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Dear Jasminder

### **Consumer Switching**

This response has been prepared on behalf of Nine Group. Nine Group provides a wide range of fixed and mobile communications services to customers, mainly businesses in the UK. Nine Group offers its services directly to end user customers through its Nine Telecom division and via resellers through the Nine Wholesale operation. Nine has approximately 500 reseller partners of various sizes located throughout the UK.

You can find out more about Nine Group at our website [www.ninegroup.co.uk](http://www.ninegroup.co.uk)

We welcome this opportunity to respond to Ofcom's consultation on customer switching. We strongly agree that a customer's ability to switch provider without undue difficulty is fundamental to supporting competition in the UK.

For this reason we generally support Ofcom's view that gaining provider led switching processes will ensure the best outcomes for customers. However, we believe that mobile switching currently works well and would support a pragmatic approach in making improvements in this area.

For this reason, we believe that Ofcom's option 1, which proposes changes to the existing PAC process rather than a more radical change to a new gaining provider led system is likely to be simpler to implement and less disruptive.

Specifically, we would support option 1b, which will enable the customer to make PAC requests directly to the Central Porting System (CPS) via SMS rather than to the losing provider, as being likely to deliver the best outcome for customers. This approach will provide a single point of contact for customers and eliminate any variations to the process across the various losing providers, making it simpler to communicate the required action to customers.

We also support the associated requirement in option 1b that losing providers should provide information on e.g. early termination charges via the CPS.

However, we believe that it would make sense at the same time to provide online or web based access to the CPS for obtaining PACs, at least as an option. We believe that this facility would be beneficial to both consumers and, especially, to business customers.

We note that the main focus of the current consultation is on mobile switching for consumers. However, we believe that the above option (web based access to PACs) provides an opportunity to improve the customer experience for business switches which involve “bulk ports i.e. more than 25 PACS (as defined in General Condition 18).

In connection with the above, we also note the requirement in General Condition 18.5 (a) that charges (e.g. for the provision of PACs) should be “cost oriented and based on the incremental costs” of provision. This is an area that Ofcom may wish to consider providing additional guidance and/or increasing enforcement activity.

We also note that Ofcom’s current proposals on mobile switching form part of its wider ongoing project on customer switching generally. However, the majority of the discussion in this consultation which does not directly address mobile switching focuses on switching of “triple pay” packages. We believe that there is still an urgent need to improve the experience in the following important areas:

#### Cable Switching

The switching process in this area is still based on cease and re-provide and we note the shortcomings of this process highlighted by Ofcom in the relevant sections of the analysis of mobile switching.

#### Fixed Number Porting

A growing number of switches for both consumer and business customers now involve a number port and the current regime is not appropriate to support either the volume of ports or the growing number of CPs involved. This results to an unacceptable level of delay and failed ports (particularly for multiline ports for business customers). We hope that Ofcom will return to this area sooner rather than later.

**Q1:** *Do you agree that current mobile switching processes impair the consumer switching experience through increased switching costs, coordination difficulties, loss of service, uncertainty of porting status or risks of unwanted save activity? What benefits do current processes deliver which would be difficult to achieve through alternative processes?*

We agree that, although the mobile switching process works fairly well, there is scope for improvement. We support the changes proposed by Ofcom which we believe will make it more difficult for losing providers to frustrate the process by withholding or delaying the issue of PACs.

**Q2:** *What advantages and disadvantages could GPL switching processes offer, compared to current mobile switching processes? In particular, how important is it to make it easier for consumers to switch without being required to speak to their current provider?*

Although we agree in principle that a Gaining Provider-Led (GPL) switching process will generally deliver advantages in improving the customer experience, we believe that adoption of the improvements to the current PAC process, as set out in Ofcom’s option 1b, will deliver similar benefits without the scale of change and resultant disruption and cost involved in switching to a completely new GPL process.

**Q3:** *To what extent do you think the two options we have identified address the drawbacks with current processes we initially identified? Are there other options we should consider?*

As stated in our response to Q2, we believe that the improved PAC process set out in Ofcom's option 1b will deliver significant benefits. However, we believe that providing web based access to PACs would offer additional benefits, particularly for business customers where bulk ports involving the provision of multiple PACs are involved.

**Q4:** *What mechanisms could these processes use to ensure that consumers are adequately verified, and protected from being switched without their consent or knowledge? What mechanisms could be employed for ensuring that consumers are adequately informed about the implications of their decision to switch?*

We agree with Ofcom's view that the PAC process already offers a significant protection against slamming and mis-selling. Allied to the fact that a change of provider will often also involve provision of a new SIM, it seems that opportunities for switching customers without their knowledge or consent are very low.

**Q5:** *Do you have any comments on the indicative costs of the options we have considered in this document?*

No comments.

**Q6:** *Do you have any other comments in relation to the matters set out in this consultation?*

We believe that, in order to provide a good customer experience across all platforms and products, Ofcom will also need to address the current shortcomings of cable switching (using cease and re-provide) and fixed number porting.

We trust that the above response is helpful and would be happy to discuss any of the issues raised with the Ofcom team in further detail.

Kind regards

Michael Eagle  
Industry Liaison and Regulatory Support