

Selene Rosso
Ofcom
Riverside House
2A Southwark Bridge Road
London
SE1 9HA

14th November 2017

Dear Ms Rosso,

Proposed extension of Ofcom's Guidance under Condition C1 to cover termination procedures

Verastar Limited has no concerns with Ofcom's proposed extension of guidance to cover termination procedures. However, both the current and proposed guidance contradicts the General Conditions ('GCs') in relation to the fixed term period of 24 months for residential and business consumers.

The current and proposed guidance under GC9.3 (to be replaced with C1.3) says:

"Automatically renewable contracts (ARCs) are prohibited for the provision of fixed voice and broadband services to residential consumers and small business customers".

To be absolutely clear, we do not, and have not for many years, offered rollover contracts. Our query relates to the definition of a fixed commitment period as the guidance says:

"A fixed commitment period is the period beginning on the first day a contract takes effect and ending on a day falling no more than 24 Months thereafter (GC C1.4)."

This implies that contracts for longer than 24 months are prohibited for both residential **and** small business customers whereas GC9.4 says:

"...the Communications Provider and Consumer have agreed that the contract shall begin and end on a day falling no more than 24 months thereafter".

"Consumer" is defined in GC9 as "any natural person who uses or requests a Public Electronic Communications Service for purposes which are outside his or her trade, business or profession".

In other words the wording in GC9.4 says business customers can have contracts of more than 24 months duration whereas the guidance says they cannot. We believe that there is no restriction on the provision of fixed term contracts of longer than 24 months to business customers and would appreciate it if you could confirm the proposed guidance will be updated to say that 24 month contracts affect **residential customers** only.

If you have any queries please do not hesitate to contact me on [REDACTED].

Yours sincerely,

Laura-Jayne Owen
Compliance Officer