

A TELSTRA minute written on 2 July 1992 to NETWORK OPERATIONS and the FAULT BUREAU VIC/TAS, and obtained under the F.O.I.



Telecom Australia

Minute

File HA-AC 4/1/18 Subject GRADE OF SERVICE COMPLAINT  
MR ALAN SMITH 055-26 7267

Phone 055-73 0200 From [REDACTED]  
CUSTOMER SERVICES MANAGER  
HAMILTON - VIC/TAS REGION

To [REDACTED] - NETWORK OPERATIONS  
[REDACTED] - FAULT BUREAU VIC/TAS  
[REDACTED]

Please find enclosed documentation in regard to a Grade of Service Complaint from Mr Alan Smith of Cape Bridgewater.

Our local technicians believe that Mr Smith is correct in raising complaints about incoming callers to his number receiving a Recorded Voice Announcement saying that the number is disconnected.

They believe that it is a problem that is occurring in increasing numbers as more and more customers are connected to AXE.

Can you please investigate this problem and provide me with a written reply so as I can forward this to Mr Smith and our local Federal Member, before what is already a difficult situation, gets right out of hand.

[REDACTED]  
[REDACTED]  
Customer Services Manager - Hamilton

2/7/92

mr1981b3

3-A

IN THE MATTER OF an arbitration pursuant to  
the Fast Track Arbitration Procedure dated 21  
April 1994

Between

**ALAN SMITH**

Claimant

and

**TELSTRA CORPORATION LTD trading as  
TELECOM AUSTRALIA**

Telecom

**WITNESS STATEMENT OF \_\_\_\_\_**

I, \_\_\_\_\_, Customer Service Manager, Commercial Country Victoria, of  
1st Floor, Bath Lane, Ballarat, in the State of Victoria solemnly and sincerely declare  
and affirm as follows:

**BACKGROUND**

1. I commenced employment with Telecom in 1978.
2. Between April 1979 and July 1992 I worked in different roles in the customer service area at Telecom's Hamilton District Office. Between February 1991 and July 1992 I was the Customer Service Manager at the Hamilton District Office. In this role I was responsible for providing customer services to business and residential customers whose long distance dialling prefix was 055.
3. In July 1992 I became Customer Service Manager for Telecom commercial customers in country Victoria and relocated to Ballarat. Between May 1994 and October 1994 I took up a position as Manager for continually aggrieved Telecom customers in the Victoria/Tasmania region. On 3 October 1994, I returned to the position of Customer Services Manager for commercial customers in country Victoria.

**MR SMITH**

4. I first became involved in the matter relating to Mr Smith in or around March 1992 when I received a telephone call from Mr Smith at Telecom's Hamilton District Office. I spoke with Malcolm Smith of Telecom in Hamilton who said he had taken a call previously from Mr Smith about his telephone service.
5. In July 1992 it was decided to pay Mr Smith \$1392 on an ex gratia basis without admitting any liability to reimburse him for the costs of his advertising at about the time of the MELU condition. It was recognised that while the MELU condition would only have had a minor effect, the payment was appropriate in the interests of customer relations.

\_\_\_\_\_  
\_\_\_\_\_

*Guina*  
3-B

6. When I transferred to Telecom's Ballarat Office, I took Mr Smith's file with me because I believed it was necessary to maintain continuity. At this time Mr Smith would make complaints directly to me and to Telecom's 1100 fault reporting service. I ensured that the complaints Mr Smith's made to me were investigated through contact with the relevant Portland technical and exchange staff and Warrnambool exchange staff. Upon receipt of complaints from Mr Smith I reported those complaints to Telecom's 1100 fault reporting service when Mr Smith advised he had not done so.

7. Between July 1992 and November 1992 I would have a telephone conversation with Mr Smith about 3 times per week on average. These calls were sometimes initiated by myself to enquire how Mr Smith's telephone service was performing, to seek further information in relation to a complaint or to provide feedback concerning results of investigations. During this period Mr Smith had my home telephone number and I sometimes received telephone calls from him after normal working hours. In all my telephone conversations with Mr Smith I never had any difficulty reaching his camp, calls never cut off and there were no problems with the clarity of the line.
8. My discussions with Portland technical and exchange staff revealed that despite thorough investigations, no further problems could be found with Mr Smith's telephone service. Mr Smith was nevertheless still complaining about his telephone service.
9. In late 1992 Mr Bruce Pendlebury's Fault Management & Diagnostic group (the "Group"), based at Telecom's Waverley offices, took over the primary management of Mr Smith's complaints. It was agreed that it would be in Mr Smith's best interests if his complaints were made to only one area of Telecom.
10. Mr Smith still sometimes contacts me to generally discuss his perceived problems with his telephone service and, on occasion, to make specific complaints.
11. On many occasions when I was talking to Mr Smith he swapped from complaining specifically into complaining generally and then back again. I therefore had to ask Mr Smith specific questions in order to determine exactly what the nature of his complaint was. This made it very difficult from the point of view of investigating his complaints.

Emma Zupfer

**1991 Survey of Cape Bridgewater Customers**

12. I am aware that in March 1991 Mr Maurie O'Flaherty, from Telecom's Hamilton District Office, undertook an impromptu survey of Cape Bridgewater customers. In 1991 it was not uncommon for Hamilton staff to conduct quick surveys of customers connected to smaller exchanges in the 055 area. The purpose of such surveys was to ascertain if problems existed in the smaller exchanges. These surveys were conducted during business hours and it was not unusual to receive a poor response rate when calling rural areas during the day. The surveys were conducted on the basis that if a customer did not answer, the next customer on the list was contacted. The response obtained was consistent with expectations in a rural area.

**AND I MAKE** this solemn declaration conscientiously believing the same to be true and correct.

**DECLARED** at Glen Waverley )  
in the State of Victoria )  
this 1<sup>st</sup> day of December 1994. )

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
.....

**Before me:**

.....  
*Emma Zipper*  
.....

**EMMA ZIPPER**  
*Freehill Hollingdale & Page*  
101 Collins Street, Melbourne  
A Solicitor holding a current  
Practising Certificate pursuant  
to the Legal Profession  
Practice Act 1958.

75-3

28 January 2003

COPY



John Pinnock  
Ombudsman

Total Pages: 19

Dear

**LEVEL 3 COMPLAINT**

TIO reference: 02/101638-1 - Mc Kenzie

The Telecommunications Industry Ombudsman (TIO) has received a complaint against Telstra Corporation from Mr & Mrs Darren & Jenny Lewis regarding telephone number 0355267267.

The TIO has raised this complaint at level 3 because of the complexity of the complaint and likelihood that extensive testing may be required. Mr & Mrs Lewis have advised the TIO that they have an on-going complaint with Telstra Corporation in relation to their telephone service and have as yet been unable to resolve this matter. The TIO has invested time assessing Mr & Mrs Lewis' correspondence and believes that further investigation is warranted.

Mr & Mrs Lewis claim in their correspondence attached:

- That they purchased the Cape Bridgewater Coastal Camp in December 2001, but since that time have experienced a number of issues in relation to their telephone service, many of which remain unresolved.
- That a Telstra technician "Mr Tony Watson" is currently assigned to his case, but appears unwilling to discuss the issues with Mr Lewis due to his contact with the previous Camp Owner, Mr Alan Smith.
- That on 27 September 2002 "Ian" advised him that an EMG was causing the faults at the local exchange and that a technician would be sent out to fix this.
- That on 28 September 2002 "Renea" advised him that that the local exchange could only handle a certain amount of traffic, that there was nothing that Telstra Corporation could do about the problem and that this problem was not new to Cape Bridgewater.
- That Telstra Corporation advised him on 26 November 2002 that the phone extension wiring was laid too shallow and was not installed correctly, thus it believed that Telstra Corporation had not installed that wiring. Mr Lewis also claims that it was suggested that the line had been tampered with.
- That Mr Alan Smith had provided him with documents confirming that Telstra Corporation did all the cabling and wiring in question.
- That the phone problems have decreased dramatically since Telstra Corporation rewired the business on 9 December 2002 and disconnected the phone alarm bell, however he is still

*"providing independent, just, informal, speedy resolution of complaints."*

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3-C

experiencing intermittent problems with receiving calls, and continued to have problems with his fax line.

- That Telstra Corporation have checked his fax machine and confirmed that it is working correctly.
- That he believes that as the same problem has been experienced when attempting to send or receive faxes from a number of locations, it is unlikely that the fault is with the other party's fax machine.
- That the problems experienced resulted in the frustration of his clients being unable to contact him to make bookings for his camp and are affecting the profitability of his business.

Mr Lewis has outlined a number of these problems on page 3 of his correspondence attached. In particular, Mr Lewis has identified the following concerns:

- That he has been contacted by a number of people advising that the telephone had not been answered when ringing previously, despite Mr Lewis' assertion that someone was there at the time.
- That many faxes sent to his potential clients have not been received at the intended destinations, despite his fax transmission records confirming that the fax had been successfully sent. Furthermore, Mr Lewis claims that he has been charged for each of these calls.
- That he has experienced problems receiving faxes from his clients.
- That when he uses \*10# to retrieve missed phone calls, he is sometimes given numbers from days before which had not registered earlier.
- That people had reported that when attempting to call Mr Lewis' business they first hear a message that the telephone has been disconnected, but when trying again are connected through on the same number.
- That when picking up the receiver to make a call, he had intermittently heard another person's conversation quite clearly.
- That on 25 October 2002 a caller reported that when trying to contact Mr Lewis earlier, he heard only clicking noises on the telephone line, but the call did not connect.
- That a caller reported that they had called and heard an engaged signal, despite Mr Lewis having call waiting activated on the service to prevent missed calls.
- That another caller reported that every time he called he received a fax connection tone.
- That on 13 November 2002 he picked up the receiver and heard a deep breathing sound but no dial tone.

The TIO asks Telstra Corporation to present its perspective on the complaint.

If Telstra Corporation decides that the complainant's claims have merit after reviewing the complaint, how does Telstra Corporation propose resolving the complaint?

If Telstra Corporation is of the view that there is no merit to some or all aspects of this complaint, please provide reasons for its view, identifying any facts in dispute. In addition, please supply all documentation relevant to the complaint. In particular, please provide:

- All Customer Care Notes for the account
- All Fault Reports for the account
- Telstra Corporation's assessment of whether Mr Lewis is entitled to compensation under the Customer Service Guarantee in relation to any of the faults reported above. Please include its reasons for the assessment for each fault reported.

3-C

The TIO has forwarded a copy of this letter to the complainant and asked them to pay any undisputed charges. While this complaint is under consideration, the TIO expects that Telstra Corporation will suspend credit management on any disputed charges.

The TIO may also forward Telstra Corporation's response to the complainant. For this reason, please ensure that it is written in plain English.

Please forward your reply to this letter within the next 28 days. The TIO may escalate the complaint to Level 4 status if Telstra Corporation does not respond to the TIO within this time frame or provide information requested.

Please contact me if you would like to discuss any aspect of this complaint.

Yours sincerely



Gillian Mc Kenzie  
**Investigations Officer**

3-C

## Holiday camp still plagued by phone and fax problems

By BILL MELDRUM

THE telecommunications problems which plagued former Cape Bridgewater Holiday Camp operator Alan Smith have continued to beset current owner Darren Lewis.

Mr Smith is a founding member of the Casualties of Telstra (originally known as Casualties of Telecom), formed in 1993.

Members of the group have been involved in a long-running feud with Telstra after having incurred income loss because of various phone faults.

Following pressure being brought to bear by the media and the Opposition, Telstra and Federal Communications Minister Richard Alston announced an Australian Communications Authority inquiry into new material supplied by one of the COT members, Queensland businesswoman Anne Garms.

Mr Lewis said this week he had experienced several problems with the phone and fax service since taking over the Cape Bridgewater Holiday Camp late last year.

"We've had instances where we will press the hash 10 star and get nothing, only to do the same a few days later and receive details of a phone call made to us three or four days earlier," he said.

"People will also ring through to us, only to have the phone ring out, yet we are in and at our end the phone is not ringing.

"Often you don't know there is a problem until someone tells you to get your phone fixed."

He said Telstra staff had been friendly and had been trying to resolve the problem.

"Telstra admits there is a fault and they are trying hard to solve it," he said.

"We will be happy once the problem is fixed.

"We are in the accommodation business and people trying to find accommodation tend not to wait when they are seeking somewhere to stay, they will move on to the next place."