

In response to the proposal to amend the ECS determination.

I am writing to raise urgent and very serious concerns regarding the recent changes to the Emergency Call Service Determination (ECS), set to take effect on 1 Nov 2024.

It's well established through previous hearings on the matter, the reliance on VoLTE in the absence of 2G and 3G technology remains contentious and without confidence. While the amendments aim to ensure access to emergency services, they will have severe consequences for consumers, competition, and the overall accessibility of mobile services. Whilst also not addressing the core technical standardisation failures with VoLTE Calling and Emergency Calling.

With both Telcos failing to provide clarity on which devices will and won't work post shutdown, tools such as the 3G SMS Checker and the AMTA 3G Lookup Service both neglect to test or provide results that have any sense of validity or reliability. With these tools alone already determining compatibility, a significant amount of Australians who will be able to make emergency calls post 3G shutdown, will be artificially blocked from accessing any cellular service within the country until they purchase a brand new device without any form of compensation.

Despite manually configuring my current 5G phone with the necessary modem configuration for VoLTE calling on the Telstra network, devices like mine will be blocked and I, alongside other Australian's, will be denied service as a result our phones not appearing on a provider's compatibility list. With VoLTE being far from standardised, there are multiple ways in which phones may not be able to contact emergency services despite being identified as compatible, alongside devices already deemed incompatible.

It is clear that providers are not able to identify which devices are actually able to access all networks in an emergency situation. And thus, are unable to satisfy the current amendments without placing consumers at risk and unnecessarily financially liable for the shortfalls of the industry. Bestowing the authority to service providers, who stand to financially benefit from ignorant implementation of the determination, provides private companies authority to overstep boundaries by arbitrarily forcing citizens to upgrade their devices.

The amendments in their current form not only ensures lawful consumers are punished for exercising choice within the market, but act as a vice preventing any expression of competition and choice moving forward. As there are a number of alternatives such as app based services (such as Jio), the current amendments are both harmful and lack foresight. With major Telcos almost exclusively dealing with only the latest devices from Apple, Google and Samsung: consumers are held hostage to only the most egregious offenders of repetitive violations of consumer rights; misleading and deceptive conduct; and anti-competitive practices.

With shallow consideration of consumer protection and support in the form of providers required to provide low-cost or no-cost devices, this criteria fails to provide any recognition or compensation for devices such as my own: despite complete configuration for service in Australia, would cost \$1,000 if purchased brand at the time of this submission.