

Commerce Commission  
New Zealand

Sunday 12 July 2020

Attention: Savaia

### ***111 emergency telephone services***

#### *Proposed*

Copper telephone networks are to be withdrawn from service for about 87 % of New Zealand's customers.

#### *Reason for de-commissioning copper telephone networks*

The telecommunication companies (telcos) are profit making businesses, and return some of their profits to shareholders ie the business is an investment, and expected to give a return on capital.. Currently telcos have back-up generators to keep telephones on the copper networks operating during electricity powercuts. This is a cost of doing business.

The only obvious reason for allowing 13% of customers to remain on the copper network is due to replacement of copper being uneconomic for the telcos ie the cost of the change (capital and ongoing cost) exceeds the expected profit from the change.

The decommissioning of copper networks in urban areas appears to be a simple business calculation to benefit shareholders of telcos.

#### *Power Cuts – cessation of telephone communications unless supported by back-up generators*

When electricity fails the telco generators keep the telephone lines working. This means consumers can contact family and friends. Importantly it means such persons can make an emergency call using the "111" number to reach ambulance, fire, and Police services.

During the bush fires in Australia in the past Summer the cell phone towers were destroyed by the fires, so the mobile network went down in many regions. New Zealand has equivalent mishaps to mobile networks. In particular when electricity fails so does fibre communication.

Powercuts happen in New Zealand:

- a power cut occurred in Auckland today (12 July 2020) in Newmarket, Epsom, and Remuera for reasons unable to be identified initially
- a power cut of many days occurred in September 2014 forcing some to leave home for hotels or to stay with family (caused by the failure of unprotected cables in South Auckland) – emergency services remained accessible by those needing help via copper networks due to emergency generators
- in Summer 1998 (February/March) Auckland was bereft of electricity by the failure of all electricity supply cables – the city limped by with hired diesel generators in the streets. Sewer pumping stations, and the copper network survived on generators

#### *Technical result of withdrawal of copper telephone networks*

All customers in that 87% will lose their copper wire telephone access, and will be compelled to:

- own mobile telephones
- learn how to use them, if they lack a mobile
- keep the mobile battery charged and available in any powercut
- be able to find the mobile in the dark if an emergency happens at night

- be able to operate an unfamiliar mobile phone in conditions of major stress when seeking the assistance of one of the 3 major emergency services (Ambulance, Fire Brigade, Police) for time sensitive emergencies. Each of those services has a golden period for responding to calls, but no control over how quickly a call can be made

#### *Time sensitive Nature of 111 telephone calls – **emergencies***

Health emergencies often happen at night, and without warning. Medical treatment accessed during the first hour after a heart attack makes the difference between death, disability or recovery.

Police often are needed at night – burglars and drunks are about at night. The sooner they know the quicker they can act. Last Friday night an escapee from a Covid-19 isolation facility was reported to have knocked on the doors of 3 neighbours before the Police arrived – if nobody had called the police the risk was to our whole community from Covid-19.

Fires happen anytime of day – fire moves very fast, and alarms need to be given fast.

Emergencies cut to the core of our society, and should not be ignored for the private gain of telco investors cutting costs to maximize gains.

#### *Protection of consumers currently on the copper network*

There is no reason why users of the copper network should be sacrificed for the profits of the telcos. Every existing user of the copper network should be entitled to continuation of the service until such time as they move to a property lacking copper network access.

This group of consumers by definition will include many people who are suffering from belonging to special sectors of the community, including:

- older people
- women ( a higher proportion of the elderly)
- immigrants of any ethnicity who lack a wider family support group in New Zealand ie anyone who has come to New Zealand since the end of World War II (1945 onwards).
- people living alone (an increasing proportion of the population)
- the poor ie those on limited incomes who manage their finances but could not afford the ongoing cost of the money making services provided by telcos
- the mentally challenged
- the depressed
- those from cultures unaccustomed to confronting “Authority”
- women from the generation taught to defer to “Authority”
- those unable to read the convoluted materials (all online) surrounding the decommissioning of copper networks, or to understand how to deal with the situation
- those unaware of the impending change – many are only accessed through National radio interviews eg an interview was given on Friday 10 July 2020, and may have been the first knowledge some listeners had of the changes.

#### *Transferring Costs to Others*

If health, or personal safety, or property is damaged by inability to access the emergency services in a timely way the telcos are potentially transferring the costs accordingly imposed:

- on the Government (taxpayer funded)
- on Accident Compensation (injuries and even funeral benefits)
- public hospitals
- police
- criminal courts
- prisons
- private insurers

- persons who suffer physical, or emotional or property damage which could have been averted by easy access to emergency services

### *Summary*

The draft code builds on a flawed foundation by not addressing the very groups of people who will be most exposed by the loss of simple access to emergency services.

There is no justification for creating a labyrinth of words that deals only with the downstream effects of withdrawal of copper networks in the event of that causing sub-optimal access to emergency services in an **emergency**.

The telcos need to explain how it is that they can continue copper networks in country districts but not in urban areas. It may be that the telcos will have to suggest how to continue to supply emergency services access to affected customers.

It may be that the telcos will simply have to wait until the groups of affected people move into care or die, preferably not as a direct result of an inability to get timely access to emergency services.

A Code is not the way to deal with an obvious and inevitable risk to health and property of New Zealanders in the affected categories. Positive solutions need to be produced, and telcos need to recognize private profit is incompatible where the risk is not carried by them at all.

Marian Hinde

