

1 June 2021

Tristan Gilbertson
Telecommunications Commissioner
Commerce Commission
Wellington

By email: Tristan.Gilbertson@comcom.govt.nz



Dear Tristan

Follow up letter to Commerce Commission re 111 Contact Code battery back-up device

1. Introduction

- 1.1. The TCF procurement process to date has not been able to identify a battery backup device capable of meeting the Commerce Commission's 111 Contact Code (the Code) requirement. We would like to invite the Commission to meet with the TCF working party to share our findings so far, and discuss the best way forward.

2. Background

- 2.1. The Commerce Commission's 111 Contact Code (the Code) requires providers of retail landline services to ensure Vulnerable Consumers¹ can contact 111 emergency services in the event of a power failure at their premises. Retail Service Providers (RSPs) must also implement a process for consumers to identify themselves as vulnerable consumers and provide them with an appropriate means to contact 111 in the event of a power failure.
- 2.2. To support RSPs in their search for appropriate solutions, the TCF commenced work to identify appropriate mobile and battery back-up devices on behalf of industry which would meet the requirements of the Code.
- 2.3. The TCF wrote to the Commerce Commission (Commission) on 30 April 2021 highlighting the difficulties with finding an appropriate battery back-up device which will meet the Code requirements. In that letter the TCF agreed that it would provide a further update on progress within the next three weeks, which is the purpose of this letter.

3. Battery Back-up Devices

- 3.1. In the TCF letter dated 30 April 2021, we explained the liability issue with any battery back-up device that provides 12-Volt Direct Current (DC) power to the equipment being backed-up due to the use of non-recommended power supply to the vendors equipment.
- 3.2. The TCF indicated that it would continue to investigate an Alternating Current (AC) battery back-up solution, often referred to as an uninterrupted power supply (UPS). The TCF identified two vendors with possible UPS devices that could meet the Code's requirements and subsequently commissioned a testing programme with [REDACTED]. Based on devices tested so far, neither vendor has yet been able to meet the eight-hour specification when drawing the load required to back up both an ONT and RGW.
- 3.3. So far, we have found only one device which can provide a backup for a single ONT for over eight hours. This device is 24KG in weight and 43.9cm x 22 cm x 17cm in dimensions. It has an expected cost to retailers of around [REDACTED] per unit. We consider all these factors make this device prohibitive. We continue to explore other devices offered by this supplier, although these are currently subject to delays in arriving due to international shipping delays.

¹ Defined term in the Commerce Commission 111 Contact Code cl.9

- 3.4. The aesthetics and practicalities of the devices also remain a concern for the devices we have been testing, with a weight range from 12.7kg – 26.1kg and size range from 38cm x 30cm x 22cm. Such devices would require an install by a technician and a high-level of consumer education on its function and use.
- 3.5. Even if we could find a UPS device which met the requirements, we question whether vulnerable consumers will consider these devices appropriate due to their weight and size. The risk is that vulnerable consumers will prefer to be left unprotected rather than accept such a cumbersome device into their home.
- 3.6. At the time of writing, we have become aware of a portable power bank with 230V output manufactured by [REDACTED]. We are urgently investigating whether this device will meet the requirements, and we are requesting further information and testing. As there is no stock of these devices in New Zealand, it will be subject to shipping delays and current indications are that it will not be available for deployment by 1st August even if we placed an order today.

4. Conclusion

- 4.1. The TCF will continue its work to identify an appropriate solution. However, given the difficulties with procurement to date we believe that it is time to discuss the wider implications with the Commission if a device is not identified, onboarded or generally available to meet the Code's requirements by 1 August 2021.
- 4.2. The TCF would like to invite the Commission to attend a working group meeting where the details of the testing and devices can be presented in more detail and discuss potential alternatives if a device is not able to meet the requirements set out in the Commission's Code.

Yours sincerely



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New Zealand Telecommunications Forum (TCF)