

Consultation response form

Please complete this form in full and return via email to broadband.speeds@ofcom.org.uk or by post to:

Celia Pontin
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA

Consultation title	Broadband Speeds Code of Practice
Full name	Edwin Kayes
Contact phone number	[X]
Representing (delete as appropriate)	Self
Organisation name	
Email address	[X]
We will keep your contact number and email address confidential. Are there any additional details you want to keep confidential? (delete as appropriate)	No
For confidential responses, can Ofcom publish a reference to the contents of your response?	Yes

Your response

<p>1.1 Question 4.7: Do you have any comments on the proposed changes to the codes, as outlined in this consultation document (including Annex 1)? Please provide reasons for your response. In particular:</p> <p style="margin-left: 20px;">a) Do you agree that the codes should require the provision of speed estimates that reflect peak-time network congestion?</p> <p style="margin-left: 20px;">b) Do you agree that the minimum guaranteed speed</p>	<p>Confidential? – N</p> <p>a) Yes, but it would be more meaningful to have speed estimate profiles for 24 hours, 7 days a week.</p> <p>b) Yes, and charges should be based-on this and not the current maximum 'up-to' speed (see comments and suggestions, below).</p> <p>c) This assumes that the actual speed is a problem that can be fixed. In some cases, mine included, speed is determined by the distance from the BT exchange and number of sharers on</p>
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should always be given to customers at point of sale?

- c) Do you agree that, where a customer's speed falls below the minimum guaranteed level, there should be a limit on the length of time providers have to fix the problem before offering the right to exit? Do you agree that the limit should be 30 calendar days?
- d) Do you agree that the right to exit should also apply to a landline service sold over the same line, and to pay-TV services purchased at the same time, as the broadband service?
- e) Do you agree that the codes should be capable of being applied in full to all standard fixed broadband technologies, including cable and FTTP?
- f) How long do you consider that signatories should be given to implement the proposed changes following publication of the final version of the codes?

the physical connection, that this is not a 'problem' than can be 'fixed'.

- d) Yes.
- e) Yes.
- f) 3-months.

Additional Comments and suggestions:

I understand why the focus of this consultation is on speed, but it would seem to be easy for ISPs to set low minimum speed estimates to avoid punitive sanctions, especially where there are no options to change the physical connections.

For example, where BT Openreach are the sole provider of the ADSL connection, the only reason to switch ISP will be for price and not for speed, because the ISP will have no control over the speed.

One of the main weaknesses of the current arrangements is that customers are charged on the basis of a maximum theoretical speed, e.g. up to 10mbits/s, rather than the actual speed that a customer experiences.

In my case, I have to pay the same for my 2.5Mbits/s – 5Mbits/s speed as someone who receives 10Mbits/s.

This is unfair and should not be permitted. Customers should be charged for the service that is actually being received and not a flat-rate charge for a theoretical speed that is based-on customers being located adjacent to the telephone exchange.

So, as a way to have a fairer charging system that discourages ISPs from fiving artificially low minimum speeds is to link charges to the guaranteed minimum speed instead of a non-guaranteed theoretical maximum speed.

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