BT response to Ofcom consultation on Mobile roaming: Strengthening customer protections- non confidential version

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BT Group

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1 Executive Summary

We are broadly supportive of Ofcom's proposals to introduce roaming customer protections and we already do many of the things Ofcom has proposed for our customers. We urge Ofcom to not be too prescriptive about how providers implement new requirements but maintain a principles-based approach and allow providers to communicate these key messages in the best way for their customers.

We offer multiple types of roaming services in the EU and RoW, from daily charges to passes and out of bundle rates. Therefore, it is essential that we have the flexibility in the rules to tailor the Welcome SMS (WSMS) to the service the customer is using or has purchased and keep the messages relevant to them. Ofcom's current proposals are too prescriptive about how we communicate volume limit, bill limit and fair usage information and could lead to customer confusion where there is too much information in the WSMS and create bill shock for customers if they can more easily opt out of the WSMS.

Moreover, in order to implement all of these proposals will require development work which will take longer than 6 months. We will need to implement these requirements across at least two brands and two business units which sit across different systems. The changes to dynamic and personalised information is particularly difficult (on quantitative limits and bill limits), therefore if providers can instead direct customers to existing self-serve services like the MyEE app for this information, it could reduce the time to implement and cost.

Please note, as the majority of our customers are on our EE brand, our response is based on EE and we call out specific challenges for our other brands and services.

2 We are broadly supportive of Ofcom's proposals and do many of the proposals already

We believe it is appropriate to introduce new rules to ensure all providers are transparent in the Welcome SMS and on their websites about the cost of roaming since the previous protections under the 2007 Roaming Regulations fell away for UK customers in July 2022.

Overall we believe roaming services are working well for our customers and we are happy to see that Ofcom's research shows customers find the information provided in the WSMS helpful to monitor their roaming spend.[1] We provide customers with a wealth of information on roaming in our WSMS and on our website:

- **Welcome SMS:** We already do many of the requirements Ofcom is seeking to introduce in GC 3.15, accompanying guidance and best practice our customers who roam:
    - When a customer enters any roaming country we provide them with a Welcome SMS (WSMS) free of charge telling them they have connected to a roaming network and providing personalised pricing information.
    - The EU WSMS includes a link to a landing page where customers can find more information on pricing and how to prevent inadvertent roaming
    - Where customers have a daily charge, we also send a follow-up SMS seconds after the WSMS to remind customers they may need to make changes if they have a bill limit in place and to text for free to 150 to add amend or change their bill limit.
    - We include our customer service number and the emergency service number for the country a customer is roaming in. See further in Figure 1.
- **Opt in and Opt out:** Customers can choose to opt out of the WSMS by calling us. We do not explicitly reference the opt out in the WSMS, this is to ensure customers continue to receive important pricing information when roaming. See our comments further below in section 3.3.
- **Clear information for customers to prevent inadvertent roaming:** We provide information on how customers can prevent inadvertent roaming on our website when customers use our roaming calculator for our countries where inadvertent roaming may be more likely[2] and in the link provided in our WSMS when customers are roaming in the EU, where this information is most relevant.[3]
- **Measures in place to enable customers to reduce or limit roaming spend when in the UK:** All of our plans include Ireland as UK usage.
- **Access to information:** We make clear in our terms and conditions and on our website that Ireland is included as UK usage.

We are constantly improving how we communicate with our customers about roaming charges that impact them. This year we began sending pre-roaming messages to customers most likely to roam to remind them to check the cost of roaming before they travelled, see Figure 2 below. Over a number of years we have made changes to the MyEE app to make it easier for customers to find information on which roaming products/services best suit their needs and to check their bill limit before they travel. We also have an online calculator available on our website to help customers navigate the best

[1] Ofcom consultation on roaming customer protections, paragraph 3.11.
[2] Roaming calculator - Roaming Costs | Help | EE
[3] WSMS link - Roaming (ee.co.uk)

roaming option for them.[4] The calculator further provides information on how to prevent inadvertent roaming in countries where this is more likely to be a problem in the "Get Ready to Roam" section i.e. Greece connecting to a Turkish network which direct customers to activate EU-only roaming.[5] "*You'll be charged international roaming rates if your device connects to a Turkish (non-EU) network while you're in Greece. To avoid this, activate EU-only roaming by texting ROAMEU to 150*".

Overall we believe roaming services are working for our customers and charges are clear to them. We see low levels of roaming complaints – in July 2023 we received [✂] complaints about roaming where [✂] of our Consumer customers used roaming services abroad. That equates to [✂] In the same month, less than [✂] of customers called us post-travel and [✂] called us whilst abroad, therefore in [✂] of cases, customers did not contact us or complain. Ofcom's own research supports that customers understand how to check roaming charges with 82% planning to do something before they roam abroad including look at providers website (41%) , looking at contract (30%) switch off data (25%).[6]

[4] Roaming Costs | Help | EE
[5] Roaming Costs | Help | EE
[6] Ofcom consultation on roaming protections, paragraph 3.9.

3 Given the range of roaming options providers offer, the rules should not be too prescriptive on content and format

The WSMS should be clear, concise and give customers the key information they need to know about their roaming spend. Ofcom's proposed example WSMS are too long and are likely to cause confusion and information overload. We urge Ofcom to maintain flexibility for providers to communicate with their customers in the best way for them. This is particularly essential where there are multiple ways customers can roam and certain information may be irrelevant to them. Providers should also be allowed to set up the WSMS in the most easily digestible format i.e to break out across two SMS's.

3.1.1 We offer a broad range of roaming services for our customers

We offer a wide range of different EU and RoW roaming options for customers to use or purchase, and some customers are on older tariffs which include Roam Like Home. This adds to the complexity of implementing new dynamic information into our WSMS.

On our EE brand we have customers on at least nine different tariff types for roaming in EU and RoW. Five of which are for customers who signed up pre-2021 and 4 of them post-2021(when we introduced the daily charge). These tariffs range from EU roaming inclusive (RLH) to daily charges and passes.

BT customers all have Roam Like Home included in their plan for EU roaming, plus data pass for customers to roam RoW in Andorra, Australia, Canada, China, India, Mexico, New Zealand, South Africa, Thailand, Turkey, UAE and USA, this allows customers to purchase roaming services on a 24 hour basis.[7]

Furthermore, our business customers may have bespoke roaming products and services with us which adds to the complexity of delivery for that customer segment. We are also looking at introducing new plans in this space in the future.

3.1.2 Ofcom should maintain flexibility on the content and format of the WSMS

Given the variation in roaming services we offer, Ofcom should not be prescriptive about how we communicate volume limit, bill limit and fair usage information to our customers in the WSMS. Including lots of information in the WSMS could distract from the important information contained within it, Ofcom should allow providers to break out messages and link out to further information where relevant.

Ofcom should not be prescriptive about including information on a customer's bill limit in one single message for all roaming services

[7] BT Mobile Travel Data Pass add-on | BT Help

The examples Ofcom provides in the Annex to the Guidance on General Condition C3.15 are too long. We are concerned that due to the length of the message and the amount of information we would be required to provide, it will drive customer confusion. We ask that Ofcom takes a pragmatic approach and allows some of this information to be sent in a follow up message instead, and not to require bill limit information to be sent where the roaming services the customer is using will not impact their bill limit.

We already send a follow up message to customers who are subject to the daily charge seconds after the WSMS, telling them if they have a spend cap in place it may limit their ability to roam and directing them to 150 to amend their spend cap , see Figure 1- this is because the daily charge counts towards a customer's bill limit. We implemented in this way because the two SMS's are conveying different messages to the customer. This approach allows the pricing information to be brought to the customers attention first and then a separate call to action to the [✂] of our EE Pay monthly base which have a bill limit set up and to whom this information is relevant.

Our current message does not include information on the level of limit the customer has in place and this will require development work to include, see below at section 5.

Where a roaming service does not count towards a customer's bill limit, we should not be required to include this information. As stated above, we offer many different roaming products to our customers and have multiple versions of the WSMS. Some customers will be taking passes with us i.e. Roam Abroad pass. For a WSMS in this instance, there is no need to include information on a customer's bill limit because all roaming charges are included in the pre-purchased pass.

Ofcom should clarify which quantitative limit information should be provided and should allow providers to link out to fair usage information where relevant free of charge

We seek clarification around Ofcom's proposal in C3.15 (iii) which requires the WSMS to contain the following personalised price information: "*where there is a quantitative limit on the volume of Roaming Services that can be consumed by the Relevant Customer before charges are incurred or before different charges apply (such as a data volume limit), the notification should set out that limit*".

Can Ofcom clarify whether this refers a) solely to a quantitative limit of data a customer may have in their plan or data pass, b) the remaining amount of data the customer has left to roam with within their quantitative limit (e.g. the customer has 20GB left of 50GB limit) or c) any fair usage policy in place.

In relation to a) and b) we do not have the capability to provide customers with quantitative limit of data or the remaining amount of data in that plan that a customer has left to roam with easily without the complex technical development. This information is dynamic and requires us to link information to individual tariff plans. If this information can be static (linked out) or generic we can do this more easily. The links can be zero rated to allow customers to access them at no cost.

In relation to c) we already provide information for customers on our Fair Usage Policy in a link in the WSMS which includes charging information for usage above the limit. The majority of our customers that roam never hit this limit and therefore it is appropriate and proportionate that this remains in a link rather than the body of the message. This approach also keeps the message concise.

There is a particular difference in how we communicate to our business customers about their roaming package and bill limits

Notifying the end-user of a business line that they have a bill limit in place is often irrelevant because it is only the account holder who has the authority to change or amend the billing limit. This also extends to notifying the customer how much data they have to roam with, as this will also be controlled at account level. For example, if there is a shared bundle purchased by the account holder which is used by all end users on that account, it would be quite difficult to apportion the amount of GBs for each end

user and it would be difficult to tell them at which point their bill limit would activate. We therefore require flexibility to be able to keep the notifications more generic and therefore useful e.g. "*you have a shared bundle, contact the account administrator for further information on data volumes available and any bill limits*".

Ofcom's rules and guidance on the timing of the Welcome SMS requires both clarity and a sensible approach

"*A7.12 Providers are required to notify the customer when they connect to a mobile network in a country outside of the UK and each subsequent time they connect*". When we send the WSMS to customers, our systems are configured so that the message is valid for 7 days – therefore when a customer enters Country A they receive a WSMS, if they then travelled on to Country B they would receive another WSMS, however if they travelled back to Country A within 7 days we would not send them another WSMS – our systems have been configured in this way so that customers do not have to receive multiple messages if they are travelling through countries in a short time frame. This is not a permanent opt-out option, but a better customer experience aimed at reducing the risk for customers to receive a large number of messages during a short space of time.

We would also ask Ofcom to clarify that it will take a sensible approach here and not require providers to send a WSMS after every time a customer switches their phone off and on and "*each subsequent time they connect*".

3.1.3 Ofcom should not require the opt in and out to be explicit in the WSMS

One of Ofcom's aims is to ensure customers avoid unexpected roaming bills, however this proposal risks customers missing out on important pricing information and racking up charges whilst roaming they were unaware of.

We already give customers the option to opt out of these notifications if they call into our call centre and request this. This provides customers with an easily accessible method of opting out of the WSMS if they want to. Additionally, by calling an agent, this gives us an opportunity to explain to the customer the dangers of opting out of these messages. This way they can make a more informed decision if they decide to opt out. However, we do not think that an opt out should be highlighted in the WSMS and encouraged for the majority of customers.

Whilst we understand these messages may be irritating for customers who live or work in border regions, we do not think that Ofcom's research supports the need to include this in the WSMS as suggested in the example SMS's in the Annex to the guidance. Only 1% of customers surveyed suggested these messages are 'annoying' and only 9% of all customers said they had decided to opt out of them.[8] Given the small proportions of customers finding an issue with the messages and the risk of future bill shock to customers – it does not warrant making the opt out explicit in the WSMS. Customers can always still call into our contact centre to opt out.

For business customers and multi-subscription accounts, the complexity to deliver this in the WSMS is greater still. We would expect that only the account holder should be authorised the opt in and out of the WSMS, but the information on how to opt out will be delivered to all end-users when they roam and could cause confusion. Similarly if the message on opt in and out is only sent to the account holder, they could receive multiple messages for the subscriptions on the account.

[8] Ofcom consultation on roaming customer protections, paragraph 4.34.

Finally, when we previously introduced an opt in and opt out for our business customers and included this in the WSMS, we saw many customers opting out of the messages and forgetting to opt back in before they travelled or received an opt out reminder message. This drove bill shock for customers and led to high call rates into our contact centre. We removed this from the message so that customers would be less likely to opt out often and face bill shock.

4 We support Ofcom's proposal to prevent inadvertent roaming and limit customers spend whilst in the UK

We provide customers with lots of information on how they can prevent inadvertent roaming on our website and in the WSMS. We include Ireland in all our roaming plans, so whilst in the UK, customers can limit their roaming spend. We also go beyond this and offer an EU only roaming option, we encourage customers who are travelling to a destination which may connect to RoW to activate this.

Information provided to prevent inadvertent roaming

We already provide the information Ofcom has proposed in its general conditions and guidance to our customers. In our EU roaming Welcome SMS we provide a link to information on how customers can prevent inadvertent roaming, see Figure 1 below i.e turn off voicemail and check network settings and further device guides.[9] We also offer EU only roaming and in the information linked out to, we encourage customers who are travelling to a destination that may connect to RoW to text and activate EU only roaming. Furthermore, in the Welcome SMS for Cyprus, where inadvertent roaming is often a problem for customers, we provide a specific call to action:

"***During your stay you may connect to a Turkish network. As Turkey is outside of the EU you'll be charged X/min to make & X/min to receive a call, X per text sent and X per picture message send if this happens. To prevent this you can activate EU Roaming by texting ROAMEU to 150.***"

Our website also provides customers with information on what they can do to prevent inadvertent roaming before they travel abroad such as enabling/disabling roaming, only allowing your phone to connect to an EU network and turning off data roaming.[10]

Steps taken to enable customers to reduce or limit their spend whilst in the UK

We already take the steps Ofcom has proposed to enable customers to reduce or limit their spend whilst in the U, by including Ireland as UK usage in our tariff plans.[11]

[9] Device help | EE
[10] What should I do before I travel? | Help | EE
[11] Changes to EU Roaming | Mobile Help | EE

5 6 months is not long enough to make the required system changes

If Ofcom continues with its proposals in current form it will take longer than 6 months for us to implement the new WSMS. We need to make changes across at least two brands (EE and BT) and in two business units (Consumer and Business) which use multiple platforms. Furthermore, the information required is dynamic and personalised to individual customers, which requires accurate data feeds. We expect the technical delivery of these requirements to take a similar amount of time to deliver in particular:

- Quantitative limits on roaming services in the body of the WSMS
- Information on the level of bill limit a customer has in place, with further development work required for [✂] including bill limits in the notification (see below)

As a comparison, it took 12 months to deliver the 80% and 100% usage notifications required under the EECC for GC3 which required dynamic content.

We also have a congested delivery roadmap for 23/24, with multiple projects including the delivery of a new billing system that would be key to delivering the proposals in its current form.

Ofcom also suggested that the costs on providers to deliver the new WSMS should be "minimal", however our cost estimate to deliver this dynamic information alongside the other updates required across the brands and business units will be [✂].

We could implement this information quicker and with less cost if we could instead direct customers to the MyEE app or to text 150 for information on personalised quantitative information and the level of bill limit a customer has in place. We are happy to discuss this further with Ofcom.

[✂]

[✂]

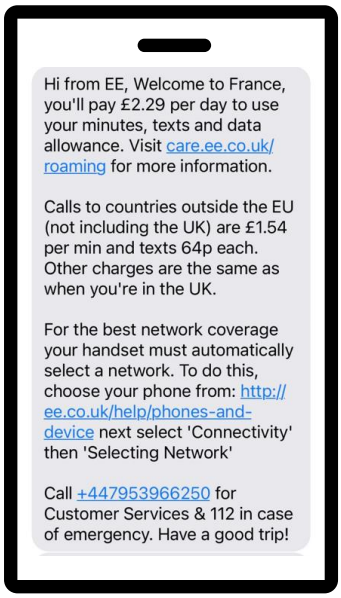
6 Other points

- **Providers should provide, on request and free of charge, information in a reasonably acceptable format to customers that need it because of their disabilities:** The WSMS is a time-sensitive notification, we therefore believe the most useful format for customers to receive this information is existing software which allows customers to enlarge the font on their phone and play the message. Customers are unlikely to want this information delivered to them in braille or large print as it would arrive during or after they have travelled.
- **Customers on legacy brands:** We aim to close our Plusnet Mobile brand in early 2024 and have begun the process of encouraging customers to purchase through our EE brand instead[12] – we are no longer investing in the brand and do not intend to implement these requirements.
- **Wholesale WSMS**: We seek clarification on the position of resellers and MVNA's. There are many resellers (where we wholesale mobile access into resellers who then construct the retail and roaming pricing) and MVNA's (Mobile Virtual Network Aggregator) (where we wholesale mobile access to an MVNA which then connects to multiple MVNO's). In both cases we host the Welcome SMS on our platforms as a generic 'catch all', but we do not have a technical solution to split out resellers/MVNO and their specific end user pricing. We are happy to discuss this further with Ofcom.

[12] https://www.plus.net/mobile

Annex 1

Figure 1 – EU roaming Welcome SMS example and follow up billing limit notification



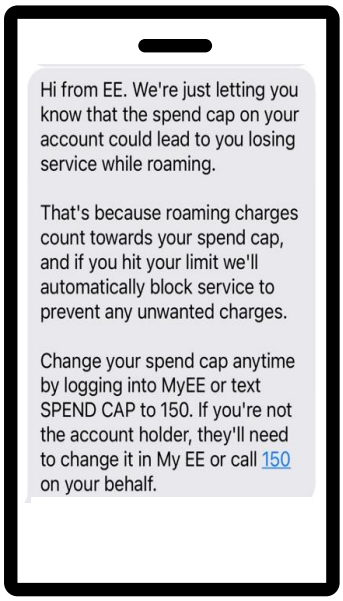
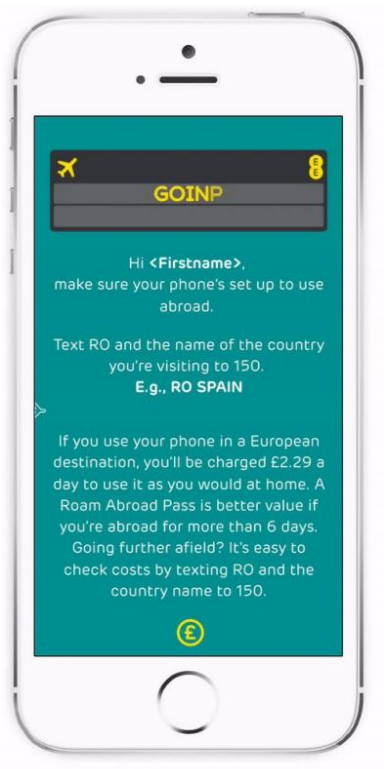


Figure 2 – example pre-roaming message



Annex - Consultation Questions

Question 1: Do you agree with our proposals to introduce rules and accompanying guidance requiring providers to send customers roaming alerts that include information on roaming charges, mobile bill limits and where to access more information?

BT response: We broadly agree with Ofcom's proposals to introduce new rules and guidance on roaming alerts to ensure there is a consistent approach across industry. However, we believe Ofcom should not be too prescriptive with how providers communicate this information with their customers. See further in section 3 of our response. We also think that some of the proposed information could be better delivered within links which would reduce the time and cost to implement these changes, see section 5 of our response.

Question 2: Do you agree with our proposals to introduce rules and accompanying guidance requiring providers to (a) have and publish measures to enable customers to reduce and/or limit expenditure related to inadvertent roaming while in the UK and (b) provide information on how to avoid inadvertent roaming both in and outside of the UK?

BT response: We broadly agree with Ofcom's proposals, see section 4 of our response.

Question 3: Do you agree with the proposed implementation period of 6 months from publication of the statement and changes to General Condition C3 and guidance?

BT response: We do not agree with Ofcom's proposed implementation period of 6 months as these proposals will require us to make changes across two brands and business units. See further in section 3 of our response. We also think that some of the proposed information could be better delivered within links which would reduce the time and cost to implement these changes, see section 5 of our response.

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