

## Consumer Switching

# A consultation on changes to General Conditions to give effect to changes to switching processes for fixed voice and broadband on the KCOM copper network

## Response by KCOM

31 March 2015

### Introduction

KCOM Group PLC delivers communications services to a range of businesses and consumers throughout the UK under a number of different brands. In Hull and East Yorkshire, as the incumbent provider KC delivers a range of communications services to business, consumers and other CPs. Nationally, Eclipse Internet delivers a portfolio of internet based communications services with a focus on the SME market.

We would like processes that are clear and efficient for customers and other providers. Therefore, KCOM is supportive of Ofcom's decision to extend changes to the processes used to switch voice and broadband providers to the KC (Hull) area copper network.

As a result of the amendments Ofcom made to GC22 in 2013, KC has already implemented changes to the processes used for voice switches in Hull. Process changes have also been made in our national businesses and for services KC operates outside of the Hull area using Openreach infrastructure. Additionally we are completing work to ensure full compliance with the requirements to implement a single GPL process using the NoT model, for broadband services by 20<sup>th</sup> June 2015. Aligning the requirements in Hull with those that apply in the rest of the UK provides consistency and clarity.

Having reviewed the draft changes to the General Conditions there are some definitional issues we believe need further consideration, as detailed below.



## Changes to the General Conditions

Within the statement, you state that you are specifically excluding switches between the KCOM and Openreach copper networks in locations where overlap exists between the two networks (i.e. the East Yorkshire Expansion (“EYE”) area).

However, as currently defined the “KCOM Access Network”, would mean any network that we have in any location. Consequently, this definition would require us to comply with the General Condition in areas outside of the Original Licenced Area, such as the EYE.

We believe there are two potential problems arising from the definition currently proposed: -

1. Switches between the Openreach and KCOM copper networks in the EYE and other areas outside of Hull would be covered by the General Condition when this is clearly not intended.
2. Although this scenario is unlikely to arise because we do not have obligations to provide wholesale access outside of the Hull area, the General Condition as currently drafted would potentially also cover the transfer of services provided over a KCOM line to another provider in areas such as the EYE.

Using the definition that is used to describe the KCOM network when Significant Market Power regulation is applied to KCOM, would provide the clarification needed. The “Hull Area” is “the area defined as the ‘Licenced Area’ in the licence granted on November 1987 by the Secretary of State under section 7 of the Telecommunications Act 1984 to Kingston upon Hull City Council and KCOM Group Plc”.

Within the Definitions section of the amended General Condition, there are references to “Wholesale Line Rental” and “Metallic Path Facility”. We do not offer WLR and MPF in Hull, instead we provide reseller products which enable other providers to offer line rental / call services and broadband to customers.

For reseller services, we intend to utilise the equivalent processes which are associated with WLR and MPF services, but we believe clarity may needed in the definitions to ensure this is the effect.



We would suggest the following amendments: -

“Slamming” means where a request for a CPS, WLR, SMPF and / or MPF has been made or, in the case of KCOM a request to transfer Communications Services to another Communications Provider has been made, or a Transfer Order or a Working Line Takeover Order...

“Working Line Takeover” means a process by which a Communications Provider takes over a WLR or MPF line in order to provide Communications Services or, in the case of KCOM takes over the provision of Communications Services to the Inbound Customer or End-User...

