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ACCC-T

22 Sep 2008

Gary Looney- Box 191, Menindee. NSW. 2879

To ACCC

 # Complaint to Telstra, submitted on 11-Jan-06: "EXTRACTS BELOW IN BROWN"
@ TIO / 2.TELSTRA'S RESPONSE.../ Telstra Flexcab Billing notes: "EXTRACTS BELOW IN RED"

Call 1/ Enquired about broadband connection and was told not available in my area, when I asked what alternative computer connections were available I was told the only available form of connection in my area was dial up at 64kb/s.
Call 2/ Asked of cost for 64kb/s connection and was informed it was actually 48kb/s max (area dependent).

@ 14/12/05 C880156_ CUST ORIGINALLY RANG TO HAVE B/B CONN.ADV.ONLY CO P 99/99/99
ULD HAVE DIAL-UP.CUST WENT AHEAD TO HAVE NEW LINE
CONN. IN MEANTIME,CUST RANG B/B WHO ADV.HE COULD
HAVE WIRELESS B/B.BIGPOND WILL PROVISION THIS FO
R CUST. DID DISCONN.OF LINE AND WAIVED CONN.FEE A
S GOODWILL GESTURE.CUST HAPPY WITH THIS.IF BILL I
SSUES FOR $209.00. PLEASE WAIVE FEE"

In the town of Broken Hill 100km from Menindee, I purchased another computer (Lap Top) for Wireless Broadband suitable for a wireless card as my desk top was not suitable.

While in Broken Hill I noticed a Telstra shop would open following day, people were inside setting up so I knocked on the door.
I explained what was happening and a Telstra representative helping with opening agreed to help me. She checked my area on the computer and told me that CDMA X1 that was needed was not available in my area and that IDSN was.

Now, as Telstra had changed their offer again in relation to available fast Broadband possibilities to ISDN as the only available Internet service, I had ISDN connected on the 22 December 2005.

Summary:
When I initially contacted Telstra asking for high speed internet I was told that only dial-up at 64kb/s, later qualified as 48kb/s maximum was available at my residence, I asked again was there nothing else? Reluctantly as the only option given as available I had the line connected plus would receive a bill.

Under HiBIS Guidelines, based on this Telstra Service Qualification and being a participant they should have offered me 2way Satellite! Had I been informed of my options at this point, I could have made a choice between the providers of 2way Satellite under HiBIS without the anticompetitive situation that proceeded!
After connection of the line for dial-up I was then told Wireless Broadband was available at my residence and as such requested line cancelation, as it would no longer be needed with wireless. I purchased a laptop being told it was needed for the wireless card only to be then told Wireless Broadband was not available or offered at all in my small town of Menindee, or for that matter my residence, but ISDN was! So I had ISDN connected to be told I had to pay more with Telstra insisting on payment for the previous line and upgrade to ISDN being more expensive then from scratch ISDN, after many calls over 2 days Telstra begrudgingly change position, eventually charging the correct amount!

I put in a complaint to Telstra deciding that after resolution and disconnection from the company I would connect 2way Satellite with another provider, only to be told by Telstra that I had to keep their ISDN that initially was not offered as an available service, being why I originally had to have Dial-up connected. Telstra informed me that since I now had ISDN it would have to be kept to Qualify for HiBIS, and as such meant I could not disconnect Telstra's ISDN service! The ISDN service that was initially not offered as being available would now prevent me qualifying for HiBIS 2way Satellite. Telstra now offered 2way Satellite under exclusive monopoly conditions that would not have been possible were it not for the companies preceding acts at my expense and general associated losses! False, deceptive and misleading anticompetitive behaviour breaching TPA 45, 46, 52, 59 & under PART IVA, not requiring intent although at some point any reasonable person would conclude its founded existence!

Sincerely Gary

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