

Submission on review of the Telecommunications Consumer Protections Code and Guideline.

Some men see things as they are and say *why?* I dream things that never were and say *why not?* (Ted Kennedy)¹

We choose to go to the moon in this decade ..., not because [it is] easy, but because [it is] hard. (John Kennedy)²

Introduction

Communications Alliance has called for submissions to commence a review (the **Review**) of the Telecommunications Consumer Protections Code and Guideline (together the **TCP Code**). This submission is made by David Havyatt in a personal capacity. A statement of my background is included for information.

It is now just over thirteen years since the current regulatory regime for telecommunications came into effect. That regime had a statement of regulatory policy that stated “The Parliament intends that telecommunications be regulated in a manner that promotes the greatest practicable use of industry self-regulation”.³ The explanatory memorandum made it clear that this was an instruction to regulators, not industry.⁴

The course that has been pursued to date is actually one of co-regulation. Ultimately no one is satisfied with the outcomes. In the psychiatric field they note that a definition of insanity is “doing the same thing over and over again and expecting a different result”. In the quality management era of the 1980s and 1990s this got reversed to “if what you are doing isn’t working, try anything else.”

It is disappointing therefore to see the commentary on this review being an expectation that the outcome of the review is still a co-regulatory code the core function of which is to create notionally enforceable rules for the conduct of service providers.

This submission seeks to outline a radical alternative to the existing modes of operation. It reviews the history to date of the code, and then discusses very briefly some current issues in the theory of regulation. The submission then advances some propositions on the Code could be rewritten as a more self-regulatory instrument. The submission concludes with suggestions on how we could redefine the roles of a number of stakeholders in relation to the code.

The propositions in this submission are not being advanced as the best solution to the issues, they are being advanced as alternatives that create a different framework for undertaking the process of code revision.⁵

History of the Code

The call for comment provided a brief history of the previous codes replaced by the TCP Code. It didn’t deal in much detail with the motivation for doing so.

The impetus for a “single consumer code” came from the Australian Consumers Association (now Choice) and from the Consumers Telecommunications Network (now superseded by ACCAN). Their basic concern was that the fragmented codes did not

make it easy for consumers to understand their rights. The proposition they advanced was a simpler set of rules that followed a “life-cycle” of the consumer’s engagement, not the supply-side functional division.

What they were responding to were a set of codes that covered customer information, credit management, billing, customer transfers, complaint handling and contracts. Each of these reflected the outcomes of a series of working committees each of which had consumer and industry representatives with non-voting participation from the ACCC, the ACA and the TIO. The outcome of all of them had been frustrating as consumer advocates were seeking something that further constrained industry (or were aspirational in the delivery of consumer outcomes) whereas industry was after clarity of the boundary of legality.

In response to the calls and to provide evidence to the then Consumer Codes Reference Panel, the CCRP, AAPT drafted a complete Single Consumer Code based on the lifecycle model and taking the option to simplify the code rules and move much of the explanation to a partnering guideline.⁶

The Code itself was finally commissioned and drafted under the revised Communications Alliance operating principles of an independent chair and professional drafting. The only element of the resulting document that reflected the original objective was that it was a single document. There was no lifecycle, rather just the stapling together of the existing functional model. There was no simplification, if anything every rule became more specific and detailed.

The submissions made by the TIO, the ACMA and the ACCC all suggest that the Code is failing in some substantive way, but it remains difficult to understand exactly how the code itself is failing.

A common claim is that the code is failing because of the high number of complaints made to the TIO. The complaint volume to the TIO could be an issue indicating further changes to the Code designed to stop behaviours being complained about, but the usual basis of the criticism is the number of complaints that the TIO says are potential code breaches. You don’t improve compliance by making the law tougher.

The second claim is that the code is failing is because despite all the potential breaches there is no enforcement undertaken by the ACMA (as there is no industry enforcement process). However, the ACMA in its comments on the code never suggests that the clauses are not “enforceable”.

This brief summary indicates that the Code came into being as a desire to do something different to what had been already done, but has failed to be anything other than an extensive rewrite of the existing provisions. This would suggest that in reviewing the Code service providers, consumer advocates and regulators should seek alternatives to the existing process.

We are not alone

In the wake of the Global Financial Crisis, there has been renewed interest in the scope and structure of regulation. This is not the place for a full review of the scope and structure of regulation and its relationship to markets.⁷ However, two extreme views of the role of regulation can be identified.

The first is the view that the market is always the best regulator. The example often cited is that a firm has no incentive to mislead customers because the reputation damage would drive it from the market.

The other extreme is that self-interested corporations always have a degree of market power and that they will always mislead consumers or at the very least encourage consumers to buy products they do not need.

Joseph Stiglitz has noted that “market mechanisms, it is now realized, are insufficient”. In doing so he identifies “reputation management” as one of those market mechanisms that fails. In essence, reputation mechanisms only really work if what you are competing for is repeat business and consumers can genuinely assess the difference between the providers.⁸

But the alternative of excessive regulation is equally disastrous. One of the benefits of a competitive environment is innovation.⁹ Creating an environment in which products and services can only be marketed in the terms of a very restrictive list is the antithesis of an innovative environment.

The modern approaches to regulation are focusing on what used to be called “institutionalism”, which refers to the unwritten rules or norms of behaviour. This includes the area of study now known as behavioural economics as this provides the explanation of behaviour of consumers that deviate from the “rational” model. But we also need to consider the reasons why firms also deviate from the “rational” model. In discussing reputation mechanisms Stiglitz identifies one of these; the case where the short-term interest of the firm dominates its long term interest.

Ultimately what we are studying is the process of co-ordination in the economy. The one thing the neo-classical model of economics combined with public choice theory cannot deliver is an explanation of how well-functioning markets evolve in the first place.

The consideration of the creation of effective markets is critical in the field of telecommunications because the industry is still a “work-in-progress” in its development from Government controlled monopoly to effective market.

Doing things differently

Let’s now consider how we might try to do things differently in telecommunications. There are four areas in which I’m going to propose ways we could do things differently; advertising rules, price disclosure, contracting and complaints handling.

Advertising

One of the original consumer codes was the Customer Information of Prices, Terms and Conditions Industry Code (or the TPC Code). This code set about codifying what the standards were for advertising products.

It did not, however, create the offence of misleading or deceptive conduct. The TCP Code in turn did not provide any additional guidance and was still a list of variously prohibited and mandated conduct.

Much of what is written in the rules really only goes to restating the overarching obligation from the Trade Practices Act. While this might be useful as a statement to aid consumers’ understanding of their rights, as we will discuss below, it comes at the cost of fragmenting enforcement.

But more particularly nothing about the rules creates an incentive for providers to be clearer in their advertising and communications. It just creates another set of rules that providers “innovate” around in their product descriptions.

In this very particular area there seems to be unanimity that industry could do better. In their submissions to the review each of the parties wrote:

Industry advertising practices continue to attract significant numbers of complaints to the ACCC. (ACCC)

Development of...code provisions that will...provide...clear and accurate advertising of a product or service. (ACMA)

Identified [accurate, timely, comprehensible and relevant service information] as a benchmark for assessment of consumer codes (ACCAN).

This suggests the following structure of a set of rules about customer information about prices, terms and conditions.

1) Rules

- i) Service providers must ensure that information provided to customers on prices terms and conditions is clear and complete.
- ii) A service provider meets the requirements of rule (i) if their advertising and promotion material complies with the Industry Standard on Advertising Practices.
- iii) A service provider may use advertising and promotion material not in accordance with the Industry Standard, however, it is the obligation of the service provider to demonstrate that the material so produced is clear and would not mislead or deceive consumers.
- iv) A provider who uses such material must notify the ACMA of the material and provide copies of the advertising material, and the statement setting out the providers basis for asserting the material is clear and complete, not only not misleading or deceptive, within two working days of its use.

2) Standard

- i) The standard will include all the kinds of rules we have previously used.
- ii) The standard will be reviewed every two years.
- iii) There will be a process whereby addendums can be added to the standard to reflect any practices used and notified under rules (ii) and (iii) so they can be generally used.

3) Consumer Information

- i) A simplified version of consumer rights should specify that providers have the obligation under rule (i) and that the provider is always required to meet the requirements of the TPA. Links should be provided to all the relevant documents.
- ii) Consumers should be provided with actions for redress;
 - a) If the conduct is of a general nature (i.e. complaint as citizen) complain to the ACMA.
 - b) If the conduct specifically relates to their service complain to TIO.

(further discussion of institutional arrangements follows).

Some aspects of this structure could be further explained. For example, the rules do not stifle the ability of providers to develop innovative offers that need to be explained in innovative ways. However, rather than the legal/marketing emphasis being to demonstrate that the new offer and promotion is not misleading the obligation is to demonstrate that the material is clear and complete. This fundamentally changes the internal conversation.

The structure of the communication of rights to consumers is very simple and straightforward. The structure of the standard being able to be added to and reviewed every two years allows for greater currency than the code rule process.

Price disclosure

Joshua Gans has applied the term “confusopoly” to telecommunications pricing.¹⁰ This is not the only industry, however, in which it is becoming increasingly difficult to undertake price comparisons. Legislative provisions have been made to deal with “component pricing” (wherein the whole price of an airfare for example has to be disclosed) and “unit pricing” (to enable comparison of different quantities of product).

To enable easier price comparison it would be possible to specify by regulation the way that prices have to be calculated. But in the presence of such regulation certain probably beneficial price innovations would not have occurred. For example, had a regulation on pricing of long distance telephone been instituted in 1997 it would probably have specified both the peak and off-peak periods and the distance bands. The presence of such a regulation would have had the consequence of preserving these positions whereas they were ultimately “competed away”.

Thaler and Susstein in their book *Nudge* propose an idea called a RECAP statement. In its highest incarnation the statement is provided in electronic form and details the consumers usage over the previous “period” (for example 12 months) and this file can be presented to an alternative provider electronically and the consumer gets back a quote on how much that usage would cost under their plan.

Of course, this doesn’t reflect how the consumers usage might change due to the different price plan, but it makes a price comparison possible that is simply impossible now. The design of a “standard” for the RECAP could be a significant challenge and one that would probably be beyond the capability of a regulator to impose. It is, however, possible to conceive of a regulatory structure that would encourage providers to co-operate to compete. A possible construction is as follows;

1) Rules

- i) Service providers must provide their customers with a statement detailing their usage over the prior twelve months at the customer’s request.
- ii) Service providers must advise customers what formats the data will be provided in and, in particular, whether there is any industry standard for the format of the information and whether the provider uses that format.
- iii) Service providers must advise potential customers of what formats of electronic information it can receive of prior usage to provide a price quotation based on historic usage.

2) Standard

- i) The standard could have different parts for different service types.
 - ii) The standard will specify a structure of a data file that can ultimately be e-mailed to a customer.
 - iii) The standard will be reviewed every two years.
 - iv) There will be a process whereby addendums can be added to the standard. Such addendums need to be “backward compatible”.
- 3) Consumer Information
- i) A simplified version of consumer rights should specify that providers have the obligation under rule (i) and how the customer should give priority to dealing with suppliers who use agreed industry standards for preparing and receiving this information. Links should be provided to all the relevant documents.

Contracts

The question of contracts remains vexed. Ultimately a detailed and prescriptive contract can be of as much benefit to a consumer as to a provider, as ultimately it seeks to set out the details of what is agreed between the parties. A great deal of nonsense has entered the debate about the imbalance of power between parties in “negotiating” contracts, ignoring that the common law concept of contract still amounts to an offer, an acceptance and a consideration.

As there has been extensive amendment to the law this does not need to be represented in an industry code (despite the suggestions of the ACCC in its submission). What the self-regulatory framework can seek to do in relation to contracts is to make sure that the customer is clear what the actual offer is that the customer is accepting. The foregoing provisions on customer information and price comparison go to at least part of this – aiding the customer’s ability to understand what they understand to be the offer. One of the greatest difficulties is often, however, that a conversation can cover a number of alternative offers and the actual offer being accepted is unclear.

One potential solution to this is the use of standard forms of contract that utilise good communication practices (e.g. in written contracts clearly delineated parts of the contract in which the variable information is entered by hand and witnessed by the customer, in online contracts similar outcomes are achieved by having check-boxes beside all the relevant terms that need to be certified, in on-line sales it is achieved by gaining affirmations to specific conditions).

The attempt by the ACA to develop a standard contract (the FairTel contract) reflected the failures that would occur attempting to do this as a regulator. The Consumer Affairs Victoria missed the opportunity to do so by insisting on dealing with all the mobile service providers individually rather than through their industry association (AMTA).

A principle based code could simply address the issue as follows.

- 1) Rules
 - i) Service providers must advise their customers whether there are industry agreed standard forms of contract.
 - ii) Service providers must advise customers if they use the standard forms, and if not, why not.
- 2) Standard

- i) The standard form of contract could exist in multiple forms for different kinds of services.
 - ii) The standard will specify a form of contract that meets the criteria outlined in the submission from ACCAN about how the important and relevant information is disclosed to the customer.
 - iii) The standard will be reviewed every two years.
 - iv) There will be a process whereby addendums can be added to the standard.
- 3) Consumer Information
- i) A simplified version of consumer rights should specify that providers have the obligation under rule (i) and how the customer should give priority to dealing with suppliers who use industry standard forms of contract.
 - ii) Where a service provider does not use the standard form and a dispute arises between the customer and provider the fact that the standard form was not used should be relied upon by the TIO to find in favour of the customer.

Complaints Handling

The focus on complaints handling and disputes resolution needs to continue to be focused on resolving the customer's actual issue. However, compliance management principles dictate that complaints are an essential source for identifying procedural flaws.

Industry rules on complaints handling simply need to remain focused on the providers responsibility to both provide a mechanism for the customer to complain and to advise the customer of their rights for independent review (the TIO).

There may be other rules. But the significant change required in this area is the use of more sophisticated tools of data analysis to identify whether complaint data represents a significant issue and the adoption of processes to provide further analysis of the source material in cases where a substantive issue is suspected.

Role of Stakeholders

This section is really about the role of the major organizations in the field, the ACCC, the ACMA, the TIO, the Department, Communications Alliance and ACCAN.

In comments to Communications Day published on 14 July ACCAN CEO Allan Asher said a number of things. These included;

- He told CommsDay of his concerns that industry, the ACMA and government were currently striving to mend a model doomed to obsolescence. "To perfectly fix today's problems only ensures a system that's out of date tomorrow," he said. "The whole 1997 legislative model just doesn't work any more. It may take five years before it is changed, but we can change it initially by rethinking codes [and] rethinking the coregulatory arrangements."
- But Asher believes that the Australian Competition and Consumer Commission is the future of Australian telco regulation, not the ACMA, which he said would be better off bringing its weight of knowledge on consumer behaviour to the table to fix problems of poor disclosure and work on removing product clutter from the market. "It's foolish to imagine that the telecommunications sector should be running its own consumer

protection enforcement,” he said. “These are areas that are increasingly merging with financial services – such as mobile payment systems - and with human services – health, education, welfare – and I would say that the ACCC, as the economy-wide consumer protection [agency], is the one who ought to be the enforcer in relation to misleading or unfair commercial behaviour. Not the ACMA.”

- “For each of the areas where there are problems, what we want to do is show them objectively, through a series of worked case studies – and explain to them how root cause analysis of the complaints database can lead to much better outcomes for consumers and shareholders alike, “ said Asher.

The need to do things differently as expressed in the first of these points is supported. My difference is that I don't think the co-regulatory model that has been pursued since 1997 was ever the intention. What has been outlined in the preceding sections is the kind of streamlined code that I think Mr Asher is talking about.

He has identified one of the inherent weaknesses in the current process; the fact that codes registered by the ACMA purport to cover areas that in the absence of the code would be entirely the responsibility of the ACCC. While the normal concern would be the possibility of “double jeopardy” the outcome has been more akin to two fieldsman in the outer with both expecting the other to take the catch.

His suggestion, however, of responsibility going entirely to the ACCC is only one possible solution. Indeed the rationale he gives for it being the ACCC is indeed wrong, as the ACCC does not have these responsibilities in Financial Services. Under s26 of the TPA the ACCC can delegate its powers over unconscionable conduct and consumer protection to a staff member of ASIC with the agreement of the Chair of ASIC. Further the investor protection provisions in financial services are administered by ASIC, a position maintained by Intergovernmental Agreement for the Australian Consumer Law.¹¹

This means the alternative is to provide the ACMA with the full responsibility for the relevant protections. It is a debatable point whether the expertise in consumer protection at the ACCC or the expertise in communications at the ACMA is the more relevant for the ability to administer the law. However, given that one of the key issues that makes the management of consumer protection in communications difficult is the pace and extent of technological change and product innovation it is possibly the ACMA that is better placed.

A third and more radical alternative would be to empower a “joint venture” between the two as the actual agency. The close relationship between the two is, after all, the reason for the cross membership between the two bodies. Perhaps the cross membership between the two there should be one individual appointed as a full-member of each body to whom telecommunications consumer protection powers could be delegated (under s25 of the TPA and, as a Division, under s46 of the ACMA Act).

The third comment of Mr Asher relates to the current unsatisfactory nature of the external review of compliance wherein an agency whose sole purpose is to resolve disputes has been presumed or empowered to also be an enforcer. I am, of course, referring to the incomplete powers of the TIO under the conferral of powers provisions under the current code regime. Once the TIO has resolved the complaint it has no further role (and certainly not funding) to investigate whether the provider did indeed breach the code.

The ACMA receives reports detailing how many potential code breaches are recorded but has no effective way of determining whether this is a real issue.

The solution suggested by Mr Asher of detailed analysis of case studies is the correct one. The process by which this should occur is probably best established through a multi-party agreement between the TIO, Communications Alliance and the ACMA. This agreement would see the ACMA obtain data from providers to allow sophisticated “normalization” of complaints data (using Data Envelopment Analysis or similar techniques), the provision to the parties to this agreement of that normalization, the use of that data for the ACMA to identify the providers with the best performance and the use of that data for the ACMA and Communications Alliance to identify matters they want further investigated.

Finally a core issue for consumers is understanding their rights. They are pulled between multiple sources none of which regard the consumer as their only “client”. The TIO, ACMA and ACCC websites are inadequate, overlapping and confusing. A single website linked to be each organization on which the agreed statements of consumer rights are published would be a good way to progress the idea of a Consumer Charter previously advanced by CTN.

Conclusion

This submission has tried to suggest alternative ways for both developing a code to guide provider behaviour and to simplify and improve the institutional arrangements that will bring that behaviour about.

As stated in the introduction I am not advancing them as necessarily the “right” way to progress but as an attempt to demonstrate some constructive alternatives so that the process of developing consumer protections can be grounded in reality and make optimal use of the self-interested choice of individuals and firms (the market).

I entreat all those involved in the code review to approach every discussion on the topic using the following principles;

- 1) Come to the process on the basis of principles not positions.
- 2) Seek first to understand and then to be understood.
- 3) Treat other parties with the respect you expect to be treated with.

About the author

I have been involved in the telecommunications industry for thirty years, thus entitling me to be described as a “stalwart”¹² or possibly considered a veteran. I have been involved in regulatory affairs since 1998 (though ever so briefly also in 1997) and have also earned the description of being “outspoken”.¹³ However, while “outspoken stalwart” might be an appropriate description, the brand I try to live by is “The person who asks ‘Why Not?’”. I am currently employed as Manager Regulatory and Corporate Affairs at vividwireless. The views in this paper are, however, my personal views and not a position adopted by vividwireless.

My early career was as a clerk in Telecom Australia where, perhaps uniquely amongst telco regulatory professionals, my roles included dealing with customers’ billing inquiries and resolving complaints (mostly about metered calls and non-delivery of telegrams). I then spent ten years in corporate customer sales and planning and strategy roles. In this period I was the architect of the original Long Term Agreement entered into between Westpac and Telecom Australia, and then the co-architect of their further incarnation as the Strategic Partnership Agreements. The original LTA was a response to a customer’s desire to reduce their total telecommunications spend and we responded by taking a “Why Not” approach and redefining the relationship and processes to realize savings for both organizations.

As regulatory chief at Hutchison and then AAPT I had a mission to introduce Mobile Number Portability to Australia. After the initial battle of getting the ACMA to provide the appropriate advice to the ACCC to issue the direction that numbers would be portable, I chaired the ACIF Working Committee to develop the operations code. In chairing the committee I rejected approaches that wanted a timeframe for porting to be established and then processes to achieve it designed. Instead we adopted a “Why Not” approach of asking what would be the best process we could design. The Australian MNP process designed as a consequence is still a world leading implementation.

In a January 2005 submission on behalf of AAPT on the Bill that formed the ACMA I argued for independent guaranteed funding for consumer representation in the telco sector.¹⁴ In that submission I questioned the logic of both the industry and the ACMA in maintaining consumer consultative forums and wrote “One alternative worthy of consideration is separately establishing a Telecommunications Consumer Advocacy Institution that has its own dedicated funding structure and governance arrangements that ensures consumer input is well considered without the need for separate advisory committees. Such a body could assist in undertaking the kinds of consumer research that appears to be missing from informed policy discussion.” This would appear to be an accurate description of what the Government has created as ACCAN.

In that submission I also advanced my view that the distinction between self-regulation and co-regulation is being inadequately drawn. This is a theme I have recently returned to.¹⁵ I also acted as facilitator for an ACIF Consumer Council session on a Quality Service Provider and have written on the research that might help industry and advocates better understand consumer expectations.¹⁶

I have been a Board Member of ACIF, the TIO and AMTA. I chaired the ACIF Consumer Codes Reference Panel. As well as a Bachelor of Science I have a Master of Arts in Communications Technology and Policy and a Graduate Diploma in Economics.

¹ “Sometimes rendered as “There are those that look at things the way they are, and ask why? I dream of things that never were, and ask why not?” and attributed to Robert Kennedy. Though Kennedy stated that he was quoting George Bernard Shaw when he said this, he is often thought to have originated the expression, which actually paraphrases a line delivered by the Serpent in Shaw's play *Back To Methuselah* : “You see things; and you say, ‘Why?’ But I dream things that never were; and I say, ‘Why not?’”. The version here is that used by Robert's brother Edward to conclude his eulogy to his late brother after his assassination (8 June 1968): (http://en.wikiquote.org/wiki/Robert_F._Kennedy)

² The complete original is “We choose to go to the moon in this decade and do the other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win, and the others, too.” (http://en.wikiquote.org/wiki/John_F._Kennedy) Full speech at http://en.wikisource.org/wiki/We_choose_to_go_to_the_moon

³ *Telecommunications Act (1997)* s4(a).

⁴ For a more expansive discussion of this point see David Havyatt *Self-regulation in telecommunications didn't fail – it was never really tried*. June 2010. http://www.havyatt.com.au/docs/wps/Self_Regulation.pdf

⁵ In doing this I'm building on my piece ‘Self-regulation in telecommunications didn't fail – it was never really tried.’ Available at http://www.havyatt.com.au/docs/wps/Self_Regulation.pdf.

⁶ The draft was prepared by Robyn Ziino on behalf of AAPT.

⁷ It can be noted however that the Cooper review of superannuation did start to bring some new approaches to regulation to the Australian public policy space. I commented on these on my blog at <http://davidhavyatt.blogspot.com/2010/07/new-directions-in-regulation.html>

⁸ Joseph Stiglitz ‘Government Failure vs Market Failure: Principles of Regulation’ in Edward Balleisen and David Moss *Government and Markets: Toward a New Theory of Regulation*. Cambridge University Press. 2010

⁹ This is not the time for the argument, but actually innovation is the only justification. As Standish and Keen show in ‘Emergent Effective Collusion in an Economy of Perfectly Rational Competitors’ (paper delivered at The 7th Asia-Pacific Conference on Complex Systems 2004) there is no basis for believing in a dynamic market that competition results in prices set at marginal cost.

¹⁰ The term was coined by Scott Adams in *The Dilbert Future*.

¹¹ http://www.coag.gov.au/coag_meeting_outcomes/2009-07-02/docs/IGA_australian_consumer_law.pdf

¹² See <http://m.zdnet.com.au/havyatt-demands-more-nbn-discussion-339296282.htm> ; http://www.pcworld.idg.com.au/article/266147/telstra_drops_broadband_world/?pp=2

¹³ See <http://www.zdnet.com.au/confessions-of-an-atug-conference-139242187.htm> and again <http://m.zdnet.com.au/havyatt-demands-more-nbn-discussion-339296282.htm>.

¹⁴ See http://www.aph.gov.au/Senate/committee/ecita_ctte/completed_inquiries/2004-07/acma/submissions/sub08.pdf

¹⁵ *Self-regulation in telecommunications didn't fail – it was never really tried*. June 2010. http://www.havyatt.com.au/docs/wps/Self_Regulation.pdf

¹⁶ See Perceptions of a quality service provider http://www.networkinsight.org/verve/resources/Havyatt_file.pdf also a full paper in the

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<http://publications.epress.monash.edu/doi/abs/10.2104/tja10011>