

FAX FROM: ALAN SMITH  
C. O. T.

DATE: 24.1.95

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NUMBER OF PAGES (including this page)

FAX TO: [REDACTED]  
[REDACTED]  
LAWYERS  
MELBOURNE

Dear [REDACTED],

### ARBITRATION - TELECOM

I refer to your letter of 23 January, 1995.

Please may I suggest that, after viewing my reply to Telecom's Defence Documents titled "Brief Summary Witness Statements Conflicting Evidence", under the heading of "Bell Canada International", you and the Resource Team will be in a better position to see the point I am making regarding the CCS7 data.

The report clearly shows that such CCS7 data was used in the Bell Canada testing for their findings regarding faults, switching losses, busy, congestion etc. This information would have only come from the CCS7 equipment used to trap these test calls.

Mr. [REDACTED] of Telecom, in his letter to [REDACTED], states that Telecom have supplied to Mr Smith all CCS7 and working documents associated with the Bell Canada testing, but Telecom have only sent me one day of CCS7 data, for the 4/11/93. The Bell Canada testing did not start until 5/11/93 and it ended at 14.30 hours on 9/11/93. The working documents that have been supplied, copies of which are being sent with this document, do not completely correspond with those from the Bell Canada Publicly Released Documents. Although I do not wish to confuse the main issue in your response to Telecom's letter, I do believe that there are still issues related to this Bell Canada testing that should be clarified, along with the response to this letter.

After the Resource Team views this report of mine, using the Bell Canada Report and Telecom notes, the Resource Team will again see variations, conflicting testing results associated not only with the Bell Canada testing, but also associated with the NEAT testing which was carried out at the same time as the Bell Canada testing.

My letter to you on the 28th August, 1994 regarding the contents of this report shows three different sets of testing on the 5/11/93, from three separate locations and all to the same PTARS at the RCM in Cape Bridgewater. This letter spells out my concerns.

[REDACTED]. Telecom's defence documents show testing from 1988, some 44 monthly test sheets, tests to a PTARS at Cape Bridgewater. Not one of these test sheets was signed. We have so many tests that were supposed to have been received at Cape Bridgewater yet NO signatures can be seen anywhere.

On 11th December, 1992, [REDACTED] of the Corporate Secretary's Office, sent a letter to Jill Cardiff, Senior Assistant Ombudsman at the Commonwealth Ombudsman's Office. This letter speaks of test calls. There are improprieties apart from this issue concerning these test calls that I have addressed with the Commonwealth Ombudsman's Office under section 9 of the Act. However, in relation to the test calls in question, some 34,686 calls that were supposed to have been generated to Cape Bridgewater. Telecom has not been able to produce

technical data to validate any of these test calls. Telecom has though, in their letter to Ms Cardiff, stated that, out of those 34,686 test calls only 106 failures occurred. However, in Telecom's own Defence Documents, appendix 5 at 31, they state that the failure rate was 1,569.

C.O.T. and its members, myself included, have asked Telecom repeatedly to provide this technical data regarding these so called 'received calls' at our businesses and at test stations. Telecom has failed here at Cape Bridgewater to supply any data at all to validate even one set of test calls.

Further to my report on the Bell Canada testing it will be seen, from Telecom's own documents, that the NEAT testing was capturing (or should I say, was supposed to capture) all tests to my business. My question is, did Telecom have two sets of CCS7 operating at the one time; one to my business and one to the PTARS at the RCM at Cape Bridgewater? Whichever, not one piece of CCS7 data has been produced for my viewing.

Also in this Bell Canada report, again using Telecom's own documents, it will be seen that Telecom had raw ELMF tape testing at this business sent directly to AUSTEL, but I have not yet seen the raw tape data which was asked for some six months ago.

The claim that I have against Telecom is that I did not receive all the calls which were intended for this business. Telecom states that they were received on a percentage basis. Telecom says that I received those calls percentage-wise but I have documentation that shows that this is not the case: letters from clients, businesses and from Telecom themselves, stating that they could not make contact as will. Test calls were a part of Telecom's proof that these calls did get through.

Telecom used CCAS and CCS7 testing equipment to capture these test calls to present a pattern in a graph/table form, for their own NNI investigating teams. The proof is in the CCS7 data. If Telecom have been unable to provide any testing results or data to show that test calls did finish at the intended location, the PTARS RCM at Cape Bridgewater or this business, then Telecom have no defence.

Your letter of 23 January, 1995 specifically mentioned that you wanted to be sure that there was no confusion surrounding the CCS7 data; that the dates shown in Mr Benjamin's letter were not misunderstood. My request is once again presented in this letter. CCS7 data had to be used in this testing, it is shown in the Bell Canada Report as being used. Without these CCS7 test results it must be seen that either Telecom is hindering my case, or they fabricated the testing.

I leave this matter in your hands.

Sincerely,



Alan Smith