# RESPONSE TO OFCOM ANNUAL PLAN 2018/19

The following responses only comment on parts of the Consultation document, particularly competition in fixed broadband infrastructure and services.

Section 2 Market context.
Supporting network investment - paragraphs 2.2 to 2.4.

In principle, I support the stated aims contained the Consultation documents, especially paragraph 2.4.
In 2.3, I welcome Ofcoms acknowledgement that "competition between companies to drive investment may not be possible in some parts of the UK. In those areas, co-investment may play a role and in other areas investment may only happen following Government or Ofcom intervention".
I this context, the Scottish situation is by far a major area in comparison with other Nations in the UK.
Using data from 'Samknows.com', and their criteria in defining the number of Internet Service Providers (ISP) with their own network infrastructure in BT exchanges, the results produced are: -
Scotland 29.4%
Wales 49.2%
N Ireland 56.6%
England 66.5% ( includes London exchanges with 100%)

A shocking statistic resulting, in Scotland, that most ISP are dependent on BT wholesale services in connecting to their services.

In recent Scottish Government procurement contracts for superfast broadband (up to 25Mb/s) as implemented 2015 -2017 and the new Reaching 100% (R100) ultrafast broadband ( above 30Mb/s) with infrastructure to be installed 2019 -2021, has and will continue to improve broadband access across Scotland.
However, although these contracts provide broadband infrastructure within defined BT exchange areas, who is to provide "backhaul" capacity to allow more ISP to compete and connect their own networks?

Ensuring Markets work for consumers – paragraphs 2.5 to 2.7.

In general, I am supportive of the statements contained in the Consultation documents.
In 2.7 states "we will continue to provide tools and data to help inform consumers about broadband speeds and mobile coverage -----".
The data contained in the "Connected Nations Reports" and the individual Nations Reports are extremely useful in many respects, especially the progress in broadband coverage.

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The Ofcom App - "Checking fixed broadband and Mobile coverage is highly visible on the Ofcom web site 'home' page. Firstly, would it be possible to promote the "Checker App" on more sites such as "thinkbroadband", "IP Review", "Scottishsuperfastbroadband" and "VirginMedia 'cable my street' sites?

Secondly, does Ofcom hold any listings of active ISP?
To my knowledge the only way to find possible active ISP is by using the telephone code for an area and obtain a list of the allocated numbering plan in the appropriate area. I'm sure this does not provide a list of all ISP.

Section 3 Our goals and highlights for 2018/19.

In this section my comments refer to paragraphs 3.5, 3.7 and 3.17.

In the Connected Nations Reports in item 1.8 - "Full fibre investment" page 3, details were provided about future investments by specific suppliers.

I am concerned that some of these infrastructure projects may result in a reduction in competition in the areas of their project. In addition to the above projects, I have become aware of the following "exclusive" agreements: -
UK wide – Virgin Media deal with National Builders association.
In Scotland – i) BT to build FTTP connectivity, for free, into all new developments of 30 or more houses. ii)Scottish and Southern Energy communications to supply FTTP in a new 4000 home development.

Although I welcome these fibre infrastructure developments. I have major reservations regarding competition in these projects UNLESS these suppliers also provide wholesale services for other ISP. Otherwise a MONOPOLY WILL BE CREATED IN THESE AREAS.
Perhaps some revised conditions associated with the granting of "Code Powers" regulation could ensure wholesale services MUST be available to others.

I understand that CityFibre do offer wholesale services in their 24 City fibre schemes.
I would hope that any "exclusive" schemes would also offer wholesale services to maintain competition policy in the UK rather than area monopolies.

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Representation: Self – My responses cover only part of Consultation and NONE are confidential.

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