra FY21 results supporting material spreadsheet, "Stat Data" tab, cell B28. <https://www.telstra.com.au/content/dam/tcom/about-us/investors/pdf-g/FY21-results-supporting-material.xlsx>



4.2. A significant amount of data is already available from other sources

Not only do customers hold a lot of their data themselves but the majority of the data being considered for designation is already available to consumers from various sources. For example:

- Critical Information Summaries provide a regulated description of product and service information, fees and charges, underlying technology type and typical speeds. This information is also available on most RSP's websites;
- Coverage maps are provided by mobile network operators (**MNO**) on their websites and are searchable by location⁵;
- Mobile coverage data is also held by the ACCC and customer access to this data should be covered by Data Access and Availability not through CDR;
- Fixed coverage data for Statutory Infrastructure Providers is also provided to government and made available through data.gov.au;
- NBN's maximum line speed, NBN availability and type of technology available at a certain location is available on the NBN's website.

In cases where data is readily available online from various sources, the additional benefit of compiling this data in a common format needs to be weighed against the significant cost to telecommunications providers of building systems to provide easily accessible information in a different format.

4.3. A large number of small RSPs may be negatively impacted by designation

The telecommunications industry is characterised by a large number of smaller RSPs⁶ that hold 8% of the fixed broadband market⁷ (steadily increasing from 3% in 2016), while MVNOs hold 15% of the mobile market⁸. For these RSPs the cost of complying with CDR may be very high compared to the size of their business. Many small RSPs are able to offer customers cheaper products because they have lower overheads and costs of compliance. For some, complying with CDR may be cost prohibitive discouraging them from participating in CDR or, where it is legally required, may discourage new entrants from entering the market. In order to comply with CDR, smaller RSPs may be forced to increase prices to customers to recoup the cost of compliance. Alternatively, not designating smaller RSPs would likely be even more damaging as it would unfairly disadvantage customers of smaller RSPs and may negatively impact competition as those RSPs would not be featured on comparison sites. Further, smaller RSPs represent a modest proportion of the market so these providers would need to be designated to ensure CDR operates as intended across the market. We note the suggestion that smaller RSPs use MNO's CDR systems instead of building their own is non-sensical as they provide different products to MNOs and would want to keep their customer data confidential.

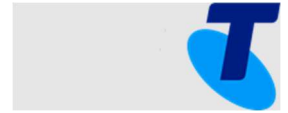
We understand that the data we propose (above) to be included in the CDR designation, would strike a balance allowing full and quick implementation at relatively low cost. Going beyond these data sets, would increase the cost for all suppliers and delay implementation as the complexity and difficult nature of that data is worked through in later stages of the implementation process.

⁵ For example, <https://www.telstra.com.au/coverage-networks/our-coverage>

⁶ Over 160 smaller RSPs, excluding Telstra, Optus, TPG Telecom and major associated brands (e.g., Belong, Vodafone, iiNet, iPrimus, etc). See <https://www.nbnco.com.au/residential/service-providers>

⁷ p20, ACCC Communications Report 2019-20

⁸ P31, ACCC Communications Report 2019-20



4.4. Data inaccuracy or misinterpretation can lead to a mismatch in customers' expectations

Telecommunications data may not accurately be able to predict a customers' experience.

- Coverage data can predict whether a customer is likely to receive a mobile signal in geographic areas, but it cannot accurately determine whether they will be able to receive a signal at specific locations (e.g. inside their house or workplace). This will depend on many factors such as tree coverage, topography, the type of roof on the dwelling etc which is outside of the MNO's control.
- Providing customers with the technology type underlying their service may create unrealistic expectations for customers because not all technology types perform the same way in different locations, and at certain times this may need to be changed or the service provided over a different network for various reasons.
- Informing customers which wholesalers' networks underly their service is extremely complex as it is common for a number of networks to be used in the provision of one service. Additionally, RSPs are contracted to provide a service and may change wholesale arrangements from time to time. RSPs would want the flexibility to do that without necessarily breaching contractual arrangements with their customers.
- Providing customers with the maximum NBN line speed is tricky because this is a theoretical maximum that may never be able to be reached by customers depending on their device, the time of day they use the service and other traffic on the network. Also, the retailer might design plans for customers that do not provide the full NBN line speed or the full speed of the plan sold by NBN. This is why typical peak speeds are used to communicate with customers and the ACCC has published guidance on how providers can advertise broadband speed claims.⁹

Therefore, we would suggest that data categories are limited to those which can accurately be measured to ensure customers do not acquire data which is confusing or misleading and potentially result in worse outcomes for customers.

4.5. Designation of location data raises significant privacy issues

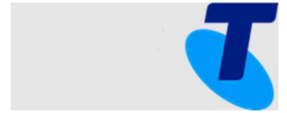
While the consultation paper discusses the possible designation of location data, it has not been explicitly referred to in the possible datasets.

As raised in previous submissions, we remain concerned that the introduction of a new privacy regime for CDR data will add another layer of complexity to an already complex set of laws and regulatory requirements governing the collection, handling and storage of information and data. In the telecommunications space, Telstra must comply with the Privacy Act 1988 (Cth) in respect of personal information, and with the Telecommunications Act 1997 (Cth) and the Telecommunications (Interception and Access) Act 1979 (Cth) for certain types of telecommunications data.

While there could be some advantages to including location data as a potential data set for the sector, the risks associated with location data outweigh the potential benefits and its inclusion conflicts with the strategic vision of the CDR and the telecommunications sectoral key policy objectives.

- The consultation paper notes that “[l]ocation data is often regarded as inherently sensitive, due to the potential for this data to be used to identify an individual by drawing insights from the location of the individual, or to track an individual.”

⁹ ACCC, Broadband Speed Claims – Industry Guidance, October 2020.



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- The CDR strategic vision observes that “[t]he CDR is being applied to key datasets and sectors across the economy... with a strong focus on datasets that deliver tangible benefits for consumers either as a single dataset or in combination with others.” (emphasis added).

Further, geolocation tracking on a customer's own phone using GPS is far more accurate than the location data mobile network operators observe. Customers are already well used to sharing this data on their handsets. The vast majority of consumers will derive no incremental benefit from inclusion of location data in the CDR whilst being exposed to risks associated with its inclusion, including the examples noted in the consultation paper relating to vulnerable CDR consumers, consumers being unaware of the potential ability for sensitive conclusions to be drawn from the combination of their CDR data from across several sectors, accounts with more than one account user (i.e. domestic violence scenarios, share house arrangements or employer/employee shared accounts) and other, unforeseen privacy risks.

When compared against the telecommunications sectoral key CDR policy objectives (i.e. benefiting consumers, enhancing competition and market efficiency, innovation and safe and more secure data sharing practices), the inclusion of location data is largely inconsistent with these objectives.

We also question whether the CDR legislation enables the designation of carrier location data, given that it is network information not consumer data and that it is not published.

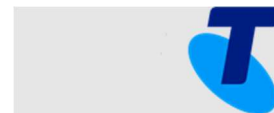


05 Questions that have not been consulted on

In responding to the consultation paper, a number of additional questions have arisen that we have not had sufficient time to respond to. These include the following:

- Which participants (data holders and data recipients) should be included within the scope – this is a complex question as there is an array of different providers (including firms that are not traditional telecommunications providers) carrying out different functions in the telecommunications sector.
- Which customers should be included in the scope – Enterprise customers should be excluded as they are already well served with highly customised data already provided and for a number of other reasons, but how would the line be drawn between business and enterprise customers?
- Should there be fewer or more restrictions on accredited data recipients – For example, telecommunications data recipients that receive plan information should probably not be subject to the same restrictions and compliance obligations as banking data recipients.
- How would consent most efficiently and effectively be provided in the telecommunications sector – can a person making a call consent to provide information to a third party, if that data discloses the called party? Can a business customer account manager provide consent to disclose mobile phone usage data relating to employees?
- Given the ACCC, TIO, ACMA and the NBN hold a lot of the data proposed in the consultation paper, will they be designated to prevent telecommunications providers duplicating this work? We understand that this precedent has already been set in energy with the designation of Australian Energy Regulator and Department of Environment, Water, Land and Planning (DEWLP) and the Australian Energy Market Operator (AEMO).
- How long does data need to be stored for? What about historical data?

We suggest that industry be consulted further on these issues in more detail.



06 A way forward

Our submission has shown that the market is competitive with a raft of regulation in place ensuring customers are informed, can easily switch between providers, and have access to a range of different products and services. The dynamic nature of the industry and the complexity behind providing communications services suggest that the CDR regime used for banking and energy may not easily be applied to telecommunications. For example, we understand that Australia is the first jurisdiction in the world to attempt to implement a CDR regime in the telecommunications industry. Section 3 of our submission discussed some of the unique challenges that would be faced when designating customer data in telecommunications.

Telstra believes that if the designation of the right set of product and customer data (as set out in Tables 1 and 2 above) can be achieved at a low cost then the CDR could apply effectively to the Telecommunications Sector. If that right set of data is made available to customers under the CDR in a common, accessible format, this would allow an easier comparison of products across the market and a better understanding for customers of the value they get from their suppliers. This means CDR could be implemented in a timely manner allowing customers to reap the benefits sooner.

If CDR is expanded to include network coverage, service quality, underlying technology, hardware, faults, and usage, CDR will become significantly more complex, costly and time consuming to implement in the telecommunications sector. The benefits to customers of this data is highly questionable, and this data might not fall into the categories of data the CDR legislation allows.

We therefore propose that the CDR is kept low cost and easy to implement. If telecommunications is to be designated for datasets beyond those suggested above, a much more detailed consultation process would be required, cost benefit analysis be undertaken, and stakeholders given adequate time to internally and externally engage with the issues to determine actual costs and benefits of such designation.