



WISPA New Zealand

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Response to open letter: Increasing Consumer Awareness of TDRS Non-Membership .

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Authorised for release by
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1. Introduction

- a. WISPANZ is an industry group launched in 2017 to represent the interests of commercial Wireless Internet Service Providers (WISPs). Our membership currently includes 32 WISPs. WISPA-NZ is an associate member of the Telecommunication Forum (TCF)
- b. Members collectively service an estimated 70,000 end users, predominantly in hard-to-serve rural areas. Our service quality and affordability are comparable with mid-city fibre.
- c. About half our customers are on DMR networks owned by the WISP, and the remainder served by reselling other wholesale or retail providers' networks.
- d. WISPs are locally-owned and operated businesses. The owners and staff of our member companies usually, but not always, reside within the communities they serve. Interactions between the owner/operators of our member companies and their customers are often more personalised than experienced elsewhere in the industry. This is unique to our segment of the telecommunications industry in Aotearoa New Zealand and is seen by our members as a strength of our companies.

2. WISPANZ's submission on the letter.

WISPANZ has several concerns about the options outlined in the letter.

a. Common to all options.

1. The "Report to the New Zealand Telecommunications Forum Inc. (TCF) on recommendations for improvements to the TDRS" included a recommendation R23 which stated:

"The TCF should actively encourage a broader membership of the TDRS. This should, at a minimum, include regularly engaging with smaller service providers to encourage them to join, and to understand and address the potential barriers to them becoming Scheme Members."

This was a "Phase 2" activity, and an implementation date of 1 August 2022 was recommended.

As far as WISPANZ is aware, neither the TCF nor the TDRS has proactively contacted any WISPANZ member about joining the scheme following the release of the report.

2. Our concern with all the options outlined, if put in place as listed, is that they will effectively denigrate the non-member in the view of current and prospective customers. The commission would need to ensure that all possible context is given when publishing anything of this nature so that consumers of the information assign it the correct weight when making their decision on accepting service from a provider.

b. Option 1.

1. We consider the 60 day period suggested takes no account of the work required to embed a new process into any company's systems. Regardless of company size, introducing something like the TDRS represents a significant overhead to any business, particularly if a short, arbitrarily decided timeline must be met with no prior outreach work by the governing body.

2. WISPANZ considers there is little reason for the commission to list scheme non-members on any public facing forum such as a website. This seems a heavy handed response to something that is an opt-in activity and takes no account of the very high level of customer service provided to end users by most non-TDRS member internet providers including our members.
3. If the commission persists with the public listing of TDRS non-members WISPANZ would expect that wording accompanying the list would include words to the effect

“ Membership of the TDRS should not be construed as an endorsement or otherwise of the quality of service from any provider and is not a comment on the ability or willingness of the list members to resolve disputes independently of the scheme.”

We would also expect that the commission and the TDRS would agree that the required changes to the non-participating ISP list on the commission's website would be actioned immediately upon a company joining the scheme.

c. Option 2.

1. We believe that there is no compelling reason to send annual reminder emails to advise customers that the ISP is not a TDRS member. We believe it is reasonable to advise customers of TDRS status before entering a contract for provision of service.
A more logical place to put the advice of TDRS membership status would be in the service terms and conditions which are usually published on the ISP's website. Our experience is that in the event of any dispute customers will look for terms and conditions which would be used by most providers as the overarching document governing service. We believe customers are unlikely to refer to the TDRS process before they have read the terms and conditions.
2. Of the options in point 25, we submit that 25.2 and 25.4 are neither useful nor needed. We believe that this advice would be misconstrued by customers without significant context and lead them to believe that service from the

provider is in someway substandard. Point 25.2 is misleading as worded, it is free to consumers, but it represents an overhead for the company and for a small ISP, a significant one. It is hardly relevant, and we are left wondering what we should expect a customer to do with it. Point 25.4 will have the effect of creating confusion in the mind of end-users who either can't or won't do their own research and it is hardly likely non-member ISPs will be recommending their competitors.

d. Option 3.

1. Below we address the period to allow TDRS signup before further action is taken.
2. We recommend that the TCF, TDRS and the commission itself urgently review their outreach to non-members and take appropriate action to engage with these companies and representative organisations such as WISPANZ.

e. Questions.

1. We agree that it is necessary to continue to grow consumer awareness of the scheme, but the campaign should not be directed with the potential for negative outcomes for non-members who have very high customer satisfaction with their services.
2. No option is preferred over another; however, we believe option 2 would be the most palatable. This is because it would allow non-members to provide context around the decision not to join the TDRS if they wished.
3. We recommend that the commission advise the TCF and TDRS to undertake Option 3 point 2 above before deciding on a course of action and setting a timeline.
4. A threshold of 20,000 end users seems appropriate in terms of organisational scale whereby organisations may begin to find it difficult to address individual customers concerns appropriately and where the overheads involved with compliance would be able to be absorbed.

As we have previously submitted on the TDRS review, smaller regional providers place a significant focus on

delivering a high level of service and are far less likely to get into a situation that will result in a significant dispute.

5. See 3. above.