

Operational Model Premium SMS Monitoring

August 2009

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OPTUS

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Overview



- This presentation is a follow up to the 2 previous packs sent to aggregators regarding Premium SMS monitoring.
- This pack provides further detail on the following operations items;
 - Commencement dates
 - WMC Global (WMC) engagement model
 - WMC In-Market Monitoring (IMM Portal) web interface logon creation and administration
 - The operational flow
 - Escalated response - enforcement of infringement notices
 - WMC contact / touch points
 - Model changes and ongoing developments
 - Commonly asked questions and answers

Important:

WMC has been contracted directly by Optus to administer in market monitoring. As a result WMC be implementing and operating the “in market” monitoring solution with specific direction from Optus including the severity levels to be applied to particular code breaches. We request that stakeholders remain objective in any discussions directly with WMC as WMC are in effect only acting as an agent of Optus in the administration of this model.

In Market Monitoring Commencement



Monitoring commencement (stage 1)

- WMC will commence monitoring of all Optus-connected Premium SMS services within the Australian market for Optus as of 1st September 2009. Infringement notices will be sent to aggregators and CP's with shortcodes infringing the MPS Code or Optus policy.

Monitoring enforcement

- **1st September – 30th September** – no response will be required by aggregators or CP's upon receipt of an infringement notice during this period.
- WMC will perform no enforcement of these notices. This non-enforcement period is designed to provide you with;
 - visibility of service issues prior to actual commencement of infringement notices
 - Familiarisation of the portal (IMM)
 - an opportunity to correct these prior to any future enforcement taking place
 - An ability to utilise the WMC feedback loop to raise queries against infringement notices

1st October onwards (Stage 2)

- WMC will begin to perform enforcement for premium shortcodes specified in the infringement notices that are in violation of the MPS code or Optus specific carrier policies.

Important:

- If an infringement is found to be of an extremely severe nature during stage 1 Optus will raise a breach notice as per standard Optus operating procedure outside the WMC process.
- If at any time (during stage 1 or 2) breaches are discovered by Optus outside the WMC monitoring solution, Optus will continue to breach as per standard Optus operating procedure.

WMC engagement model



Receipt of Infringement Notices

- In order to assist premium aggregator and CP workload, all Infringement notices will be dispatched by WMC every Tuesday (via email). This approach will avoid a constant 'drip effect' and has proven to be the most efficient operational model in other markets. The infringement notice will be provided via email in PDF format to both aggregators and CPs.

Responding to Infringement Notices

- Detail of the severity level response timeframes are provided in slide 7.
- **Direct email access** - for response to infringement notices. Aggregators and CPs must reply to the original email or raise a new email (maintaining the original email's subject line).
- **Direct web access** – In response to partner requests, aggregators can respond directly via the WMC website to infringement notices for a more timely response and acknowledgement. (CPs can only respond to audits by replying to the email notice).
- Aggregators / content partners have the ability to escalate or query the content of the infringement notice with WMC to challenge or seek further clarity.

WMC response times

- WMC will respond to any aggregator or CP queries in relation to a notice within 2 business days of receiving the query (usually within the same business day of receipt).

IMM Portal logons and administration



- WMC will work closely with Optus to formulate a listing of email addresses of all premium aggregators and content providers.
- WMC will create accounts for each aggregator and content partner with each stakeholder being sent an email by September 8th 2009, when the first infringement notices will be sent.
- The email sent out will detail the IMM portal URL (for aggregators only), the username and unique password.
- If there are any issues relating to IMM portal access, password issues etc an email can be sent to the following address requesting assistance:

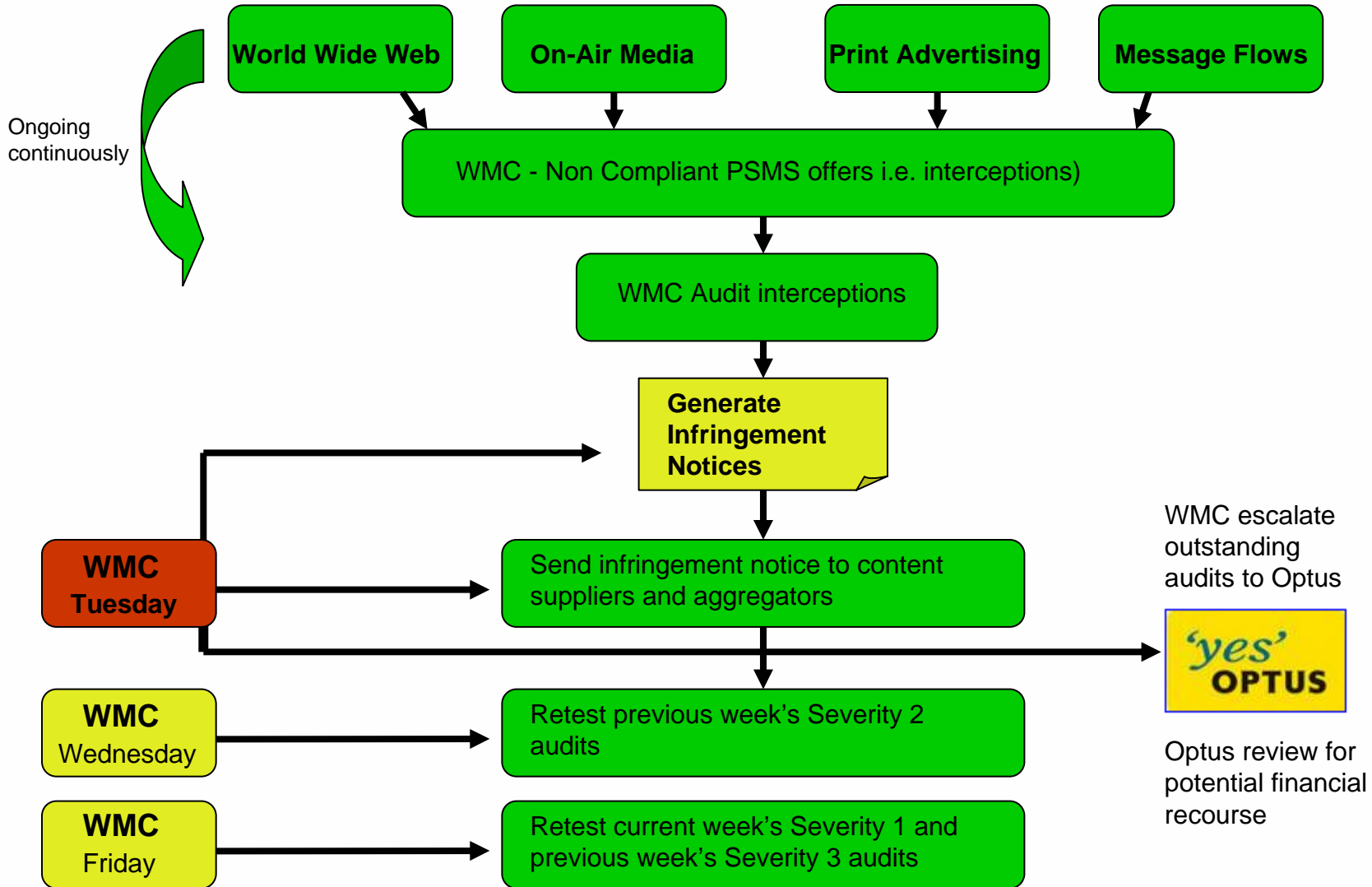
WMC contact / touch points

- optus.compliance@psmsindustrymonitor.com – for infringement notice issues. An email sent to this address must be in reply to a specific email sent by this address and maintain the original subject line of the compliance notification in order to be received properly.
- <http://www.au.psmsindustrymonitor.com> - the IMM Portal website aggregators will be able to access directly. CPs cannot access the portal directly – only via the infringement notices.
- support.au@psmsindustrymonitor.com – for password and general support queries
- **02 99591010** - help number used as a secondary method of communication on additional clarification of general enforcement issues/site access questions. Email should still be the primary since it will provide a written record of the enforcement communication.

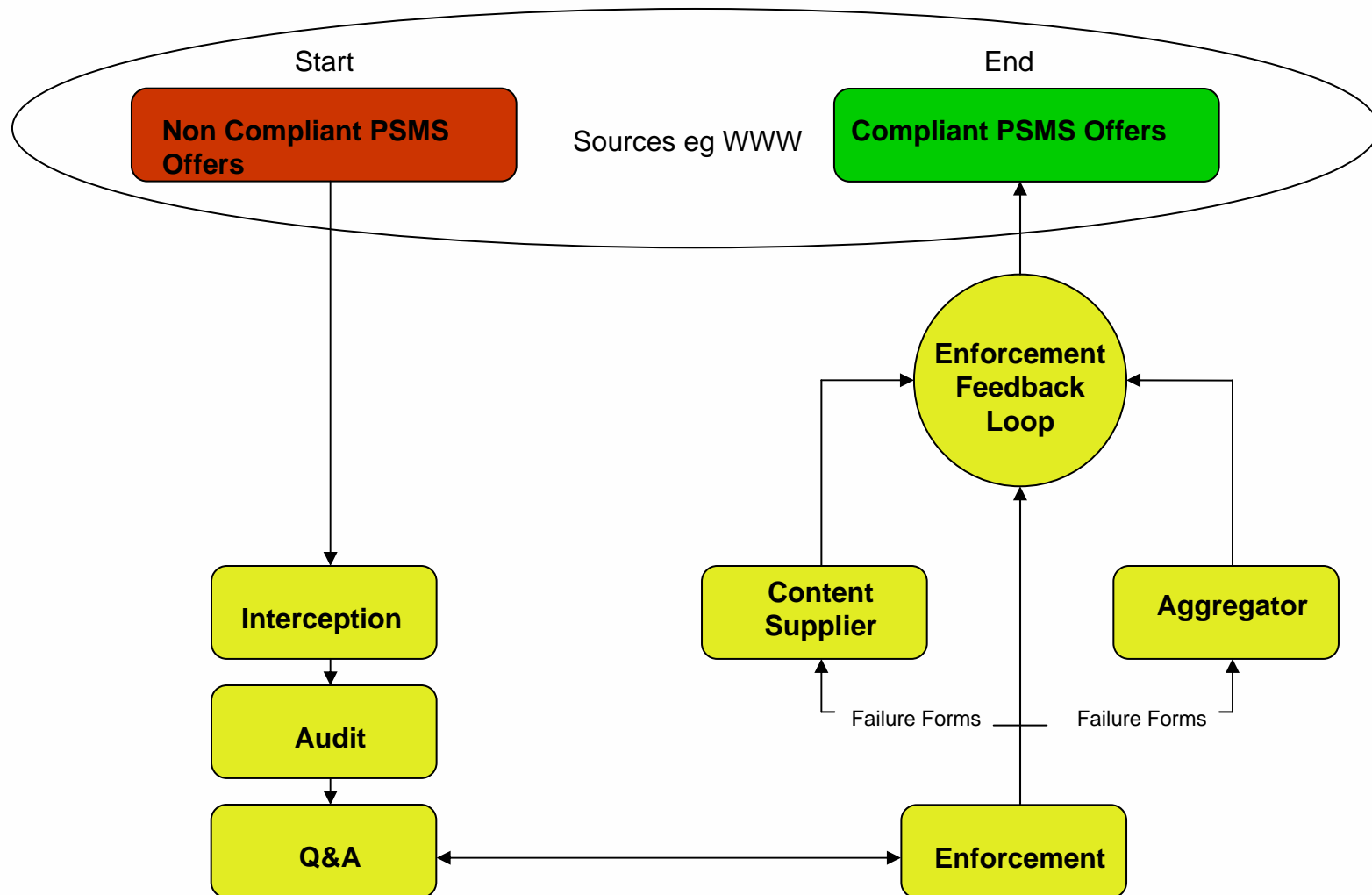
Important:

- It is imperative that all aggregators advise Optus of the appropriate email address that WMC correspondence should be sent to. The CP email address that you advise Optus of will be used to send out all WMC infringement notices.

Weekly operational flow



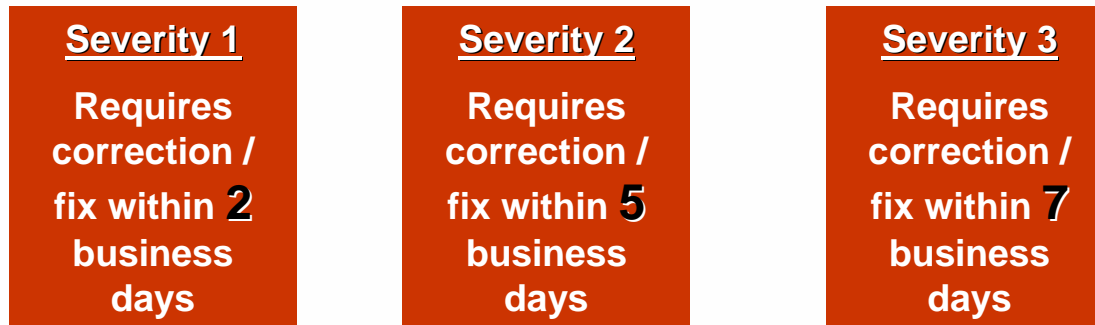
The commercial flow



Escalated response - enforcement of infringement notices



- Infringement Notices are divided into 3 distinct categories each with a mandatory required fix timeframe as follows;



- **Severity 1** - In some instances a severity 1 infringement may be of such seriousness as to warrant immediate rectification by the aggregator or content partner. In these instances Optus will issue an immediate Optus breach notice directly to the aggregator for follow up / correction as per the current operational practice.
- Infringement notices that are actioned by the aggregator or CP within the prescribed severity timeframe will in most cases warrant no further action.
- In instances where the service changes / fix have not taken place within the severity timeframe WMC will escalate to Optus who will in turn review the Infringement notice and decide whether to issue an Optus breach notification (similar breach process currently in place today).

Model changes and ongoing developments



Current model (baseline)

- Optus have worked closely with WMC to implement a solution that will provide the best possible outcome whilst limiting stakeholder operational impact where possible

Ongoing model refinement

- The current model will be refined over time in order to ensure operational efficiencies are met and improved
- Stakeholder input will be gathered by Optus at partner discussions and considered for potential refinements.
- The ongoing objective will be to ensure operation efficiency is optimised and administrative overhead is removed where possible.

FAQ's



Q: Will the shortcode infringement notification be sent to both the CP and the Aggregator?

A: Yes via email with an attachment in PDF format.

Q: Will Aggregators and CPs have the same level of access to the IMM portal?

A: No. Aggregators will have access to log directly into the IMM portal and will be able to view all infringements on shortcodes associated with that aggregator . Content Providers will only be able to access the details of their own shortcode infringements by opening the pdf attached to the email and clicking on the appropriate links/screenshots, which will take them to the relevant section of the IMM portal.

Q: How do I respond to an infringement notice?

A: Aggregators or CPs can reply to the email sent from optus.compliance@psmsindustrymonitor.com (maintaining the subject line). If an email is sent to this address without the correct subject line, it will be routed incorrectly. If there are any queries on aspects of compliance not specifically related to a particular infringement, an email can be sent to the Support email address (slide 5).

Q: What if the original infringement email is lost?

A: If the original email is lost, CPs and aggregators can send a mail to the Support email address detailing the infringement and WMC will resend the original email. Aggregators can also access the IMM portal to respond to an infringement directly.

Q: What are the associated financial penalties and how does this work operationally?

A: The penalties will align to the same penalties currently enforced by Optus. Assessment will take place on a case-by-case basis as required. This will be similar to the current Optus breach notice process.

Q: What are WMC specifically looking at, i.e. all aspects of the code or starting off with focus on some particular components / hot points?

A: WMC monitoring will initially be focussing less on the new aspects of the MPS code, with more emphasis on the older compliancy requirements. Notwithstanding this initial approach it is imperative that in operating any service Premium Managed Partners are responsible for ensuring compliance with all applicable laws, regulations, standards, content requirements and applicable industry codes of conduct in relation to that Promotion. For the avoidance of doubt, but without limitation, this includes compliance with the *Interactive Gambling Act 2001 (Cth)*, the *Spam Act 2003 (Cth)*, the *Privacy Act 1998 (Cth)*, the *Telecommunications Act 1997 (Cth)*, the *Broadcasting Services Act 1992 (Cth)*, the Content Services Code 2008 and the Mobile Premium Services (MPS) Code 2009.

Q: Will there be a walkthrough session where aggregators can ask questions of Optus / WMC?

A: Optus intends to establish a WMC education / engagement session with aggregators shortly after the operational model has been deployed i.e. within 4-6 weeks post launch. This approach has been suggested as it provides enough time for the solution bed down for a short time such and allow for more constructive stakeholder feedback / engagement.

FAQ's...cont



Q: Is there to be an online question / help facility to assist aggregators and CP's with service compliance questions?

A: Yes Optus and WMC are working collaboratively to provide for an online Q&A section on the new WMC website.

Q: Will the IMM be integrated with the Optus web tool in any way?

A: No the solution operates entirely independently of the current Optus Premium Services Web Tool.

Q: Will WMC offer an additional compliancy service that we can submit material through for compliance review prior to and post launch of a new shortcode service?

A: As with other overseas markets WMC are not currently in a position to provide this service.

Q: Are we able to get some sample data prior to the system going live?

A: Between September 1 - 30 WMC will be monitoring the market and any infringement notices generated will be sent to stakeholders and be available for review on the IMM portal to provide 'real' sample data. Optus strongly encourages that this information be utilised to fix any issues included in these infringement notices even though no official enforcement will be performed during this period.

Q: Will there be separate infringement notices created for breaches across each carrier and if so is there any way to decrease the amount of input and review required to address the same service issue across multiple carriers?

A: Yes separate notices will be created (per carrier) however if a shortcode has multiple breaches when tested these will all be combined within the same email and only sent out on a Tuesday basis (each week) in order to assist with the management of workload required to process these notices.

Q: How do aggregators know when a CP has resolved/fixed an infringement?

A: Aggregators will receive a weekly summary of all infringements raised against that aggregator, highlighting any open items.

Q: What are the severity levels associated with the end to end monitoring, can a list be provided with further detail of these?

A: These are detailed in (slide 7) of this pack. Further detail on the actual severity breakdown levels and what falls into each severity will be provided for in the WMC website - FAQs section.

*It is important to note that severity levels will be reviewed at regular intervals by Optus and in line with particular industry compliance hotspots. A current listing of the Optus audit standards is provided for reference purposes at end of this pack. These audit standards will be reviewed quarterly.

Aggregator Action Points



- Aggregators are required to submit to Optus the email address to which all WMC correspondence should be sent.
- WMC will be in contact with you shortly to obtain a listing of short codes and associated CP email addresses

Other



If you have any further questions relating to the WMC In-Market Monitoring model please do not hesitate to raise these with Brent Suhr in your commercial meetings / discussions.

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