

From: [REDACTED]  
To: [Tollroads](#)  
Subject: QLD TOLL INQUIRY  
Date: Wednesday, 18 July 2018 10:50:11 AM

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To whom it may concern,

Thank you for looking into this extortion style business model from Transurban.

I was hit with a \$6500 court order in which only approximately \$700 was actual toll fees.

My spere debt has gotten out of control from tolling infringements up to over \$220 per unpaid toll.

This is a private enterprise abusing power given to it by the government. Something has to change. The community that suffers most are the ones that can least afford the debt.

If every business had the power to charge such high recovery fees and suspend licences from non payment the economy would be in turmoil.

Please consider the community first during this enjuiry.

The following is the very first of many correspondences I undertook with transurban to dispute the court order. After 6 months the best offer they came back with was an "offer in good will" to reduce it to \$2000. On request from myself to explain how the discounted offer could be tracked to each individual toll invoice so I was aware what tolls the discount applied to and which ones it didnt they simply said it was in good faith the discount was applied and they felt not further explanation needed to be addressed.

On asking if I could pay off the \$2000 as I was in times of hardship they refused and various debt collection agencies continue to contact myself chasing varying amounts.

Please see first email I sent to transurban in response to the court judgement below.

Dear [REDACTED]

I am writing in response to a Statement of Claim (SOC) that was delivered to me last week on behalf of Queensland Motorways Management (QMM) prepared by SLF Lawyers.

Firstly, I am unsure as to the proper protocol for responding to such communications, and given the significance of the allegations, I am writing to Transurban Queensland (the initiator of said action) and you directly, so you are aware of the concerns that I will raise below.

#### **Concerning Allegations**

I make no admissions of the allegations made in the SOC, but I do have some comments and questions about the conduct of QMM's parent company Transurban, who ultimately own and operate the go via network.

It is my understanding that the administration fees charged to toll road users are to reflect the actual cost of issuing invoices and collecting unpaid tolls. Can you please confirm to me in writing for and on behalf of Transurban that the thousands of dollars of administration fees your company alleges that I owe reflect the actual cost associated with issuing the Invoices/Notices to me, and would withstand an external audit, forensic analysis, legal challenge or Government inquiry? Further, provide evidence that all mail was properly addressed and posted and that I did in fact receive any of the Invoices/Notices prior to your company engaging SLF Lawyers?

These concerning allegations have and will aggravate my situation, adding considerable stress to my life in addition to what I already have. I intend to seek expert advice, but it would be concerning to me if upon

seeking advice I learn that your client has attempted to use the court process to pursue administration fees that do not reflect the actual cost of issuing invoices and collecting unpaid tolls, especially if there is some sort of rule or law that says they can't. I would be very interested in the discovery process should you proceed to take me to court. The administration fees you are alleging I owe are over \$6,000, for just over \$700 worth of tolls. I would imagine you are either going to admit to the court that these are not your actual costs, or prove they are by providing detailed evidence that it is your actual cost, and subsequently proving to your shareholders that you run an incredibly inefficient business. Either way, the administration fee amounts are stratospheric and have a crippling effect on your customers.

I will pay any and all genuine tolls that I owe within a reasonable time frame, but I am disputing the administration fees. To have a proper understanding of my account I require further information. Specifically I require;

- Your personal assurance that all action and communication from your agents, such as debt collectors and lawyers will be paused until such time that I have settled this dispute with your company.
- A complete detailed history of each toll gantry transaction in a spreadsheet for any transactions associated with my name [REDACTED] [REDACTED] that your company alleged is owed. This should include dates, times, payment status (including paid or unpaid), administration fees associated with each entry, dates notices were sent out, copies of all notices, any other documentation, and if and when any tolls were escalated to the state.
- A detailed breakdown of how your company came to the conclusion that the actual cost of administering the alleged unpaid tolls came to over \$6,000 to collect just over \$700 worth of tolls.

Finally, if someone from your call centre could contact me to discuss a way to ensure that I have a working account going forward, and that I do not incur any additional administration fees when travelling on your toll roads from today's date, that would be greatly appreciated.

Please acknowledge and respond to my email by COB, 11 September 2017.

I am happy to discuss this matter further if it means holding Transurban accountable for their poor customer service and astronomically high collection fees.

Kind Regards,

Daniel Mischefski

[REDACTED]