

## Your response

Question	Your response
<p><b>Question 1:</b> Do you agree with our proposal to designate KCOM in the Hull Area?</p>	<p>Confidential - N</p> <p>Yes - We agree with Ofcom's proposals as to why KCOM should be designated as the Universal Service Provider for this area.</p>
<p><b>Question 2:</b> Do you agree with our proposal to designate BT for the whole of the UK except for the Hull Area?</p>	<p>Confidential - N</p> <p>Yes - We agree with Ofcom's proposals as to why BT should be designated as the Universal Service Provider for this area.</p>
<p><b>Question 3:</b> Pursuant to paragraph 3(2)(c) of the 2018 Designation Regulations, are there alternative proposals from any other person to be designated as a Universal Service Provider instead of BT or KCOM?</p>	<p>Confidential? – N</p>
<p><b>Question 4:</b> Do you agree that the threshold for an affordable price for the purposes of USO eligibility should be set at £45 a month (including VAT, connection charges, monthly payments and other broadband charges)?</p>	<p>Confidential? – N</p> <p>We welcome the introduction of an affordability threshold into the USO eligibility criteria and are supportive of the rationale outlined in the consultation as to why this should be £45 per month including VAT and other charges.</p> <p>We have received complaints from some consumers in Kent where there is no retail choice about monthly prices so we believe that this is a helpful clarification and safeguard. We also welcome Ofcom's intention to seek voluntary commitments from the Universal Service Providers to offer their broadband social tariffs to USO customers and upgrade the social tariff to meet the technical specification of the USO.</p>
<p><b>Question 5:</b> Do you agree with our proposed approach to how Universal Service Providers should check eligibility for the USO?</p>	<p>Confidential? – N</p> <p>Yes – we agree with this approach in principle but would prefer to see a facility where network operators could advise Ofcom of any significant changes to network coverage as they went live to reduce the risk of potential network overbuild.</p>

	<p>We also believe that the Universal Service Provider should not be able to make a claim to the USO fund should an eligibility request prove to be wrong if this was a result of data errors relating to their own network.</p>
<p><b>Question 6:</b> Do you agree with our proposed approach to how Universal Service Providers should take account of shared connection costs?</p>	<p>Confidential? – N  Yes – we believe the aggregation approach proposed, based on an aggregation forecast of 70% is sensible and pragmatic as it overcomes some of the aggregation challenges that have been encountered on other demand-led schemes (e.g. voucher schemes) to date. We do not support an approach which would require every, or a significant number of premises connected to particular structure to request a USO service, as our experience suggests that this would delay or prohibit the delivery of USO services.</p>
<p><b>Question 7:</b> Do you agree with our proposed approach to informing consumers of the outcome of their USO request?</p>	<p>Confidential? – N  Yes – we welcome the introduction of a clear timescale for this and that the Universal Service Providers will be required to notify Ofcom of any non-compliance with this.</p>
<p><b>Question 8:</b> Do you agree with our proposal to include a universal service condition requiring Universal Service Providers to raise awareness of the USO?</p>	<p>Confidential? – N  Yes – we agree that it is important for the Universal Service Providers to be required to take all reasonable steps to ensure that they raise awareness of the Universal Service Obligation and are supportive with Ofcom’s proposed approach. We welcome the proposed requirement for Universal Service Providers to work with local authorities and ask that this includes those local authorities who have been running publicly funded programmes (e.g. BDUK Programmes) as they will have valuable insights that can support the promotion of the USO to eligible consumers.</p>
<p><b>Question 9:</b> Do you agree with our proposals set out above, including to set a timeframe of 12 months for the delivery of USO connections unless exceptional circumstances have arisen?</p>	<p>Confidential? – N  Yes – we believe that the approach set out by Ofcom is fair and reasonable. The Universal Service Obligation will be delivering better broadband to consumers with the worst connectivity so we believe that it is important that these connections are delivered as quickly as possible.</p>

	<p>Having said that, we are concerned that there is a risk for resources to be redeployed from the delivery of publicly-funded programmes where the failure to deliver contractual targets to schedule does not require non-compliance reporting to the regulator. Given that publicly-funded programmes have a bearing on a consumer's eligibility for the USO, we would request that Ofcom considers how these risks could be mitigated when finalising the USO conditions.</p>
<p><b>Question 10:</b> Do you agree with our proposals on how exceptional circumstances should be defined and operate?</p>	<p>Confidential? – N</p> <p>Yes – we agree with Ofcom's proposals on how exceptional circumstances should be defined and operate. We particularly welcome the requirement on how consumers should be kept informed and provided with a new activation date. Where street works are cited as a delay, we would encourage Ofcom to audit these, perhaps on a random basis, as we have been aware of situations in the past where some providers have advised consumers of delays caused by street-works requests that upon investigation have never been submit to the highway's authority.</p>
<p><b>Question 11:</b> Do you agree with our overall approach to ensuring USO connections and services are affordable, specifically on: a) our proposal to introduce a two-part obligation imposing (i) an equivalent pricing requirement, and (ii) a safeguard cap; and b) setting the level of a safeguard cap at £45 per month (including VAT, averaged over the fixed commitment period, including any upfront connection charges, monthly payments and other broadband charges)?</p>	<p>Confidential? – N</p> <p>Yes – and as highlighted in our response to question 4 above, we welcome the proposal to seek voluntary arrangements for introducing a USO related broadband social tariff.</p>
<p><b>Question 12:</b> Do you agree with our proposal to ensure that USO customers receive at least the same quality of service as non-USO customers?</p>	<p>Confidential? – N</p> <p>Yes – we are supportive of these proposals.</p>
<p><b>Question 13:</b> Do you agree with our proposed approach to complaints handling and dispute resolution?</p>	<p>Confidential? – N</p> <p>Yes – we support Ofcom's proposals to propose an additional safeguard for USO consumers which would tie in the quality of service levels for USO areas to those offered in the rest of UK.</p>

<p><b>Question 14:</b> Do you agree with our proposal to approve the two Alternative Dispute Resolution schemes currently approved under the General Conditions (Ombudsman Services: Communications and the Internet Services Adjudication Scheme) for resolving disputes in relation to the USO?</p>	<p>Confidential? – N</p> <p>Yes</p>
<p><b>Question 15:</b> Do you agree with our proposed approach to how the Universal Service Providers should report on their performance and maintain records?</p>	<p>Confidential? – Y / N</p> <p>Yes – we support Ofcom’s proposed approach. We particularly welcome the proposal to require Universal Service Providers to report every case where they have failed to meet the USO obligations to Ofcom as we believe that this is essential to enable Ofcom to monitor a Universal Service Provider’s progress and compliance with its obligations.</p>
<p><b>Question 16:</b> Do you agree with our approach to how Ofcom should report and monitor delivery of the USO?</p>	<p>Confidential? – N</p> <p>Yes – we agree with the approach set out in the consultation.</p>
<p><b>Question 17:</b> Do you agree with our proposed approach to require Universal Service Providers to maintain accounting records?</p>	<p>Confidential? – N</p> <p>Yes – we support the approach set out in the consultation.</p> <p>Given that there is potential for the Universal Service Providers to seek compensation for any unfair net cost burdens from an industry fund, it is essential that a robust audit trail is in place to ensure that these costs are fair, reasonable and have been exclusively incurred in the deployment of USO connections. We note that Ofcom have been in dialogue with BDUK about how the approaches from its publicly-funded rollout programmes could inform the development of these requirements and we would ask that this dialogue continues so that the learning these programmes can help inform the audit requirement for the USO.</p>