

Response:

Your details	
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Representing:	Organisation
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Your response	
Question 1: Do you agree with our framework for assessment?:	Yes
Question 2: Do you agree that in landline and broadband markets consumers are insufficiently protected from poor quality of service and that intervention is required?:	Yes. However as a Reseller, many issues are caused by wholesale provider network issues, but the current proposals place a financial burden on resellers, rather than the wholesale providers and could create an unfair environment for resellers if wholesalers are not required to compensate.
Question 3: Do you agree that it is appropriate for automatic compensation to be introduced for landline and broadband consumers?:	We believe that it should be made it easier for customers to claim compensation and that automatic payments can play an important role in this. However, more consultation with is needed to minimise impact on competition, and in particular small and medium-sized ISPs. Resellers would face a huge financial burden. The case for automatic compensation was based on the compensation policies of the 4 largest land line and broadband providers. It does not take into account the policies of smaller providers who tend to focus on service quality as their unique selling point.

<p>Question 4: Do you agree with our proposal to provide automatic compensation when a loss of service takes more than two full working days to be restored?:</p>	<p>More clarity is required in defining when the starting point of the fault is and the nature of the fault. The document states that it should be when the customer first reports the fault, however this does not take into account time taken to perform diagnostic tests and equipment checks to eliminate a customer equipment error or misoperation. The consultation document currently fails to outline how automatic compensation would apply to a customer who takes a landline from one provider and a broadband product from another. Assuming there is a fault with the landline rather than the broadband product, would A) both providers be required to pay automatic compensation if the customer logs the service issue with both providers; and B) would the broadband provider be required to pay automatic compensation if the customer only raises the loss of service issue with the broadband but not the landline provider? C) Would the broadband provider be able to seek compensation from the landline provider if the loss of service was caused by a line issue which is beyond the control of the broadband provider D) If the broadband fault is caused by a line fault, the broadband issue cannot be resolved until the line is rectified. If an engineer is required, this can take several days and extend the life of the fault, which the broadband provider must compensate for, even when they were not in a position to rectify the fault any earlier.</p>
<p>Question 5: Do you agree with our proposal to provide automatic compensation when there are delays in provisioning a landline or fixed broadband service?:</p>	<p>Clarity is needed on whether compensation for delayed service provision would be due if the delay was due to the customer missing the provision appointment.</p>
<p>Question 6: Do you agree with our proposal to provide automatic compensation when missed appointments take place with less than 24 hours of prior notice?:</p>	<p>Clarity is needed on whether two separate automatic compensation payments would need to be made if: A) there is a delay to the service provision because of a missed appointment. B) there is a delay in restoring a service because of a missed appointment</p>
<p>Question 7: Do you agree with our proposals on transparency?:</p>	<p>Yes</p>
<p>Question 8: Do you agree with our proposals on the method and timing of payment?:</p>	<p>Updating billing systems to accommodate these proposals will increase the financial burden on smaller providers and resellers.</p>
<p>Question 9: Do you agree with our proposal not to have a payment cap (and our assessment of the reasons for and against it)? - If you consider there</p>	<p>No. There should be a payment cap, preferably no more than the annual cost of the service in question.</p>

should be a payment cap, what should it be and why?:	
Question 10: Do you agree with our proposed exceptions?:	No. Many issues that affect service quality are beyond the control of any provider such as extreme weather events, wayleave issues etc.
Question 11: Do you agree we should not allow for a blanket exception for force majeure-type events?:	The implementation of automatic compensation without a payment cap or significant exceptions poses a serious risk of putting a significant and undue burden on providers, particularly resellers. There is a real risk of increasing consumer harm if smaller providers and niche service providers are forced out of business. Providers may stop providing services to certain types of customer such as those in rural or remote locations with poorer infrastructure because the likelihood that there will be service issues that will trigger compensation payments
Question 12: Do you agree with our proposal on complaints and disputes?:	There is the possibility that this will be abused and exploited by a small number of consumers. There is a real risk that providers will pay out compensation when there is a dispute to avoid the case going to ADR and incurring further costs to the provider, and some people will exploit this by manipulating missed appointments and making a claim
Question 13: Do you agree with the impacts we describe? Please wherever possible give your reasoning and provide evidence for your views.:	The cost of implementation will be a burden. Development costs will be significant to update billing systems. As a reseller, we have agreements with several wholesale providers which will all need to be renegotiated to ensure we are compensated for network outages beyond our control
Question 14: Do you agree with our provisional conclusions on residential landline and broadband services?:	Ofcom also needs to ensure that Openreach SLAs and SLGs adequately reflect any requirements that are put on resellers in the context of automatic compensation
Question 15: Do you agree with our proposal of 12 months to implement automatic compensation?:	This is unlikely to be enough time as contracts will need renegotiating and development work on billing systems.
Question 16: Do you agree with our proposal to monitor the impact of automatic compensation?:	no comment
Question 17: Do you agree with our proposals for greater transparency regarding service quality and compensation for products targeted at SMEs?:	no comment
Question 18: Do you agree with our provisional conclusions not to introduce automatic compensation for	no coment

delayed repair of mobile loss of service?:	
Question 19: Do you have any comments on the draft condition set out in Annex 14 to this document?:	no comment