

## Minutes

### Broadband migrations working group 2-4pm, 14 August 2003

#### Present:

#### Oftel:

Ruth Gibson, Competition Case Officer  
Ian Vaughan, Competition Case Officer  
Katherine Dinsdale, Competition Case Officer  
Steve Unger, Head of Network Analysis

#### Industry:

Richard Sweet, Head of Regulation and Interconnection, Thus (*chair*)  
Liz Marley, Commercial Manager, ntl  
Diane Mills, Head of Regulatory Affairs, Bulldog  
Rachel Brennan, Regulatory Manager, Energis  
Stephen Lock, Broadband Product Manager, Freeserve  
Theresa Brown, Head of Regulation, BTopenworld  
Andy Ashmore, Product Manager, BTopenworld  
Mark Taylor, Business Director, Nildram  
Andy May, Senior Regulatory Manager, MCI  
Tamara Russell, Product Manager, Easynet  
Rob Hamilton-Day, Head of Broadband Operations, Easynet  
Martin Saunders, Head of Products, Easynet  
David Carr, VP Broadband, AOL  
Alan Williams, Solicitor, BT Wholesale  
Tim Parnell, Regulatory Manager, Broadband, BT Wholesale  
Adrian May, Product Development, BT Wholesale  
Gordon MacNeill, OneTel

#### 1. Agreement of minutes from meeting on 30 July 03

1.1. The minutes were agreed.

#### 2. Outstanding actions

2.1 BT to provide updated statistics to Oftel.

[BT presented a slide](#) with figures for the volumes of migration requests to date  
(*slide attached*):

<b>Total to Date</b>		
	<b>Volume</b>	<b>%</b>
Active	345	5.0%
Cancelled	903	13.1%
Completed	2544	37.0%
No ADSL	382	5.6%
Reject	2702	39.3%
<b>Grand Total</b>	<b>6876</b>	<b>100.0%</b>

Cancelled at gaining SP request	negative response from losing SP	No response from losing SP
<b>114</b>	<b>191</b>	<b>598</b>

- 2.2 BT confirmed that there may be some duplication in these figures, for example, rejected orders may then be re-submitted and completed.
- 2.3 BT also confirmed that the cancelled category is made up of orders which are cancelled at the request of the gaining SP; orders which are cancelled at the request of the losing SP; and those orders where BT receives no response from the losing SP. The rejected category includes orders rejected because incorrect information has been given, eg the SP details are incorrect.
- 2.4 It was noted that the largest category is the rejected orders. This suggests that there is a significant problem with orders being rejected due to incorrect information provided on the form, in addition to SPs blocking the migrations. BT confirmed that both BTopenworld and BTbroadband are treated in exactly the same way as other SPs. **Action:** BT agreed to provide a more detailed breakdown to OfTel, including details of the SPs, in confidence.
- 2.5 BT stated that it would expect a large number of the current rejections to be eliminated by the proposed new process, because the validation would require less information.

### **3 Proposals for amended migrations process**

- 3.1 The paper prepared by Richard Sweet setting out an alternative process based on the CPS process was discussed (Option B). It was noted that there are fewer opportunities for the losing SP to prevaricate or obstruct the migration. However, there is also less opportunity for the losing SP to take 'save' action, compared to the BT proposal (Option A).

- 3.2 It was suggested that it would be helpful for the working group to have an indication of the timescales and costs involved for both options, as it may help to inform members' views.
- 3.3 BT stated that it has been conducting impact analysis on costs and timescales for its own proposed changes, so would be able to present some of this information at the next meeting of the working group. In addition, although BT does not have such information available at present for Option B, as it is a new proposal, it was agreed that BT would conduct similar impact analysis for Option B and present it at the next meeting.
- 3.4 BT suggested that it needed clear industry agreement to implement Option B, as the migrations would be processed by default. In contrast, Option A is a positive process and therefore BT would receive authority from the losing SP on each individual case, although this option would also need general support from the industry to be successful.
- 3.5 Although both options do require changes to the BT contract, BT suggested that it should be simpler to change the contract for Option A, as it could be inserted as a 'unilateral' change. BT is able to propose changes to the contract, with 28 days notice, as long as the changes would not be detrimental to the other contractual party.
- 3.6 It was generally agreed that although it can be difficult to change the contractual terms of SPs, this is a secondary issue, and should not prevent the working group from reaching agreement on the optimal solution.
- 3.7 It was noted that there is a Code of Practice for mobile number portability arrangements, setting out a list of reasons which could, and could not, be used to prevent the porting taking place (see Mobile Number Portability Porting Process Manual Issue 1.2 at [www.oftel.gov.uk/ind\\_info/numbering/mnp1199.htm](http://www.oftel.gov.uk/ind_info/numbering/mnp1199.htm)). It was suggested that the same format could be used to set out a Code of Practice for broadband migrations between SPs. However, it was noted that the circumstances are different for mobile SPs, as they are required to carry out onward routing, even once the porting has been carried out. In addition, it is possible for mobile consumers to contract with several different service providers at any one time; it is not possible for broadband consumers to do this.
- 3.8 Although it was suggested by some members of the working group that a large proportion of the current problems with migrations could be solved simply by using Option A to reduce the number of rejections occurring due to incorrect information, there was general agreement that it may be helpful to agree a similar Code of Practice. However, it was noted that Option A may be redundant if it is agreed that there is no acceptable reason for the losing SP to block the migration.

#### 4 Summary and next steps

- 4.1 It was agreed that the working group would continue to progress both options, at least until the timing and cost for both options is known.
- 4.2 BT agreed to provide an indication of the costs and timescales associated with both options, to show which is generally quicker or cheaper. BT also agreed to identify any issues which might make it difficult to apply the same process to migrations across all broadband products. **Action 1** – BT to provide this information at the next meeting of the working group.
- 4.3 Richard Sweet volunteered to produce a draft Code of Practice for discussion, setting out a suggested list of reasons for which it would be valid to withhold authorisation, together with those reasons for which authorisation could not be withheld. **Action 2** – to be circulated before the next meeting of the working group and for operators to comment (**completed**).
- 4.4 **Action 3** - next meeting to be arranged for mid-September (**completed** – date of next meeting is 18 September at 2pm).
- 4.5 **Action 4** – BT to send copy of slide to Oftel for circulation (**completed**) and confidential detailed analysis of the reasons given for rejections (**completed**).
- 4.6 **Action 5** – BT to provide a short presentation update on IPStream – DataStream migrations.

Ruth Gibson