

INTERIM FTSP
CLAIM

SENT 30TH
JANUARY



CAPE BRIDGEWATER Holiday Camp

Host - Alan Smith
Ph. 055 267 267
Fx. 055 267 230

RMB 4408
Cape Bridgewater
Toll Free 008 816 522

*Country
Get - Away
Historical Portland
Victoria's first permanent settlement*

27th January 1994

Mr. Warrick Smith,
Telecommunications,
Industry Ombudsman

Dr. Gordon Hughes,
Assessor,
Fast Track Proposal

Mr. Peter Bartlett,
Special Counsel to
Mr. Warrick Smith

Mr. John Rundle,
Ferrier Hodgson,
Accountants

This summary has been completed in two separate stages. The first extract on May 20th 1993, page 18, was given to both Senators, Mr. Richard Alston, Shadow Minister, Communications, and Mr. Ron Boswell, National Party in the Senate in July 1993.

The additional segment was completed at the end of October 1993. These two summaries were from information kept by me on known communication faults. There was at a time prior to this that I thought the only justice to be reached was a Senate Enquiry followed by a book of facts of the faults monitored here at Cape Bridgewater.

I present these summaries for your viewing. This should give an insight into some of the difficulties experienced during my years when trying to run a telephone dependant business.

I have also mentioned this on occasions in this summary. These are only registered faults with evidence. Verbal faults or hearsay are only mentioned in brief. I have had many of these over the past years. One can summarize the devastation from the now mentioned typical verbal complaint, Phillips McDonough & Associates Pty. Ltd., Insurance Assessors & Loss Adjusters.

On ringing this company, based in Mount Gambler, South Australia, when we, C.O.T. agreed on the fast track proposal I rang to ask if I could gain some information on putting together my assessment of losses re Telecom. After talking for only two minutes Mr. McDonough asked had the Cape Bridgewater Holiday Camp storm damage some three years ago. It had. Mr. McDonough's company was appointed loss adjusters by my insurance company, NZ Insurance. He quoted from memory. At the time of trying to make an appointment to assess the damage he and his partner could not ring into the Camp. It appeared our phones did not work. The company ended up by sending a letter of intent to present themselves at a date. This letter I remember. Although this complaint is verbal it is recent, therefore I have included the name and telephone number as reference (087) 25 5166.

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Likewise, here is another example - Hamilton High School. I have a written letter confirming the communication difficulties experienced by Mr. Tony Speed, Camp Co-ordinator of that school. He has been aware of the telecommunication faults here at the camp for the past four years.

This school can be used as an example scenario of typical revenue loss.

Hamilton High School amalgamated with Hamilton Secondary School late last year. Mr. Tony Speed is Camp Co-ordinator for both schools. For the past four years Hamilton High School has stayed for a two-night camp here at Cape Bridgewater. Those past four years have yielded revenue of \$15,000 with an average student number per year of approximately 70 - 80.

On 16th February to 18th February this year I will have an average student attendance of 160 for the two nights. This camp is worth approximately \$8,700.

We now look at a very painful situation.

Had Mr. Tony Speed not known of my communication problems three years ago and elected to go elsewhere just the revenue lost from this one customer would be \$23,700 (including this and past three years camps). This is a lot of money.

When you look at the 48 letters I have received from other customers who took the time to write of their experiences in trying to contact Cape Bridgewater, we then realize that there must have been many others who did not bother to persist in trying to make a connection to this business.

One had only to read the letter from the Camping Association of Victoria to understand the name I now have and the customers I have lost.

Whatever assessment is reached of the losses incurred due to these five years of an inadequate phone service, five years where Telecom have blatantly lied about my service, the fact that I had to re-borrow on my mortgage to service it during this time mattered not. This loss will never be measured. My health and wellbeing, like the others of C.O.T., have been stretched to the limit. And, still we are fighting Telecom for our rights under the F.O.I. Act to gain evidence of this injustice.

HEAR WE GO AGAIN! TUESDAY, 25TH JANUARY 1994!

On trying to service my mortgage via St. George Bank, Sydney, last week I applied for a \$5,000 loan. That afternoon, at 12.05 I heard one ring, then nothing. At 12.20 I heard one ring then nothing. Half a minute later I heard one ring, then nothing. Half a minute later my phone rang normally. I answered to find that a lady who identifies herself as Michelle from the Loans Department, Sydney St. George Bank. My loan was declined due to my last six years of bad credit rating. I take this on the chin. However, I then asked this fine Australian lady did she experience communication problems before she made contact with the Camp. (SHE DID!) While dialling my 008 number, 008 816 522, she heard only a dead line twice. The other ring at 12.05 must have been someone else trying to ring. K

However, back to St. George, Michelle told me she ended up by ringing my other line 055 267267 to get through. I have spoken to her office in Sydney and contracted a Sandra Harris, who is reluctant to get involved, even though Michelle has agreed this happened. I have spoken to Senator Alston's office, Shadow Minister for Communications, about this episode, Austel, and a letter has been written to Mr. Warwick Smith, Telecommunications Industry Ombudsman. I am led to believe he will chase this up and apply for a letter from this staff member of St. George Bank. K

I guess now that I have once again put pen to paper. We now go to:

JANUARY 13TH, 1994

Mrs. Tina Velthuyzen tried to ring this business on the morning of this day at 11.38. She has sent along with a letter a Statutory Declaration outlining her difficulties this day in making contact with my Camp.

She rang my 008 number, 008 816 522 seven times. Each time this line was busy - engaged. The eighth time she heard a voice announcement that the number she had dialled is not connected. She reported this to Austel and Telecom.

However, the saga is not yet over. After receiving my 008 account I found that I was charged for three calls which did not register into the Camp.

Telecom's computer print-out NOTE MINE! MRS. VELTHUYZEN is adamant that she spoke to me once only in the afternoon of this day, yet there are three charges.

I might also go back to Christmas and provide more with evidence of a Mr. Jim Humphreys of Mount Gambier. When trying to book into the camp for a Singles Group weekend for three days, he tried to make contact only to get a dead line after many attempts. On the third day he heard a voice announce that we were not connected. However, on the fourth day he got through. It was lucky I did not lose his patronage. He knew of this telecommunication problem as others he had spoken to in Mount Gambier, South Australia, knew of our difficulties. I have a letter from him about this episode.

Now that an assessor has been appointed I was not going to record these faults as I do believe my phones are 200% better than they were four months ago. But again, after losing five faxes a week ago in sending to my accountant, Mr. Selwyn Cohn, my fax registered them as being received. However, on sending the first two, my accountant received the first batch. Then 30 seconds later I sent the other five faxes. Where they ended up is anyone's guess!!! However, my print out records this five as having been transmitted to my accountant, but he did not receive them!.

I spoke with our spokesperson, Graham Schorer, three days ago. My phones don't ring even now, although they are probably 200% better than four months ago. But I have the same nasty feeling as Graham - that the damage is now done and it will take a long haul back to get our should-have-been customers ringing our numbers. The other two C.O.T. cases have already lost their businesses: Ann Gaums and Maureen Gillen. The price for running up against a Government utility has taken its toll!

A documentary has already been started, at least the letters have gone out. Mr. Alston, Shadow Minister for Communications, has agreed to be interviewed, likewise Mr. Campbell, Telecom Group Manager, will, I hope, be pro-active. This 50-minute documentary will show how eight business persons and four C.O.T. members have been treated over many years by Telecom, the Government, Bill Canada South and others. Austel, the Government of the day, has to sit up and take notice.

The documentary is not for vengeance only a case of record.

Allan Smith



AUSTRALIAN TELECOMMUNICATIONS AUTHORITY

92/0596(8)

27 January 1994

Mr S Black
Group General Manager -Customer Affairs
TELECOM

Facsimile No: (03) 632 3241

Dear Mr Black

**ISSUES RAISED BY MR ALAN SMITH - CAPE BRIDGEWATER HOLIDAY
CAMP**

Mr Alan Smith has recently raised a number of issues relating to his service generally and to his 008 service. AUSTEL requests that you investigate and report on the issues raised by Mr Smith as detailed below. The 008 issues relate to the period covered by Mr Smith's most recent bill. A copy of the relevant page of this bill is attached with this letter.

- (1) Mr Smith's 008 bill records 4 calls made on 5 January 1994 from the origin 05521. These call were made between 4.29 & 4.39 pm. Mr Smith states that he did not receive these calls. He has investigated the matter himself and established that the calls were made from 055 212 671, being the facsimile number of the Portland Tourist Bureau. Evidently the Manager of the Tourist Bureau, Ms Burch, tried to send a facsimile to Mr Smith on the wrong number. Mr Smith states he did not receive these calls on the date and time in question, and is adamant that no calls with a fax tone were answered by him on this date. He is 95% sure that his phone did not ring on the date and time in question.

In responding to this issue, can you please address the possibility that calls may have been incorrectly switched elsewhere in the network than Cape Bridgewater Holiday Camp, and that the charging system servicing Mr Smith is operating inaccurately.

- (2) Mr Smith's 008 bill records 3 calls made on 13 January 1994 around 1.50 pm from the origin 03 580. These calls were all of short duration, being respectively of 4, 8 and 20 seconds duration. Mr Smith has stated that Tina Velthuyzen (telephone number 03 580 4710) rang Mr Smith once on his 008 number on 13 January around 1.50 pm, conversing for approximately 10 minutes. (Two calls were also made by Ms Velthuyzen at 11.38 am and 11.46 on 13 January - there is no dispute with these calls.) Mr Smith has

5 QUEENS ROAD, MELBOURNE, VICTORIA
POSTAL: P.O. BOX 7443, ST KILDA RD. MELBOURNE, VICTORIA, 3004
TELEPHONE: (03) 828 7300 FACSIMILE: (03) 820 3021

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stated that Ms Velthuyzen will corroborate his statement of the call made at 1.50 pm. Mr Smith is concerned with the integrity of the 008 billing system, as the bill data does not correspond with Ms Velthuyzen's and his recollection of calls made at this time.

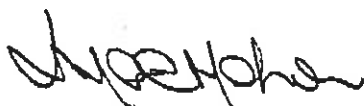
- (3) Mr Smith's 008 bill records a call made on 16 January at 7.23 pm of duration 16 minutes 24 seconds. Smith said he has no recollection of this call and questions whether it was made.

In responding to this issue, can you please provide the full telephone number of the party making the call to Cape Bridgewater at this time and date.

- (4) Mr Smith has also sought advice as to whether his service has been subject to either recording or voice monitoring at any time and, if so, when and for what purpose.
- (5) Mr Smith is preparing his fast track settlement claim. An aspect of this apparently involves the identification of two test calls included in a previous bill. At Mr Smith's request the identification of the Telecom personnel who made these calls was sought by AUSTEL in a letter dated 15 October 1993 but was declined by Mr Pinel on the grounds "that further detail as to the purpose and intent of this information" was required before identification would be considered. (Letter dated 8 November 1993.) Regardless of the rights or wrongs of that decision, Mr Smith now seeks a statement from Telecom that its personnel did make these calls at the time and for the duration shown - for this purpose the identification of the personnel is not required.
- (6) Finally, regarding the ELMI tape left inadvertently at his premises, Mr Smith has asked the significance of the arrows drawn on the tape and for a statement of the quality of service for the seven days in question.

Can you please respond to the matters raised in this letter by 4 February 1994. If you have any queries on matters raised in this letter, please contact Bruce Matthews on 828 7443.

Yours sincerely



John MacMahon
General Manager
Consumer Affairs

cc Mr A. Smith

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I, TINA VEITHUYZEN

206

of 15/23 GOVERNOR RD
MORDIALLOC

in the State of Victoria

do solemnly and

sincerely declare

THAT On the 30th of January I called Cape Bridge water Hacking Camp on 008 816522 seven times one after the other but the number was engaged. However when I called the eighth time I got a recording telling me the number was not connected. I did dial again to get through when I told the owner of the camp this he asked me to ring John McMahon at Austel who was not available I did however speak to Mr Matthews who asked me to tell him exactly what happened I did this. Mr Matthews then rang back - asked me to report the fault to Telecom Business faults which I proceeded to do.

T. Veithuyzen

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of an Act of the Parliament of Victoria rendering persons making a false declaration punishable for wilful and corrupt perjury.

DECLARED at Mordialloc in the
State of Victoria this 20th
day of January One thousand
nine hundred 94

T. Veithuyzen

Before me

R. OWEN
Solicitor

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05-01-94 15:39

217287

PORTLAND TOURIST ASSOC

2060

307 P01



Portland
— Victoria's Birthplace —
1834

City of Portland

Municipal Offices
Charles Street,
Portland, 3305.
P. O. Box 152

Telephone (055) 22 2200
Fax No. (055) 22 2290
AUSDOC No. DX 30509



City of Portland

In reply please quote:

Ref.

FACSIMILE COVER SHEET

TO: ALAN SMITH
FAX (008) 81 6522

FROM: CARRIE BURCH
Manager, Portland Tourist
Information Centre
FAX (055) 21 7287
Ph. (008) 03 5567

PAGES: 1 OF 1

DATE: 5 JANUARY 1994

MESSAGE:

After hearing of your problems with Telecom and the 008 number, I became aware of similar problems here at the Tourist Centre in Portland. I have received calls from people on our regular number, stating that they have been trying to call on the 008 number - receiving a recorded message to the effect of "This number has been disconnected, call the operator to check the number before trying again." Also, our number has been given out by directory as the 008 number for several other tourist centres. These range from Port Macquarie, Tasmania, and also South Australian tourist offices, among others. I hope this information is useful with your efforts to fix the system.

Carrie

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