



27/09/2021

Tristan Gilbertson  
Telecommunications Commissioner  
Commerce Commission  
Level 9, 44 The Terrace  
Wellington

Submitted by uploading to the Commerce Commission website

Dear Tristan,

### TRUSTPOWER SUBMISSION: REVIEW OF THE TELECOMMUNICATIONS DISPUTE RESOLUTION SCHEME (TDRS)

1. Trustpower Limited (**Trustpower**) welcomes the opportunity to make a submission to the Commerce Commission (the **Commission**) on its draft report, *Review of the Telecommunications Dispute Resolution Scheme*, of 30 August 2021 (the **Draft Report**).
2. The Draft Report is the product of the Commission's first review of the TDRS, as required under Part 7 of the Telecommunications Act 2001 (the **Act**). The Draft Report sets out its draft recommendations for improvements to the TDRS, which the New Zealand Telecommunications Forum Inc. (the **TCF**) is to implement.
3. The recommendations specify a programme of actions that the TCF is to undertake which are intended to make the TDRS more effective and promote better outcomes for consumers. These actions include adjusting the governance structure to ensure that the TDRS Council is independent of the TCF. It also includes conducting full reviews of the Customer Complaints Code, Scheme Terms of Reference and the Scheme Agent Agreement. Furthermore, there are actions to improve position statements, consumer awareness and the complaints handling process, as well as actions to deliver other outcomes.
4. We have worked with the TCF on its response to the Draft Report, which comments on and seeks clarification on specific recommendations and the TCF's proposed approach for implementing the recommendations. We, therefore, limit our current submission to comments on our engagement with the TCF and the implementation of the recommendations.
5. As a general comment, we support the Commission's recommendations in principle. We consider that the recommendations, appropriately implemented, should make the TDRS more effective and promote better outcomes for consumers.
6. Our current expectation is that we should be able to implement those aspects of the recommendations that directly impact Trustpower within the timeframes proposed in the Draft Report as well as the amended timeframes proposed in the TCF's response. We note that the TCF's proposed approach to the phasing of the recommendations, which we support, takes into consideration the feedback of other TCF members as well as sequencing to reflect dependencies.
7. Looking forward, we submit that basing the implementation of the recommendations on transparent, consensus-based decision making within the TCF is likely to result in the best outcomes for consumers. We recognise that arriving at a consensus on particular issues may have its challenges because of differing views on technical matters and also because TCF members are

Better together.

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competitors in the market. We believe, however, that the TCF is the appropriate place for the technical experts to engage with each other in order to resolve any differences.

8. In order to enable this outcome, we request that the Commission clearly defines the scope of the proposed recommendations. In particular, we request that the Commission addresses the points raised in the TCF's response to the Draft Report.
9. For any questions regarding this submission, please contact me on 027 305 8802.

Regards,

A handwritten signature in black ink, appearing to read "Antony Srzich". The signature is fluid and cursive, with a large, sweeping initial 'A'.

Antony Srzich PhD.

Advisor, Strategy & Regulation