

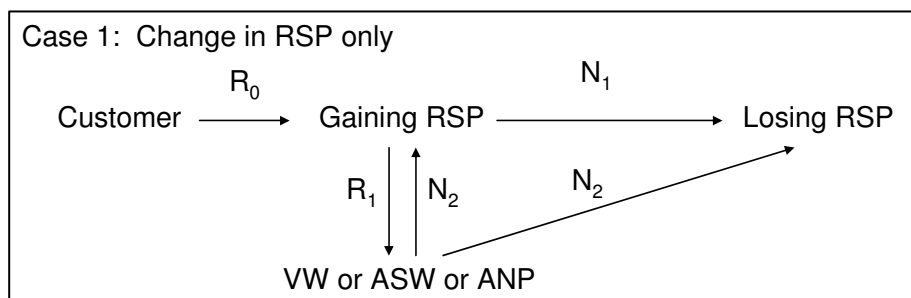
Feedback on the Proposed Code (Version Dated 23 July 2009) for the Transfer of Telecommunications Services (Code)

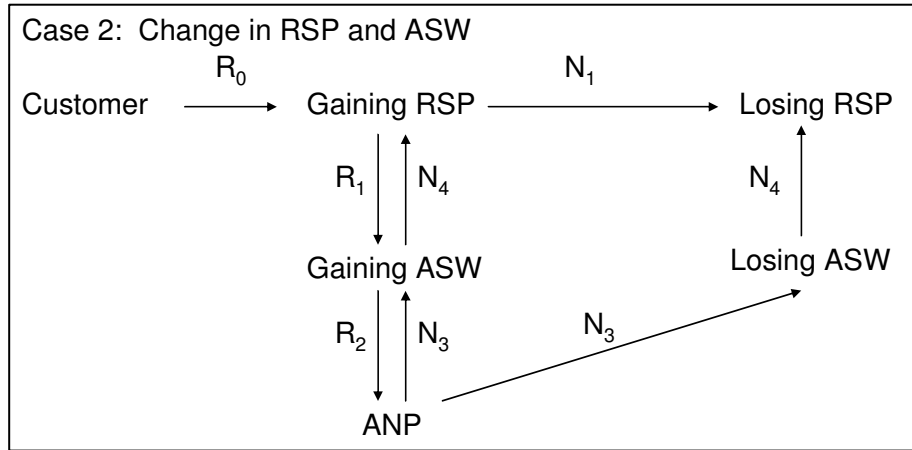
TelstraClear

17 September 2009

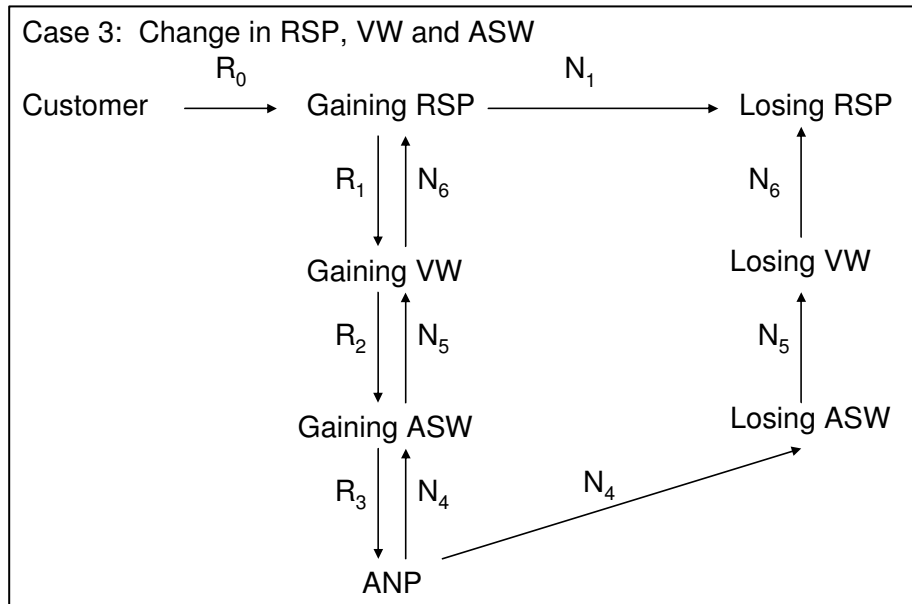
1. The TCF is to be commended on the initiative and the quality of the draft Code produced by the Customer Transfer Working Party (CTWP). Generally speaking, it is clear why the CTWP has opted for the particular solution and solution components.
2. It is our understanding that the Code is intended for the transfer of a service that has more than one provider involved in the supply chain of its delivery. This excludes value-add services provided by the Retail Service Provider (RSP), and any cases where the RSP does not change.
3. We would comment that it is necessary to explicitly state in the Code the cases that are excluded from the Code. Otherwise, our experience tells us that people will try, for whatever reason but normally commercial benefit, to apply the Code to cases where it was never intended to apply.
4. We have devised diagrams based on an interpretation of the text in the draft Code which may be helpful to others to understand the flow of supply chain information. We request the CTWP to make corrections if the interpretation is wrong.

The following diagrams are an interpretation of the words in Sections G and H of the Code. The arrows are Requests (R) and Notifications (N). The subscripts represent sequential phases within the process.





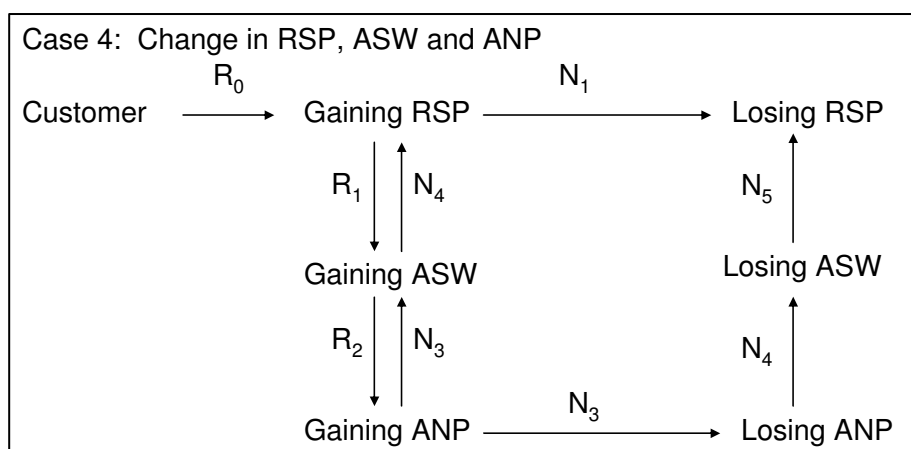
These diagrams illustrate how simple and pure this model really is. To further illustrate this, consider Case 3.



For the case where the ANP changes, there is simply a change in the bottom of this diagram, see Case 4 below.

The information that flows along with the Requests and Notifications is the old supply chain and/or the new supply chain, as appropriate.

5. *Inclusion of the wholly new scenario when a service is moved between two wholly separate Access Network Providers.*



We see some merit with including this scenario for the following reasons:

- Completeness.
- It is not really complex; the Gaining ANP just has to notify the Losing ANP (N₃), who then passes notification back up the old supply chain (N₄, N₅).
- If this scenario is not covered by the Code, what will happen when this scenario occurs? It will be up to the customer to cancel their service with the Losing RSP, who will then presumably have to pass the cancellation down the supply chain (or whatever they do). But the customer will be at risk of receiving invalid bills.
- Would the customer actually know if their ANP was changing?
- This is a new connection scenario; however, it is still a transfer of service at the top level.

Our concern is that including this ANP to ANP scenario would overlap, from a process development perspective, with the existing IPMS.

6. Should a losing party turn the service off without explicit instructions from the customer to do so?

The customer will have initiated the request for transfer, so this should be sufficient for the losing and gaining parties to take action on receipt of a request or a notification.

It may be advantageous to provide a mechanism whereby, at the time a customer requests a service from the Gaining RSP, there is provision for "No RO" to be specified. In this case the customer will get billed until he/she takes action.

Some providers may view that a losing party should never turn any services off for a business customer without that customer's express and formal authorisation, no matter where the losing party was in the supply chain, the reasons for this being:

- risk of damaging the customer's business
- business customers should know what they are doing, and
- the transfer will often likely be part of a bigger project.

On the other hand, if the process was sufficiently robust, and on a service-specific basis, it could be used as part of a project to transfer business services.

On balance, our opinion is for a losing party, on receipt of notification, to take action to switch off specific services for simple and complex customers unless it is explicitly requested for them not to do so.

7. *Dispute Resolution (Issue 2)*

"...appropriate methods for resolving disputes regarding errors within the transfer process."

The existing Dispute Resolution Framework that we currently operate under is appropriate for this situation, and the Code appears to adequately address disputes between service providers.

8. *Web Portal and Changes to the Bill*

The web portal could be viewed by some providers as the most appropriate feature to be made compulsory, for these reasons;

- Making changes to bills can be difficult. However, it will be relatively simple to include a reference to a Web portal (most telecommunications providers have self-service portals anyway) on the bill.
- More and more people will only interact on-line; bills as we know them may become a thing of the past.

We recommend that the option is available for a provider to choose whether to provide on the bill either the supply chain information or instructions to a web portal.

9. *Notification by Gaining RSP to Losing RSP of the impending transfer.*

From a somewhat devil's advocate point of view, it could be viewed that there is not a need for this step in the process, because;

- The customer has every right and opportunity to call the Losing RSP to discuss the service transfer anyway.
- The Gaining RSP should advise the customer what is best to do concerning transfer.
- Creating rules which are inherently un-policeable is not advisable.
- Whilst parties would have the ability to take potential rule breaches to a dispute tribunal, the process will already have impacted the End-Customer.
- It is a 'heads up' to the Losing RSP; our understanding is that the Losing RSP will only take action on receipt of notification from the next party in the supply chain.

Policing of some clauses would be difficult, for example;

- Clause 38: "No party to this code will undertake telemarketing ... specifically targeted at the relevant End Customer where these activities are based on, and in direct response to, the Losing RSP receiving a Notification ...".
- And "The ANP, ASW, or VW [who must be losing parties] ... may not use this opportunity to attempt to win the End Customer back ...".

An alternative is to place some onus on the customer and remove this notification from the process. The Losing RFP would get notification according to the process anyway, and if the customer wants to know something from the Losing RSP, they can ask.

10. *Notifications.*

The sending of Notifications is going to require telco providers to make changes to processes and this will require extra work to implement and administer. For example, there is the potential that a process where things were handed off with no expected response will be replaced by a process where the hand-off is made and then action re-commenced when notification of a successful transfer is received. How is it envisaged to police the one day between transfer and notification?

Email to a generic address specifically set up for transfer communications would seem to work, but it will involve a new process and maybe extra work. Maybe the industry standards could come after a trial period of implementation of the Code.

We understand that the extra work and new processes involved in implementing the Code will likely (certainly) save future situations which would cost even more to resolve.

11. *Backfill of data*

A process for producing backfill of supply chain information will need to be considered by the CTWP.

12. *Section E, para 18 Supply Chain Information for Complex customers*

Concern around the suggested SLA which is not particularly 'defined' using the words: "within one (1) business day or longer if mutually agreed between the Losing and the Gaining RSP." 1 business day is a very tight timeframe, and "longer if mutually agreed" is very loose. Suggest that 2-3 working days should be achievable.

Does the process (completion of the forms and request for transfer) in business guarantee that the end company has agreed to the transfer and will not dispute this later? Is there a way to know if the requesting person has the authority to do so?

Call routing, IVR and time of day routing information could be classified as part of the line, and not a value added service. These services are not specified separately in most cases (on the bill), the customer may look at the bill and expect them transferred. The gaining parties may see this as license to demand that all this information be provided, however providers will be reluctant to do so.

The underlying call diverts, forwards and such will also fall into the same basket, they are not necessarily on the bill, so in this instance, what is actually being transferred? Many customers have several numbers linked to the same trunk, and in these instances - what would be transferred?

For managed data services the GRSP may stand up new network to ensure service continuity, and therefore the CTC solution may not be relevant / appropriate. Is there a need to clarify the scope of services covered or the process for these complex business scenarios?

13. *Section G, para 25 RSP Notification*

The Annex 3 notification templates cover all the foreseeable scenarios. Currently the biggest issue is that the information received is often incomplete or leaves unanswered questions. The enforcement of the process is explained in section N and appears adequate to deal with this issue.