

AUSTRALIAN TELECOMMUNICATIONS ALLIANCE SUBMISSION

To: The Australian Competition and Consumer Commission
Re: Retail Telecommunications Record-Keeping Rules

October 2026



TABLE OF CONTENTS

1. AUSTRALIAN TELECOMMUNICATIONS ALLIANCE	3
2. INTRODUCTION	3
3. RATIONALE AND JUSTIFICATION	4
4. PROPOSED RECORDS	5
Data aggregation costs and limitations	5
Privacy and security	5
Format and transfer requirements	6
Amount paid, bundles, legacy plans	6
Other issues	7
5. PROPOSED ALTERNATIVE MODEL	7
6. IMPLEMENTATION TIMEFRAMES	8
ATTACHMENT A	9
Draft Alternative Reporting Proposal: Enhanced Cohort-Based Reporting	9

1. AUSTRALIAN TELECOMMUNICATIONS ALLIANCE

The Australian Telecommunications Alliance (ATA) is the peak body of the Australian telecommunications industry. We are the trusted voice at the intersection of industry, government, regulators, and consumers. Through collaboration and leadership, we shape initiatives that grow the Australian telecommunications industry, enhance connectivity for all Australians, and foster the highest standards of business behaviour. For more details, visit www.austelco.org.au.

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2. INTRODUCTION

- 2.1 The ATA appreciates the opportunity to make a submission in response to the Australian Competition and Consumer Commission (ACCC)'s consultation on its proposed Retail Telecommunications Record-Keeping Rules (RKR's).
- 2.2 We support the ACCC collecting data that will enable it to effectively monitor the market and perform its statutory functions.
- 2.3 We do not believe, however, that the ACCC's proposed approach, with the routine collection of individual service-level records, and the transfer of very large volumes of data, is necessary, efficient or proportionate. It would require a substantial investment in new systems and resources to manage, raises privacy and governance concerns, requires information that may not be held directly by the reporting entity, and imposes a significant regulatory burden on a heavily regulated sector already subject to a substantial volume of new regulatory requirements in the medium term. This includes a number of other obligations due to come into effect in 2027 that require new systems, processes and resources.
- 2.4 To address industry's concerns while still meeting the ACCC's statutory objectives, the ATA suggests an enhanced aggregate or cohort-based model for the routine collection of data, supported by complementary tools such as market research and desktop reviews. Where a specific regulatory question cannot reasonably be addressed through that model, the ACCC could seek service-level information on a targeted, exceptional basis using its existing Section 155 powers.
- 2.5 The ATA would welcome the opportunity to meet with the ACCC to explore amendments to the RKR's to work collaboratively to agree on a proportional, workable model.

3. RATIONALE AND JUSTIFICATION

- 3.1 The consultation paper states that expanding the record keeping requirements, as proposed, would improve the ACCC's ability to monitor competitive dynamics and consumer outcomes in a wide range of markets, including local geographic markets and markets for specific telecommunications technologies. It states that this is best achieved through collection of information on an individual service level, with information on price, geographic area, technology and other differentiating factors, and that this should be complemented with separate records on active plans – including about customers on legacy products.
- 3.2 We also note that the ACCC stated in its 2025 consultation that it was seeking to limit costs to record keepers by collecting data in a less processed format, rather than requiring records be kept and reported in aggregate.
- 3.3 It is not clear to the ATA that the ACCC has:
- defended its claim that individual service level records are required to enable it to achieve its objectives,
 - justified it through clear and transparent cost-benefit analysis,
 - tested its assumption that providing less processed data will be simpler or cheaper (the unanimous industry concern about the volume and complexity of requested data voiced in response to the 2025 consultation appears to have been ignored), or
 - sufficiently explored alternative ways to achieve its objectives.
- 3.4 We contend that, as it stands, the model proposed would be:
- substantially more expensive than the status quo or additional aggregated metrics, requiring new systems, processes and governance arrangements to implement, ongoing data validation and assurance cost and creating a significant compliance burden for record-keepers.
 - produce an unwieldy and inconsistent data set, with requested information not available to all record keepers in the proposed format, while also potentially exceeding spreadsheet software capacity. This would make it unwieldy to manage and review and may create misleading data, increase the need for explanatory notes or generate follow-up work for all parties.
 - create privacy and security concerns and risk.
 - unprecedented in its scale.

These issues are explored more in the next section.

- 3.5 The ATA further notes that while the costs of the proposal are in themselves substantial, the true cost of regulatory reporting is often not reflected in the requirements themselves. Reporting obligations are commonly assessed as discrete measures, yet businesses implement them within an existing landscape of systems, governance processes, regulatory reforms, and compliance obligations. As a result, the burden experienced by industry is frequently driven not by the act of completing and lodging a report, but by the cumulative effort required to design systems, manage data, establish controls, coordinate specialist resources, and maintain compliance across multiple overlapping regulatory frameworks. This creates costs that are often hidden from policy makers, but which can materially affect productivity, investment, and operational priorities. This affects productivity, investment and consumer pricing. These issues are explored in detail in the ATA's October 2026 [submission to the Productivity Commission's Inquiry into Business Reporting Requirements](#).

4. PROPOSED RECORDS

DATA AGGREGATION COSTS AND LIMITATIONS

- 4.1 The proposed dataset is substantial and would require providers to combine information drawn from customer, billing, product, usage, network and wholesale systems that were not designed to operate as a single reporting database - and may not even be directly held by the delegated reporting entity.
- 4.2 It is also not clear that service-level reporting would minimise costs to record keepers, as the ACCC suggests. The fact that information exists somewhere within an organisation or its supply chain does not necessarily mean it can be produced as a complete and reliable recurring dataset without substantial processing. Records must still be identified, extracted, standardised, validated, de-identified, reconciled across systems and transferred securely. Industry experience is that significant effort and cost would still be required to assemble, govern and report the information in the format proposed¹.
- 4.3 Industry analysis is that implementation would likely require:
- new automated extraction and transformation capability;
 - new data models and cross-system reconciliation processes;
 - geocoding or specialist geospatial solutions for SA1 mapping;
 - creation and maintenance of scrambled customer identifiers and associated mapping controls;
 - large-scale validation, exception management and remediation of incomplete or inconsistent records;
 - secure transfer capability capable of handling files that may be several gigabytes in size; and
 - dedicated legal, compliance, product, operational, data and technology resources, both for implementation and each recurring reporting cycle.

Further information about some of these components is included in the next sections.

- 4.4 The burden will not fall evenly. Larger providers may have high record volumes and complex legacy environments. Medium and smaller providers may need to build reporting capability for the first time. Retail providers that depend on wholesale or network suppliers may carry the reporting obligation without controlling the availability, granularity, accuracy or format of the underlying data.
- 4.5 We also note that work to prepare for the introduction of new RKR's would overlap with major telecommunications reforms, including the Telecommunications Consumer Protection Standard and the Scam Prevention Framework. These programs draw on many of the same finite legal, compliance, product, operational, data and technology resources. We ask the ACCC to account for this cumulative burden when assessing both the design and commencement of the Retail RKR's.

PRIVACY AND SECURITY

- 4.6 In addition to the substantial investment that would be required in new systems and resources to manage the aggregation of data held by providers (or in some cases, held by upstream providers rather than the reporting entity), we have concerns about the privacy risks associated with the transfer, storage and use of the data.

¹ We note that the ACCC cites the New Zealand Commerce Commission's Telecommunications Connectivity Map as an example of another service-level record keeping requirement. This appears to just be the technology type and service in place (ie speed tier) and is far more limited than the proposed retail RKR.

- 4.7 The proposed dataset would combine granular geographic, service, pricing, discount, usage and customer-linked information. While it is proposed that the customer identifier is scrambled, this does not remove all privacy and security concerns. Providers would still need to maintain a mapping process, and the combination of granular attributes may increase re-identification risk, particularly where an SA1 contains only a small number of relevant services.
- 4.8 These risks should be considered in the context of the Government's recent privacy reforms and the treatment of geographic and contextual information. The question is not only whether a direct identifier is removed, but whether the dataset, read as a whole and combined with other available information, may reasonably enable a person or service to be distinguished or re-identified.
- 4.9 This raises the question as to whether it is necessary to collect SA1 information, or whether SA2, suburb or postcode level data would be more appropriate. The value of collecting such detailed information is not apparent to the ATA and it seems likely that data would get re-aggregated for analysis. Further,
- SA1 information is not ordinarily held as a standard field by many telecommunications providers. Producing it may require address matching, geocoding and specialist geospatial software, together with ongoing licensing, validation and remediation. The quality of the reported field will also depend on the quality of the underlying address and the accuracy of the mapping process.
 - The paper states that for mobile services, the collected SA1 would be that associated with the billing address. It does not explain whether it would also be the billing address collected for satellite services, but presumably that is the ACCC's intent? This raises the question: is the regulatory value of collecting data at SA1 level justified, particularly for mobile and satellite services where it is hard to see how it is any more useful than reporting at a suburb or postcode level.
- 4.10 In addition to reducing reporting costs, using suburb or postcode information that is already available to providers would significantly reduce complexity and re-identification risk.
- 4.11 Industry would also welcome more information on how the ACCC intends to process, analyse and derive insights from this volume of data. If the ACCC proposes to use AI or automated analytical tools, industry would appreciate more information on the safeguards governing their use.

FORMAT AND TRANSFER REQUIREMENTS

- 4.12 The proposed volume of service-level information creates practical limitations for common desktop tools. The ATA understands that a single provider's dataset may exceed the row capacity of spreadsheet software and may be several gigabytes in size. This would complicate pre-submission review, validation, secure transfer and troubleshooting.
- 4.13 The ATA acknowledges that the proposal seeks to use a secure transfer portal, which may address the transfer issues. However, we caution that further consultation and testing with record holders is required to settle requirements for the proposed formats and transfer pathways, as well as encryption, validation, resubmission and audit trails. It is not clear that the proposed implementation timeframe adequately allows for this.

AMOUNT PAID, BUNDLES, LEGACY PLANS

- 4.14 The ATA suggests that the ACCC should consider plan pricing based on the amount billed, rather than amount paid after any adjustments, as this is likely to be more reliably held and auditable than an "amount paid" field affected by payment timing, credits, adjustments or third-party discounts.
- 4.15 Providers may not have access to discounts applied independently by third-party retailers to prepaid SIMs or recharges and the rules should not assume that record keepers hold point-of-sale information controlled by another business.

- 4.16 We further note that bundled discounts can apply at product or invoice level, creating a risk of duplication if the same discount must be reported against multiple services. Fixed voice services can similarly involve multiple lines and locations within a broader business offer. The ATA therefore suggests that the ACCC should provide clear allocation rules if it seeks to pursue this aspect of its proposal. We also suggest that it first consider whether actual pricing paid is already available to it using reported Division 12 revenue data and internet activity SIOs combined with published ARPU.
- 4.17 The ATA also suggests that legacy or grandfathered plans should be excluded where their inclusion would create disproportionate complexity for a small cohort and limited regulatory value. The ACCC could set a materiality threshold for inclusion of legacy plans.

OTHER ISSUES

- 4.18 The definition of ‘retail’, which refers to services supplied to end-users under generally available standard terms and conditions rather than negotiated commercial arrangements, could inadvertently extend to other wholesale and SMB services. This would materially expand the scope of reporting and significantly increase compliance costs. The ATA recommends that the definition be reviewed to ensure it only captures consumer retail brands.
- 4.19 Not all data is available to all reporting providers, and data may not be comparable. The rules should recognise where providers are dependent on upstream networks, and permit ‘not available’ and ‘not applicable’ type responses, rather than requiring guessed or contrived, unreliable manual responses.

5. PROPOSED ALTERNATIVE MODEL

- 5.1 To address these concerns, the ATA recommends an enhanced aggregate or cohort-based model. The objective would be to provide the ACCC with improved insight into plans, prices, discounts, usage and switching while avoiding routine transfer of every individual service record.
- 5.2 A cohort model could group services by relevant dimensions such as service type, plan, geographic area at an appropriate level, customer segment or price band. It could include counts, totals, averages, ranges and distribution measures such as standard deviation or percentiles.
- 5.3 This approach would build on existing aggregate reporting capability while providing more detail than current summary returns. It would also allow providers to validate and explain the information more effectively, reduce transfer volume and security exposure, and avoid the ACCC receiving individual records only to aggregate them for analysis.
- 5.4 We further suggest that:
- (a) the requirements
 - require only information reasonably available to the record keeper in the ordinary course of business, noting RSPs have no business need for reporting in the proposed format;
 - recognise dependencies on wholesale and network providers;
 - include a clear treatment for unavailable, not applicable and unreliable fields;
 - avoid treating non-comparable billing or usage constructs as if they were standardised across providers; and
 - include upstream cooperation arrangements where a retail provider is required to report information controlled by another party.

- (b) the ACCC assesses representative market research as a complementary or alternative tool. A well-designed representative survey could provide information that is not available from billing and network records, including consumer motivations, perceptions and switching behaviour, at materially lower industry burden.
- 5.5 Where the ACCC identifies a particular competition or consumer issue that cannot be assessed through the agreed cohorts, or complementary tools, it could seek more granular information on an exceptional, targeted basis.
- 5.6 A possible model is included at [Attachment A](#). Should the ACCC accept this as a framework for an alternative model, we suggest that the precise cohorts and measures be developed with industry and tested against specific ACCC use cases before the RKR are finalised. The ATA would be happy to assist in discussions, as required.

6. IMPLEMENTATION TIMEFRAMES

- 6.1 The consultation paper proposes finalising the instrument in Q4 2026, a first reference period in September 2027 and the first report on 11 November 2027. It also proposes one-month reference periods ending on 31 March and 30 September, with reports due six weeks later.
- 6.2 The ATA is concerned that this timeframe is too short; as this submission explores, we are concerned that the proposals require considerable work to enable a workable, affordable, safe and secure scheme. Providers cannot reliably scope, fund, design, build and test a reporting solution while material requirements, governance and security measures remain unsettled and no scheme should commence until final rules, definitions, methodologies, schemas, validation rules, templates and transfer specifications are complete and stable.
- 6.3 The implementation period should also recognise that newly captured record keepers may be creating reporting capability from the ground up and that wholesale-dependent providers will need to establish data supply arrangements with upstream parties.
- 6.4 The commencement date should also account for delays in the consultation process and overlap with other major industry reforms, such as the Telecommunications Consumer Protection Standard and the Scam Prevention Framework. We also note the consultation on amending *Privacy Act 1988* (Cth) recently closed, and the findings from this review are likely to require significant changes to data collection and use practices.
- 6.5 Additionally, the proposed six-week reporting period is not sufficient for all providers to extract, reconcile, validate, explain and authorise very large returns, particularly where information must be obtained from wholesale or network suppliers. We recommend that:
- providers should receive at least two months after each reference date.
 - the first reporting cycle should also be collaborative and educative. Where a provider has acted in good faith, the ACCC should prioritise guidance and remediation for data availability, quality and dependency issues rather than punitive enforcement.

ATTACHMENT A

DRAFT ALTERNATIVE REPORTING PROPOSAL: ENHANCED COHORT-BASED REPORTING

An Enhanced Cohort-Based Reporting model such as that presented below could be considered as an alternative to the ACCC's proposal.

Note that although our members are broadly supportive of the concepts presented, the specifics would need to be worked through to ensure all reporting parameters are clear and achievable. For example, to clearly define what is included in 'account flows'; how one-off discounts, or account-level discounts could reasonably be apportioned to individual services.

Under an enhanced cohort-based model, retail providers would report aggregated market outcomes across defined customer cohorts, rather than submitting customer-level records. Cohorts would be based on factors such as product, plan, technology, speed tier, usage band and, where relevant, geography or legacy product status.

The model is intended to provide the ACCC with information on:

ACCC information objective	Reporting under cohort model
Actual prices paid by customers	Distributions of actual recurring charges within comparable product and technology cohorts
Discounting outcomes	Proportion of services receiving discounts and distributions of discount values
Customer movement and competition	Opening and closing service numbers, additions, disconnections, churn and aggregate switching flows
Product and technology migration	Movements between plans, speed tiers, technologies and relevant legacy cohorts
Usage patterns	Customer volumes within ACCC-defined usage bands
Legacy product monitoring	Customer numbers, pricing outcomes and migration trends for material legacy products

Data collected

The proposal retains key plan-level information that supports market analysis, including:

- Brand and plan identifiers
- Plan pricing and contract terms
- Access technology and network information
- Speed characteristics
- Service type
- Data inclusions and usage allowances
- Mobile and satellite service attributes
- Current and material legacy plan status

Data removed, replaced or aggregated

Rather than collecting individual service records, the model proposes:

Current proposed field	Alternative treatment
Scrambled customer IDs	Removed
Service start dates	Removed
Previous provider information	Removed
Individual billing records	Replaced with price distributions
Individual discounts	Replaced with discount distributions
Individual usage records	Replaced with usage bands
SA1-level geographic information	Replaced with broader geographic reporting
Individual switching records	Replaced with aggregate switching flows

A range of other customer-specific billing, usage and service attributes would be reported as aggregated measures rather than individual records.

Reporting outputs

The proposal envisages routine reporting of:

- Price distributions and pricing trends.
- Discount prevalence and discount value ranges.
- Customer additions, disconnections and churn.
- Switching and migration flows (e.g. opening and closing service numbers, gross additions, disconnection, churn and aggregate switching flows; and customer movement between speed tiers, plans, technologies and service categories).
- Technology adoption and migration trends.
- Usage distributions across defined usage bands.
- Customer outcomes on material legacy products.

Examples of outputs could include:

- Customer numbers by price band.
- Distribution of discounts applied across a cohort (while accounting for the difficulty of apportioning discounting in various scenarios).
- Customer movements between speed tiers.
- Migrations between access technologies (noting inherent limitations in accuracy; for example, a customer cancelling an old service and signing up to a new service with the same RSP may not be visible or accounted for).
- Growth or decline in usage cohorts.
- Trends affecting material legacy products.

Geographic reporting

The proposal suggests that geographic reporting be based on broader geographic cohorts rather than highly granular service-level location reporting. It also notes the potential for alignment with existing geographic constructs used in other telecommunications reporting frameworks such as the Wholesale RKR, which uses SA2 level .

Legacy products

The proposal would focus reporting on **material legacy products**, including:

- Customer volumes.
- Actual price distributions.
- Migration outcomes.

Rather than maintaining reporting for all historical plan variants, a materiality threshold would determine which legacy products continue to be reported.

Use of additional information

The proposal contemplates that where routine cohort reporting identifies a specific issue or area requiring further examination, more detailed information could still be sought using the ACCC's existing information-gathering powers.

Ends

