

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	Samuel Geoffrey Ruff
Contact phone number	[X]
Representing (delete as appropriate)	Self
Organisation name	N/A
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)	Nothing
For confidential responses, can Ofcom publish a reference to the contents of your response?	Yes

Your response

<p>a. a) Do you agree that the codes should require the provision of speed estimates that reflect peak-time network congestion?</p> <p>b. b) Do you agree that the minimum guaranteed speed should always be given to customers at point of sale?</p> <p>c. 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</p>	Confidential? – No
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have to fix the problem before offering the right to exit? Do you agree that the limit should be 30 calendar days?

- d. 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. 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. 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?

ISPs are not remotely scared of the consequences of flouting 'codes of practice'.

My reason for contributing to this consultation is due to repeatedly experiencing disgraceful service from BT, Plusnet and Sky both personally and via family. Where I have **reported issues with speed, I'm often quoted 2-3 months** wait for an Openreach engineer to be arranged - requests for reimbursement for poor/slow/interrupted service are completely and totally ignored (BT are particularly bad at this, and will outright refuse to offer any sort of compensation, short of escalating complaints to members UK management and threatening small claims court action).

a) Do you agree that the codes should require the provision of speed estimates that reflect peak-time network congestion?

Estimated speeds should be scrapped in their entirety. They are simply not fit for purpose.

They are often not a realistic indicator of the speed available to areas, as they based on a broad set of aggregated data, that does not account for abnormalities in ducting, conditions in the area, wiring quality and which telephone exchange you are connected to. Instead ISPs should be forced to provide the Minimum Guaranteed Access Line Speed only. My reason for this is earlier this year (2017) I personally looked at switching to a new broadband provider - everyone quoted my so-called

“estimated speed” would be “between 55-75mbps”, whilst my Access Line Speed was 49.1mbps... three months down the line, and after repeated complaints to my new provider, I actually learnt the speed my line is capable is only 49.5mbps. I signed up with my new ISP on the basis that I was told I could reasonably expect up to 75mbps (in line with their marketing, where the ISP highlights the “estimated speed” in bold neon coloured font, while the Access Line speed is relegated to the - literally tiny - small print in my contract). As a result I feel I had been misled and lied to, but I have no way to escape my 18 month contract.

b) Do you agree that the minimum guaranteed speed should always be given to customers at point of sale?

Referring to my previous answer (a), I think ONLY the minimum guaranteed speed should be used. To illustrate why, you just need to look at any other transaction where consumers purchase goods or services. If you **bought a box that said “12 eggs” from the supermarket, you would expect to have 12 eggs inside. If you opened it and found it only contained 7 eggs you’d immediately expect a full refund (or replacement).**

Why is it that Ofcom continues to run roughshod over consumer rights, and offer legal protection to ISPs in order to over-state their products. If shops or retailers in **any other industry did the same, it would breach the sale of goods act. It’s** disappointing that Ofcom seems content in allowing ISPs to stretch consumer law in favour in their profit margins.

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?

The new 30 day limit on ISPs is a fantastic idea, customers should not be left in limbo for months on end, waiting for engineer appointment (whilst continuing to pay full broadband subscription costs in the meantime). I would like to see this proposal strengthened by forcing ISPs to inform their customers of their right to exit (e.g. via email or letter), once this 30 day deadline has been reached.

Many people are not aware that similar rights exist already - my own parents put up with pathetically slow speeds for over a year, before I intervened personally and insisted Sky let them cancel penalty free.

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?

As ISPs **increasing move towards offering “triple-play” and “quad-play” packages,** I completely agree with this proposal. Consumers often purchase broadband as part of wider package of TV/mobile/landline services. As these are often sold as a package, consumers should have the right to cancel them together if part of the package (in this case broadband) is mis-sold, free from any form of penalty or fee.

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?

Yes - Virgin media and other providers should not enjoy any sort of exemption. It is important for consumers and consumer-choice/competition in the industry, that all ISPs are competing on a level playing field, and do not enjoy any exemptions due to

technological 'quirks' as is currently the case with Virgin.

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? These are multi-billion pound organisations, making vast profits from consumers consistently year-on-year. As a result I feel 6 months/180 days is more than ample to apply the proposed changes, especially considering these changes to the code of practice will only actually apply to new customers, and those currently within their **'minimum terms' will not see the additional consumer protections on offer actually** applying to them.

I hope this response has been useful, although I doubt it will have any impact as Ofcom **seems to be firmly within Gavin Patterson's pocket. I don't understand Ofcom's irrational fear of hauling BT over hot coals in order to get them to stop lining** their pockets with Openreach profits, and spending them on TV rights for football matches. Meanwhile the UK gradually lags further and further behind the rest of **world In terms of broadband speeds... Would be good to at least watch the football that BT are diverting the profit from my broadband subs to pay for... oh wait I can't,** because my broadband is too slow!

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