



# ISPANZ Update for Members

## Christmas 2021



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### **Slack**

A reminder that ISPANZ is using Slack for communications amongst ISPANZ members. If you haven't yet logged in, go to <https://slack.com/signin> put ISPANZ in the your-workspace-url box and when it asks for an email address put in the one that you provided to ISPANZ for your contact person. You should then be able to get in and it's all pretty intuitive from there. If that



doesn't work, please email [david.haynes@ispanz.org.nz](mailto:david.haynes@ispanz.org.nz) and I'll confirm your login details.

## Membership Portal

In exciting news, ISPANZ will soon be launching our new membership portal/platform on our website. This will allow not only our members to manage their membership profile, but add others in your organization who wish to be involved with ISPANZ, be part of the member directory, as well as viewing and registering to any upcoming events.

Keep an eye on your inbox for an activation email to set a login password, and take five minutes to review your membership information, make any changes, as well as adding any contacts who may benefit from communications from ISPANZ.

## Chorus Issues

### 2022 CSA

Our submission on the 2022 CSA included comments on Handover ICABS and on performance bonds, see below.

### Handover ICABS – Intra Candidate Area Backhaul Service

This is an outstanding issue where we need to continue to engage with Chorus. We believe that Chorus is making a problem that it has with Spark into a problem for our members. Earlier this year we drafted a press release, which Chorus did not like at all. This led to some dialogue, but not to any outcome.

### Performance Bonds

Following our submissions Chorus' position has softened in some areas, however they are still pursuing performance bonds, but inconsistently with different ISPs.



Some members report being pressed by Chorus for substantial performance bonds. We would like to hear from members who feel that they are being asked to provide performance bonds that they consider unreasonable.

## Commerce Commission Consultation

The Commerce Commission has been very busy this year progressing a range of issues. These have included:

- 111 Contact Code
- Measuring Broadband Survey
- Specified Fibre Areas
- Marketing Alternative Telecommunications Services

### 111 Contact Code

The Code came into effect in February 2021 and providers (**you**) had until August 2021 to make extra support available to vulnerable consumers.

Under the Code, telecommunications service providers offering home phone services must tell new customers, and **remind existing customers at least once a year**, that their home phone may not work in a power cut.

Providers must also tell their customers how they can protect themselves and where to go for further support.

Home phone customers who don't have an alternative way to contact 111 in a power cut can apply to their provider if they are at particular risk of needing to call emergency services for health, security or disability reasons. If they qualify, their provider will work with them to determine the right product for their particular needs, at no cost to the consumer.



Whilst there was considerable concern when this code was being drafted, and we expressed that concern in our submission, we have not received any feedback from members since its implementation. **Has this code affected you adversely?** If so, please get in contact.

### Measuring Broadband

The Commerce Commission has published the Spring 2021 report from their Measuring Broadband New Zealand (MBNZ) programme. The report, from their independent testing partner SamKnows, uses speed and internet performance data collected from volunteers between 1 September and 30 September 2021.

The report shows performance is generally consistent with the Winter 2021 report published in August, including that there was no noticeable decrease in performance in Auckland during Covid-19 lockdowns in September. However, download speeds for Vodafone's HFC Max plans show a decrease of approximately 50% from previous reports. For the first time the report also includes results testing of 12 new online games and new testing of latency under load.

You can find the full report here: <https://comcom.govt.nz/regulated-industries/telecommunications/monitoring-the-telecommunications-market/monitoring-new-zealands-broadband/Reports-from-Measuring-Broadband-New-Zealand>

ISPANZ remains concerned that the small number of ISPs listed in this report gives them an unfair market advantage, but at least the Commerce Commission has made it more obvious to readers that there are other ISPs to choose from.



## Specified Fibre Areas

The Commerce Commission has published an updated map of specified fibre areas (SFAs). SFAs are the locations where Chorus will be able to stop providing copper-based phone and internet services because fibre is available and it follows the process and rules set out in the [Commission's Copper Withdrawal Code](#) (CWC). If fibre is not available, nothing will change.

The SFAs came into force on 11<sup>th</sup> November 2021. You can find the interactive digital map showing the 2021 annual assessment here:

<https://comcom.govt.nz/regulated-industries/telecommunications/regulated-services/consumer-protections-for-copper-withdrawal/map-of-specified-fibre-areas>

The Commerce Commission's initial assessment in December 2019 covered approximately 1.5 million households and businesses mainly in major towns and cities across New Zealand. The 2020 annual assessment captured 71,000 households. The 2021 annual assessment captures an additional 122,000 households.

This is a 7.7% increase in coverage from last year. The assessment is based on information provided by Chorus and local fibre companies: Northpower Fibre, Ultrafast Fibre, and Enable Networks.

## Marketing Alternative Telecommunications Services

The Commerce Commission has published a response to submissions on their open letter on marketing alternative telecommunications services during the transition away from copper. Our submission can be found on Slack in the commerce-commission-initiatives channel. We did not agree that Chorus should be approaching your customers and recommending connectivity



options. The Commerce Commission has told the New Zealand Telecommunications Forum Inc. (TCF) to prepare an industry retail service quality (RSQ) code.

The response to submissions should be read in conjunction with their guidelines to the telecommunications industry, which were published on 8<sup>th</sup> November 2021.

You can find a copy of the response to submissions, and the guidelines, here:

<https://comcom.govt.nz/regulated-industries/telecommunications/projects/marketing-of-alternative-services-to-consumers-during-copperpstn-withdrawal?target=documents&root=269662>.

## 2021 & 2022 Conferences

The 2021 conference was held in Auckland in June. Copies of the presentations are available on Slack in the Conference-2021 channel.

The 2022 conference will be held in Wellington on Wednesday 27<sup>th</sup> July.

## Telecommunications Disputes Resolution

The Telecommunications Disputes Resolution scheme was reviewed by the Commerce Commission this year. We provided input stating that we did not support our members being charged a fee for a service that did not use and/or did not need. Our submission can be found on Slack on the commerce-commission-initiatives channel. The Commerce Commission concluded (amongst other things) that there should not be compulsory fees for ISPs that



had not agreed to join the scheme, so that was a win. You can find the report, and more information on the 2021 review of the TDRS, at:

<https://comcom.govt.nz/regulated-industries/telecommunications/projects/2021-review-of-the-telecommunications-dispute-resolution-scheme>

TCF, who run the scheme, now have to implement the Commerce Commission's findings, so we can expect to see discussion on this in 2022.

### Spark and Peering

This became more of an issue during the 2020 lockdown. At that time we corresponded with Spark and we wrote to the Minister. A trail of correspondence is on the Covid channel on Slack. We understand that Spark has some complex technical issues to resolve in order to achieve open peering. Now that lockdown pressures are easing, in 2022 we intend to press open peering with Spark as a major issue – Spark by themselves have no incentive to move away from the status quo.

The fact that some ISPs find it cheaper and easier to peer in Australia rather than in NZ is ridiculous. There is not a level playing field for all ISPs and we believe that there should be.

If any of you have any facts/opinions/evidence that will support a case for open peering, voluntarily if possible, but by regulation if not, please let us know.

### Let us Know What Issues Matter to You

If you have any issues where you feel that you are not being heard, do get in touch. ISPANZ is well positioned to intercede on your behalf, at senior level



with your suppliers, with government departments and in getting legislation amended.

Happy Christmas,

Best Regards,

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INTERNET SERVICE PROVIDERS  
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