

04.06.09

INTRODUCTION

Cable&Wireless is one of the world's leading international communications companies. The Worldwide business unit (formerly Europe, Asia & US) provides enterprise and carrier solutions to the largest users of telecoms services across the UK, US, continental Europe and Asia, and wholesale broadband services in the UK. With experience of delivering connectivity to 153 countries – and an intention to be the first customer-defined communications services business – the focus is on delivering customers a service experience that is second to none.

1. DO STAKEHOLDERS AGREE THAT WITHDRAWING THE TOPCOMM DIRECTION IS THE BEST OPTION AVAILABLE GIVEN THE EVIDENCE PROVIDED IN THE CONSULTATION

Cable&Wireless' views on the relevance of the current TopComm scheme to our customers are well documented. These are of more relevance to Ofcom's re-evaluation of their policy aims rather than the current consultation. Consequently we have confined our comments to the proposed removal of the 'TopComm Direction'. Cable&Wireless whole-heartedly supports Ofcom's conclusion that option 3 is the most appropriate course of action and that the TopComm scheme should cease with immediate effect. It is clear that costs of between £6.50 and £12.70 per visit to the TopComm website, with little quantifiable benefit, can not justify the continuation of the scheme (Option 1), nor will marginal improvements significantly improve the imbalance between cost and benefit (option 2).

We agree with the assessment of the options under consideration and agree that Ofcom's decision meets each of the four tests required for the removal of a direction under a General Condition.

STATEMENT PUBLICATION

Cable&Wireless and other UKCTA members have previously made Ofcom aware of the need for a timely decision on the termination of TopComm and we welcome the reduced period for consultation responses. It is important to note the timeframes involved in relation to the current scheme.

- Operators are currently collecting and auditing data for the Q1 and Q2 periods. This covers the period January - June 2009 and will be submitted for comparability in August and then published in October.
- All of the activity above is within the current contractual arrangements and will result in the results being available until the current hosting agreement ends on 31st December 2009.
- 1st July 2009 therefore marks the optimum point for ceasing the current scheme. Delay beyond this point will result in an increasing level of unnecessary cost particularly once auditing requirements are triggered. It should be noted that were Ofcom for any reason to be delayed in publishing a statement until October 2009, alternative arrangements would be needed for publication of Q3 data as by the time the comparability review was completed there would be no agreement in place to host the results.