

## The Operation of the Telecommunications Network in 21<sup>st</sup> Century UK

The telecommunications network within the UK must be regarded as a strategic national asset. Since the decision to leave Europe has been taken it is also clear that it is in the interests of the UK that this strategic asset must be managed in such a way that it delivers the most efficient and cost effective means by which modern electronic communications are delivered to businesses, other organisations and consumers. This can only be achieved if the entity which delivers the telecommunications network is both accountable and transparent.

It is my position that currently Openreach, the de facto monopoly organisation that provides the network, is not only failing in its delivery, but that its relationship within the BT group prevents it being either accountable or transparent. In addition the BT relationship actually results in Openreach behaving in an anti-competitive way.

I am basing these assertions as the Managing Director of a small telecoms reseller (Welcome Telecom Ltd) that has no option other than to rely on Openreach to deliver services to its customers. Those customers range from SoHo's and start-ups through SMEs to charities and major international enterprises.

Welcome Telecom purchases services for resale from other service providers and networks. In each case those providers and networks purchase services from BT Wholesale who then rely on Openreach to actually provide the services.

Welcome purchases services from its suppliers using the BT Openreach WLR3 portal which allows it to place orders directly with Openreach, but must report failures and errors via the network with which Welcome has the commercial relationship.

### **Failure to deliver reasonable service**

Welcome Telecom has been providing wholesale line rental services to customers since deregulation. During that time Openreach performance has been variable, but over the last 12 months there has been a significant deterioration in that service. The main issues have been around missed appointments, late cancellation of appointments, failure within the WLR3 portal to reflect the reality on the ground and an unwillingness to investigate and resolve issues, particularly those around poor and intermittent ADSL delivery which applies to all broadband products.

### **Failure to provide reasonable remedy**

In the case of missed appointments and/or incorrect /unfinished activities it is almost impossible to raise timely escalations. I say this because the escalation path always allows a 24 hour grace period before the escalations are even considered. To escalate to DSO level, therefore, may take anything up to 3 or 4 days during which period we are unable to offer our customers any meaningful information. The end result always seem to be a new appointment date, which is usually only the same as a date we would be offered if we had placed a new order.

When it comes to the investigation of poor or intermittent broadband, the basis of 21<sup>st</sup> century communications for the majority of our SME base, more often than not the initial response is that "there is connectivity". This approach means that both we and our suppliers have to spend a disproportionate amount of time simply to get Openreach to recognise an issue, let alone doing anything about it.

### **The asymmetric relationship between Openreach, resellers and end users**

With the recent experiences of Openreach performance as outlined it is, therefore, even more galling when considering the sanctions that Openreach apply, without any enquiry. For instance if one of our end users misses an appointment or an Openreach engineer is unable to gain access to a particular premise, then charges are applied to our account automatically. When the boot is on the other foot, however and an Openreach engineer fails to attend to appointment, or appointments are cancelled with less than 24 hours' notice then we have no such remedy. If we apply for a similar credit to compensate our customers we are sometimes granted payment only as a "goodwill" gesture and then after having to jump through several hoops.

The general impression that this creates is that Openreach can do what they want when they feel like it, but we are required to act in the way they prescribe. Never, in my experience, have Openreach contacted a customer to accept responsibilities for their failings.

### **The BTW buffer**

Because Openreach services are supplied via BT Wholesale (BTW) there is automatically a buffer between us as a customer and Openreach. Openreach becomes a distant organisation to whom customers have no access. I recall a meeting many years ago when the then CEO of Openreach, Steve Robertson stood in front of an industry audience and declared that if anyone, resellers included, were having issues then he wanted to hear about them. No such access is currently available and all communications have to be passed through the BTW buffer.

### **The anti-competitive result**

With all these influences at play it is little wonder that when one of our customers is let down by Openreach we hear the complaint, "I should have stuck with BT – they can manage things better when dealing with their own company." Rightly or wrongly this is the impression that some end users have and can only lead to alternative providers having higher hurdles to jump than BT Retail.

If Openreach were to be separated from BT and had to provide the same service to networks other than BTW then there is at least the chance of a level playing field appearing. It would also start to remove the confusion that results from Openreach's place in the BT group.

## **Case studies**

These are a few representative case studies that illustrate the frustrations that are caused by Openreach at present.

### **1. Express Removals, Gloucester**

Date issue first raised – 05/10/2015

Number of interventions – excess of 30

Date issue resolved – unresolved at 20/09/2016

This case involves the failure to deliver expected ADSL to a customer. The ADSL in question is to provide both voice and data to the end user. Initial speed tests indicated that the customer should expect to achieve around 80Mbps down and 20Mbps up using fttc, which is more than sufficient for their needs.

The circuit was first installed in October and started having issues shortly thereafter.

The case was reported first reported on 5/10/2015 and concerned both slow speeds and drop outs. At some points the circuit did achieve the expected speeds although they were very short lived.

Over the following months and after numerous engineer visits it became clear that very little, if any progress was being made. Welcome, at its own expense, replaced the router on OR advice, but no improvement resulted.

Finally, in July 2016 Welcome decided to install a new PSTN line and apply fttc from a different provider than the first circuit. As soon as this circuit went live it was noted that achieved speeds were again well below expected. This was reported to Openreach as a fault and the whole sorry saga started again. Welcome left the original circuit in place in order to compare performance between the two supposedly identical circuits. Despite numerous

engineer visits (and failure to attend) both circuits remain in an unstable state and are performing well below that which has been proven possible.  
As things stand there is little interest from Openreach in providing the reliable data access upon which the customer relies to operate their business.

Over 50 interventions have been required from welcome Telecom merely to prevent Openreach closing this case. It is our understanding that the cause of the issue is a single card, either in the exchange or cabinet, and the Openreach will not replace it because there are insufficient customers affected.

Not only do these circuits now require constant monitoring by Welcome and at least 2 routers supplied for each circuit to “prove” to Openreach that there is a fault, but Welcome have also been forced to maintain and pay for an additional circuit where none should be required. As a result this account is being run at a loss from Welcome’s point of view, but Openreach and BTW are receiving full payment for this inadequate service.

## **2. Customer name – Asquith Nursery North Weald**

Order number - OR0000007883707/OR0000007883778/OR0000007952096

Date order placed – 05/07/2016

Number of interventions – 12

Date completed – unresolved at 20/09/2016

Activities and notes – from 05/07/2016 to 19/07/2016 for address validation and line plant work appointment booked for 21/07/2016. On the evening of 20/07/2016 this was delayed due to “further investigations required”. On 22/07/2016 line plant work completed and a new appointment scheduled for 26/08/2016.

Escalation to DSO provided a new appointment 03/08/2016, which was missed due to “planned solution required”. Status delayed.

An update was received on 04/08/2016 “the job is on-going and the lead time is 3 working days after a failed appointment. Please review Order Tracker for next update on 10/08/2016”.

Constant chasing finally produced the advice that Welcome should check the tracker for next update on 15/08/2016. Cable work and survey completed 15/08/2016, status then went into delay before the next update on 23/08/2016 advising that duct work was required with an estimated completion date of 31/09/2016. Contractors missed apt 31/08/2016.

The next update was scheduled for 14/09/2016 so the order was escalated to SPM. In the end the next update was indeed delayed until 14/09/2016 which reported “progressing with the CT contractors for the required external work to be completed, review date 28/09/2016”.

Once again this was escalated and we are advised that contractors are due to start on 20/09/2016 complete by 27/09/2016.

### **3. Customer name – Gibbon Equipment Hire Ltd**

Order number - OR0000008004990/OR0000008004990

Date placed – 22/08/2016

Number of interventions – 5

Date completed – 13/09/2016

The original appointment date for a PSTN install, with SIM provide fttc, was 30/08/2016. The engineer turned up and said to the end user that he didn't know why he was there and left. His notes stated that he spoke to the customer and then left site because there was no-one there. Welcome immediately queried this and requested an urgent reappointment, but was unable to escalate the issue.

The install was rescheduled for 07/09/2016 but the engineer turned up and his tracker advised that the address was incorrect and he left, although address was correct. The order then went into "status delayed". Welcome was then offered an appointment later in the month – the same date as if a new order had been placed. An escalation to DSO was finally raised and the next appointment for 13/09/2016 was achieved. It should be noted that none of the information contained in the original order had changed.