

Reference: 01998352

Information Requests
information.requests@ofcom.org.uk

13 June 2025

Freedom of Information request: Right to know request

Thank you for your request for information concerning enforcement procedures against Starlink.

We received this request on 19 May 2025 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request

As a Starlink consumer customer I was unable to use One Touch Switching to switch to another provider. Starlink was not listed as a provider for Internet Access Services.

It seems Starlink are not signed up to OTS.

Please advise if OFCOM started enforcement procedures against Starlink over this, or if you plan to and when, and how that is going?

Our response

We are sorry to hear that you have experienced issues relating to an attempted switch from Starlink to another provider. We note that your query contains two parts, which we shall address separately.

Firstly, you have asked if Ofcom has started enforcement procedures against Starlink. All enforcement work being undertaken by Ofcom can be found [here](#). We currently have no enforcement action open against Starlink. If you wish to submit a complaint to Ofcom about the issue you have raised, you can do so here: [make a complaint](#).

Secondly, you have asked if Ofcom plans to start enforcement procedures against Starlink, when, and how it is going. We can neither confirm nor deny whether we hold any information on this. This is because, we consider that information about our enforcement work (beyond what is published on our enforcement pages at the above link) is exempt from disclosure under section 43 of the FOI Act, which exempts the disclosure of information where its disclosure would, or would be likely to, prejudice the commercial interests of any person or company (including Starlink).

Additionally, under section 43(3) of the FOI Act, the duty to confirm or deny holding information does not arise if the confirmation or denial that would be given in itself reveals information that falls under the exemption in section 43 of the FOI Act. In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosing the information. The Annex included in this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

We also consider that other exemptions under the FOI Act may be applicable here too such as section 36(3) of the FOI Act which relates to disclosures that would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.

This [webpage](#) provides details on how Ofcom enforces its regulatory and consumer rules. As set out in that document, we make decisions about whether to open investigations on a case-by-case basis, having regard to our statutory duties and all the matters that appear to us to be relevant. In doing so, we exercise our discretion to target action at cases we think are most likely to produce good outcomes for citizens and consumers. We cannot pursue every possible issue that comes to our attention and must make decisions about whether to open investigations by weighing up the likely benefits of conducting an investigation against the resources required, and the comparative benefits of using those resources in other ways.

While not part of your request, it may be helpful to know that we currently have an enforcement programme open regarding One Touch Switch to address the delayed industry-wide implementation and subsequently emerging issues.¹

If you have any further queries, then please send them to information.requests@ofcom.org.uk – quoting the reference number above in any future communications.

Yours sincerely,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress.

Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).

¹ https://www.ofcom.org.uk/phones-and-broadband/switching-provider/cw_01268?SQ_VARIATION_256303=0

Annex A

<p>Section 43(2) of the Act provides that:</p> <p>Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).</p>	
Factors for disclosure	Factors for withholding
<ul style="list-style-type: none"> Enabling the public to gain a better understanding of our regulatory work, especially in relation to enforcement, and thereby increasing the public confidence in Ofcom's work. Generally, there is a public interest in transparency of regulatory activities. 	<p>Ofcom's enforcement guidelines set out how and when we would open investigations. When deciding whether to open an investigation into any entity, we would normally follow the process set out in these guidelines including carrying out an Initial assessment to determine if the circumstances in the case warrant us opening an investigation and normally informing any relevant stakeholder of our decision to open the investigation (if that is the case).</p> <ul style="list-style-type: none"> To disclose any early assessment or thinking on whether or not to open an investigation, including confirmation of whether this is being considered, would or would be likely to prejudice the commercial interests of the relevant company. We consider that disclosing the information requested, including confirming whether or not it is held, would be a premature disclosure as disclosing such plans, if there are such plans, before Ofcom is ready to publicly announce any investigation opening would mean that the usual internal enforcement processes involved in considering whether or not to open investigations would not have been completed. We publish any decisions we make to open investigations on our website.
<p>Reasons why public interest favours withholding information</p>	
<ul style="list-style-type: none"> For the reasons above, we consider that, on balance, the public interest in withholding disclosure of the requested information outweighs the public interest in disclosing the information. 	