

16 June 2023

██████████
Market Regulation
Commerce Commission
55 Shortland St
Auckland 1010

By email: ██████████;
market.regulation@comcom.govt.nz

██████████,
111 Contact Code Review

Thank you for the opportunity to provide feedback on the effectiveness of the 111 Contact Code (**the Code**) in meeting the requirements of the Telecommunications Act 2001 (**the Act**) as set out in the Commerce Commission (**Commission**) Request for Views paper.

2degrees recognises the importance of consumers being able to contact 111 emergency services when needed, and that it has a key role in ensuring this is the case.

While in general we consider that the scope of the Code meets the requirements of the Act, (*ensuring that vulnerable consumers, or persons on their behalf, have reasonable access to an appropriate means to contact the 111-emergency service in the event of a power failure¹*), we have identified a number of potential improvements and clarifications that we think would support increasing the effectiveness, including practical implementation, of the Code. We have highlighted these points below and are happy to discuss these with you, as relevant:

- We think it would be useful for the Commission to clarify that the Act/Code is not intended to address customers, who are not at particular risk of needing to call 111 emergency services, wanting to access the scheme for individual resilience during an emergency.
- As outlined in the TCF submission on this matter, it may also be appropriate for the Commission to recognise the role of monitored medical alarms, which already allow consumers assistance during a power outage, for example by specifying these as an 'alternative means' (which is already available to those consumers).
- As previously discussed with the Commission, the Code currently requires regularly contacting our business customers who do not ordinarily reside at the premise where the retail landline service is supplied. We would support clarification on this point, which may include clarification that the Code should apply to consumers of *residential* services.

¹ Clause 238, Telecommunications Act

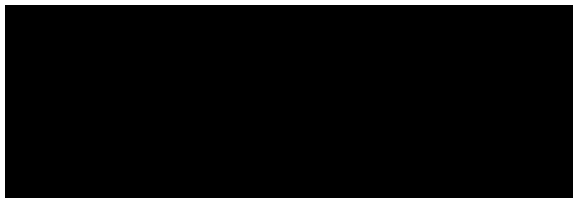


- We note that the market for procuring backup-battery devices, which meet the Commission's current requirements, remains very limited. Other - including smaller batteries that may better meet a Vulnerable Consumer's needs - may not meet Commission specifications. The Commission should consider these constraints when considering battery back-up specifications for consumers. Reducing the timeframe for the battery-backup would increase the options available to both RSPs and consumers.

2degrees has also input into the TCF submission on this Code and support that submission.

Please let us know if you have any questions in relation to this response. Given the compliance implications of this Code on our business, we would also welcome further consultation with the Commission on any proposed changes that come out of this review.

Yours sincerely,



Sara Lipanovic
Head of Regulatory Policy