

From: Steve Unger  
Sent: Fri 19 January 2007 6:54 PM  
To: 'karen.wray@openreach.co.uk'  
Cc: Steve Unger; Clive Gordon; Andrew Heaney; Sean Williams; Peter Ingram  
Subject: Re: Section 20.4: engineers loans

I'm happy to agree this Undertakings variation, effective as of today. As discussed at today's Sean / Steve meeting, we recognise ORs need to respond urgently to network damage caused by recent high winds, and make use of those BTGS engineers who are available this weekend

----- Original Message -----

From: karen.wray@openreach.co.uk <karen.wray@openreach.co.uk>  
To: Steve Unger  
Sent: Fri Jan 19 18:00:38 2007  
Subject: Section 20.4: engineers loans

Dear Steve,

As discussed this afternoon, please find attached a letter in draft from BT relating to the loan of engineers from BT Global Services to Openreach to help with networks repairs following recent bad weather.

A hard copy will follow on Monday. The letter is attached and copied in the mail below for ease of reference.

Karen

Dear Steve,

UNDERTAKINGS OF 22 SEPTEMBER 2005 GIVEN TO OFCOM PURSUANT TO THE ENTERPRISE ACT 2002 - "the Undertakings"

I am writing to request Ofcom's agreement to a change to the Undertakings pursuant to section 20.4 to allow a number of BT Global Services engineers to undertake some work for Openreach for a short period to assist Openreach in dealing with current extreme storm/adverse weather damage and conditions.

BT's intention is to ask a maximum of 100 engineers (on any given day) currently working within BT Global Services on BT Global Services activities, but who have the necessary skills and experience to undertake field and/or frame activities, to operate under Openreach direction at exchanges across the UK. The field and frame jumpering activities will benefit all Communications Providers and their customers by assisting on provision and repair of Openreach services as a result of storm/adverse weather damage and conditions.

For all substantive employment purposes these engineers will however remain on the BT Global Services headcount. The request is to allow no more than 100 engineers across the country on any given day to work either on an "isolated day" basis or by doing overtime/"out of hours" work for Openreach. It is expected that it will not be the same 100 engineers who will be made available throughout the period, as BT Global Services will release engineers for Openreach as, when and where BT Global Services can make them available based on current BT Global Services workstacks. These BT Global Services engineers will also

receive appropriate instructions on maintaining confidentiality of any Openreach customer-related information they may have access to while working for Openreach.

BT is seeking Ofcom's agreement under section 20.4 of the Undertakings to this temporary arrangement. Specifically, section 20.4 of the Undertakings shall be interpreted and have effect to the extent necessary such that between 19 January 2007 and 15 February 2007., AS and BT Global Services may agree from time to time that BT Global Services shall on behalf of AS undertake activities which under these Undertakings are otherwise to be undertaken by AS provided that, unless Ofcom agree otherwise, not more than 100 engineers shall at any one time be engaged in the undertaking of activities under this temporary arrangement. This shall include such necessary access to AS systems and information, including AS Customer Confidential Information if any, as is reasonably necessary to enable the relevant activities to be undertaken by BT Global Services on behalf of and under the direction of AS and only for that purpose.

Words and expressions in this letter shall have the meaning assigned to them in the Undertakings.

I look forward to hearing from you.

Yours sincerely

[Gaby Heppner-Logan  
Director of Regulatory Affairs]