

Complaint number 1-64960155 Mr Gary Looney

Tuesday, 31 January, 2006 10:11 AM

From: "Colbeck, Chris L" <Chris.L.Colbeck@team.telstra.com>

To: "Gary Looney" <g_looney2000@yahoo.com.au>

Dear Mr Looney,

Further to my e-mail to you dated 27 January 2006 that outlines Telstra's offer to you in resolution of your concerns, and based on your response e-mails, we are happy to meet your request for your ISDN service to be disconnected and replaced with Satellite service.

My e-mail issued to you yesterday provided you with information to assist you in determining whether your equipment and software is compatible and meets satellite service criteria.

You indicate that you believe that your equipment is capable in accessing your required services. However, we are concerned that you will not be able to access the specific services that you have stated to require access to and subscribe to. Therefore, we kindly request that you bring your PC into our Broken Hill office so that we can test your equipment to definitively determine that you will be able to access the products you state to require.

If the trial is successful and you wish to proceed with installation of a Satellite service, we are happy to provide you with free installation in the interest of maintaining good customer relations with you.

However, as with-mentioned in my e-mail issued to you on 27 January 2006, the Big Pond Satellite monthly subscription prices are set and you will be liable to pay the standard monthly plan fees for the service. You will also be liable for any charges incurred for early termination of your contract, which includes the churning of your service to another carrier.

For your convenience, I have information on the monthly plan fees for each of our satellite services set out below:

BigPond Broadband 1-Way Satellite Plans ²						
Plan Name ¹	Monthly Fee ⁶	Monthly Plan Usage Allowance ³	Speed ⁴ (download / upload)	Additional usage (Cents/MB after allowance)	Ideal for	
1-Way 256 200 MB	\$49.95	200MB	256 kbps / dial-up	15c/MB	Casual web use	
1-Way 512 500 MB	\$59.95	500MB	512 kbps / dial-up	15c/MB	Regular use, higher download speeds	
1-Way 512 2 GB	\$79.95	2GB	512 kbps / dial-up	15c/MB	Heavy use, higher download speeds	

Offer to me for 2 Gig Plan

BigPond Broadband 2-Way Satellite Plans²

Plan Name ¹	Monthly Fee ⁶	Monthly Plan Usage Allowance ³	Speed ⁴ (download / upload)	Additional usage (Cents/MB after allowance)	Ideal for
2-Way 256/64 500 MB	\$104.95	500MB	256/64 kbps	15c/MB	Regular web use
2-Way 512/128 500 MB	\$124.95	500MB	512/128 kbps	15c/MB	Regular use, higher download speeds
2-Way 512/128 2 GB	\$249.95	2GB	512/128 kbps	15c/MB	Heavy use, higher download speeds
2-Way 800/128 4 GB	\$499.95	4GB	800/128 kbps	15c/MB	Experienced heavy users, highest download speeds

BigPond Broadband Regional Connect

Plan Name ¹	Monthly Fee ⁶	Monthly Plan Usage Allowance ³	Speed ⁴ (download / upload)	Additional usage (Cents/MB after allowance)	Ideal for
BRC 256/128 500 MB	\$109.95	500MB	256/128 kbps	15c/MB	Regular web use
BRC 512/128 2GB	\$139.95	2GB	512/128 kbps	15c/MB	Heavy use, higher download speeds
BRC 800/128 4GB	\$199.95	4GB	800/128 kbps	15c/MB	Experienced heavy users, highest download speeds

Cancellation fees

All Big Pond Broadband Satellite plans and packages are for a term of 18 months.

If you cancel your contract before the end of the 18 months, the cancellation fee will be pro-rated for the amount of the contract term left to run.

Our base cancellation fees are:

- 1-Way \$495.00
- **2-Way \$699.00**
- Broadband Regional Connect \$500.00

If you cancel a 1-Way contract with 12 months still to run, for example, you will be charged \$495 x 12/18 = \$330.

Things you should know

1. All Satellite Plans and Packages are for a term of 18 months.
2. You can switch between plans at any time during the contract term.
3. For 2-Way customers, monthly Plan Allowance (MB and GB) means combined upload and download data transfer (except for some traffic provided from time to time by BigPond at no cost). For the purposes of calculating usage, 1 Gigabyte = 1000 Megabytes, Unused usage allowance forfeited. For 1-Way and BRC customers, monthly Plan Allowance (MB and GB) means download data transfer (except for some traffic provided from time to time by BigPond at no cost). For the purposes of calculating usage, 1 Gigabyte = 1000 Megabytes, Unused usage allowance forfeited.
4. Actual speeds will vary depending on Internet traffic, site server capacity and other factors.
5. Usual telecommunication charges apply to dial-up to the Internet.

With regard to your claim for \$1000.00 compensation, our position remains the same. We require documentation from you to support this claim, for Telstra to assess and we will then provide you with response to this claim, should you still wish to pursue the matter.

On that basis, I kindly ask that you contact me prior to the 10th February 2006 to confirm whether you would like to maintain a connected ISDN service, or if you would like to have Satellite services installed.

We will need to test your PC as stated above prior to installation of satellite service, I am happy to provide you with the additional information and prices and to discuss the products that will be most suited to your needs.

Regards

Chris Colbeck

Local Area Specialist

Telstra Country Wide

Western NSW

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