

IN THE MATTER OF an arbitration pursuant to
the Fast Track Arbitration Procedure dated 21
April 1994

Between

ALAN SMITH

Claimant

and

**TELSTRA CORPORATION LTD trading as
TELECOM AUSTRALIA**

Telecom

WITNESS STATEMENT OF _____

I, _____, Principal Technical Officer Grade 1, of 27 Tyers Street,
Portland, in the State of Victoria, solemnly and sincerely declare and affirm as follows:

BACKGROUND

1. I have been employed with Telecom for 37 years. I am currently a Principal Technical Officer Grade 1.
2. After completing my five year Technician training course in 1961, I worked on various exchange installations until 1972. In 1972 I transferred to Portland. During my time in Portland I have maintained ARF, ARK and RAX telephone exchanges and also customer premises and transmission equipment. I have also gained a good overall knowledge of how Telecom's network operates.
3. In 1967 I passed exams which qualified me as a Senior Technician. I have also attended numerous Telecom training courses concerning equipment I had previously been unfamiliar with and to keep abreast of new technology.

MR SMITH

Cape Bridgewater RAX exchange

4. In August 1991 the Portland to Cape Bridgewater RCM systems were installed and provided all Cape Bridgewater customers with a direct connection to the Portland AXE 104 exchange.
5. During the period 1985 until August 1991, I was responsible for maintaining the Cape Bridgewater RAX exchange and ensuring that it performed to required Telecom standards as per exchange manuals and engineering instructions.
6. A monthly check of the Cape Bridgewater RAX exchange was conducted to confirm that it was performing to the required standard. This monthly check was in the form of a monthly test call run of 50 calls from the Portland exchange to an answering base at the Cape Bridgewater exchange. These monthly test calls

were nearly always 100% successful. In addition, congestion and traffic meters were read monthly which also indicated that the Cape Bridgewater RAX was performing to required Telecom standards.

- 7. The Cape Bridgewater RAX exchange was serviced by 5 outgoing and 5 incoming lines which were adequate considering the amount of traffic that was switched by the exchange.
- 8. The Cape Bridgewater RAX exchange was fully equipped to handle 90 subscribers. At the time it was replaced with the Portland to Cape Bridgewater RCM systems it had only about 66 subscribers and therefore was not operating to its full capacity.
- 9. The Cape Bridgewater RAX exchange was connected to the Portland ARF exchange. The Cape Bridgewater RCM systems provide a connection to the Portland AXE 104 exchange. Accordingly, the network provided to Mr Smith and other Cape Bridgewater customers since August 1991 is a totally different set up to that provided previously and is equivalent (with the exception of the wiring to and around his premises which has been tested many times) to Mr Smith moving his premises to a different geographic location. Nevertheless, Mr Smith's complaints have continued since August 1991.
- 10. Mr Smith is the only customer at Cape Bridgewater with a consistent complaint history.

AND I MAKE this solemn declaration conscientiously believing the same to be true and correct.

DECLARED at Melbourne)
 in the State of Victoria)
 this 12th day of December 1994.)

Before me:

Christopher Mark McLeod

CHRISTOPHER MARK McLEOD
Freehill Hollingdale & Page
 101 Collins Street, Melbourne
 A Solicitor holding a current
 Practising Certificate pursuant
 to the Legal Profession
 Practice Act 1958.