

20 October 2024

By Electronic Submission

The Manager
National Interests Section
Australian Communications and Media Authority

RE: Telecommunications (Customer Communications for Outages) Industry Standard 2024

Dear Sir/Madam

Starlink welcomes the opportunity to comment on the draft *Telecommunications (Customer Communications for Outages) Industry Standard 2024 (Draft Standard)* as part of the consultation paper issued by the Australian Communications and Media Authority (ACMA). Below is a general overview of Starlink and its services in Australia, together with Starlink's responses to questions raised in the consultation paper.

1. Background on Starlink

Starlink uses its global, low earth orbit (LEO) constellation of over 6,300 satellites to provide high-speed, low latency broadband services to more than 4 million people in over 100 countries across the world. Starlink delivers critical broadband connectivity, helping to reduce the digital divide and supporting communities when disaster or crisis strikes.

Starlink prioritises providing a seamless experience for its customers – from the sale of customer premises equipment, known as Starlink Kits, to billing and troubleshooting. Starlink streamlines its processes through the use of the Starlink app and an online customer portal. In case of service interruptions, notifications are pushed to affected users through the app and by email. The Starlink app and online portal also allow affected users to easily get in contact with Starlink support.

This efficient and user-friendly approach has been critical to enabling Starlink to provide high-speed broadband services at an affordable price to customers in regional and remote Australia without the benefit of the government subsidies that have historically been necessary to supply telecommunications services in those areas.

2. Summary of Starlink's submissions

Starlink understands the critical role it plays in an interconnected world. Australian households and businesses count on a reliable telecommunication network to provide essential government, economic, health and social functions. Accordingly, Starlink agrees with and supports the objectives of the Draft Standard. However, these objectives should be achieved in a manner that reflects the variety of different business models within the telecommunications industry and that allows providers to innovate and continually improve their communications channels with customers and to make their operations more efficient.

3. Submissions on specific provisions

We have set out below comments on specific provisions of the Draft Standard.

3.1. Modify definition of “major outage” (section 5)

A “major outage” is defined in the Draft Standard as one that affects a certain number of customers or all carriage services within a State or Territory for a period of more than 30 minutes. While Starlink endeavours to notify customers of any outage if reasonably possible, we consider that the requirements of the Draft Standard should only apply to outages lasting longer than 60 minutes. Not all countries have outage-related rules, but for those that do the requirements typically apply to outages lasting at least one to two hours. Canada, Ireland, Malaysia and the United Kingdom, for example, have requirements that apply to outages that last for a minimum of 60 minutes. Adopting this threshold will allow global providers like Starlink to conform their practices across multiple developed countries, including Australia.

3.2. Streamline notification requirements (sections 10(2), 10(3), 12(4) and 13(1))

Starlink communicates efficiently and effectively with our customers through the Starlink app and by email. This provides is a resilient, single source of information that customers can rely on and refer to for details about their service, including any service interruptions.

Imposing obligations on carriers and carriage service providers to use other means to communicate with customers and the public is unnecessary and, in some cases, may be unhelpful and confusing. As a global provider operating across more than 100 countries, requiring Starlink to communicate country-specific network information on its website and social media:

- is unlikely to provide any material benefit in notifying Starlink end users (being those affected by any outage) of such an outage;
- may cause confusion and negatively affect Starlink’s current communication channel through the Starlink app and email by steering customers to other, less effective, communications channels; and
- will likely impose additional operating costs on Starlink, which naturally need to be flowed through to customers.

Accordingly, ACMA should amend sections 10(2), 10(3), and 13 of the Draft Standard so that it focuses on the objectives that the Draft Standard is seeking to achieve – namely, effective communication with customers regarding outages. This approach will give flexibility to carriers and carriage service providers to optimise their communication channels with customers, rather than prescribing specific mediums of communication to be used, even where those mediums may cause confusion and be ineffective communication channels.

A streamlined and flexible obligation such as this, together with the obligations to notify downstream service providers under section 11 of the Draft Standard, would achieve the objectives set out in section 6 of the *Telecommunications (Customer Communications for Outages Industry Standards) Direction 2024*.

3.3. Requirement to provide real-time or near real-time assistance (Section 18(1))

Section 18 of the Draft Standard imposes an obligation on carriage service providers to make available a phone number or live chat to enable end users to seek assistance from the carriage service provider. In addition, section 18 requires that this contact method be capable of responding immediately to requests for urgent assistance.

In circumstances where a major outage or significant local outage has occurred, Starlink can best assist its customers by notifying them of the outage and keeping them updated as to the outage, and otherwise seeking to resolve the outage as soon as practicable. In that context, a broad obligation on carriage service providers to maintain a live chat or phone number that is capable of responding immediately to requests for urgent assistance from end-users is unhelpful.

Such an obligation risks creating confusion regarding the scope of carriage service providers' regulatory obligations. It could also be counter-productive by diverting carriage service providers' limited resources away from the key priorities during an outage. For those reasons, Starlink submits that section 18 should be deleted.

3.4. Requirements for written procedures (sections 20 and 21)

Sections 20 and 21 of the Draft Standard require carriers and carriage service providers to have and comply with written procedures in relation to major outages and significant local outages, respectively.

We assume that these obligations are set out in separate provisions because they come into effect at different times; however this approach creates some confusion regarding whether carriers and carriage service providers are required to have separate procedures for these different types of outages.

Starlink submits that these provisions should be amended to clarify that a carrier or carriage service provider may have a single procedure that applies in relation to both major outages and significant local outages and satisfies its obligations under both sections 20 and 21.

3.5. Outages during natural disasters

Starlink agrees that it is appropriate for planned outages and outages caused by natural disasters to be exempted from the operation of the Standard. Additionally, this clause should be broadened to recognise satellite-specific events that can cause temporary outages that are beyond the control of providers, such as solar storms and solar flares.

Please let me know if you have any questions in relation to these submissions or if you would like to meet to discuss these submissions further.

Yours sincerely

/s/ Ted Price

Ted Price