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# Implementing the Broadband Universal Service Obligation

Consultation on designation regulations

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**CONSULTATION:**

Publication Date: 13 September 2018

Closing Date for Responses: 15 October 2018

# About this document

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In March 2018, the Government introduced legislation for a broadband universal service obligation (“USO”), which will give eligible homes and businesses the right to request a decent broadband connection.

Ofcom is now responsible for the implementation of the USO. This document sets out our proposals on the process for the designation of a Universal Service Provider. We will consider wider USO aspects, including the identification of Universal Service Providers and the regulatory obligations which will apply to them, in a further consultation later this year.

# Contents

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## Section

1. Summary	1
2. The Designation Process	3

## Annex

A1. Draft Regulations	9
A2. Responding to this consultation	12
A3. Ofcom's consultation principles	15
A4. Consultation coversheet	16
A5. Consultation questions	17

# 1. Summary

## Background

- 1.1 In March 2018, the Secretary of State made The Electronic Communications (Universal Service) (Broadband) Order 2018 (the “Order”) setting out the broadband connections and services which must be made available to all eligible consumers in the United Kingdom (“the USO”). The Order sets out a minimum technical specification for the broadband connections and services which are to be provided and contains eligibility criteria specifying those premises which will benefit from the USO.
- 1.2 In respect of the specification, the Order states that: “affordable broadband connections and services must be provided throughout the United Kingdom with all the following characteristics-
  - a) download sync speed of at least 10 megabits per second;
  - b) an upload sync speed of at least 1 megabit per second;
  - c) a contention ratio of no higher than 50:1;
  - d) latency which is capable of allowing the end-user to make and receive voice calls over the connection effectively;
  - e) the capability to allow data usage of at least 100 gigabytes per month.”
- 1.3 Consumers and businesses will only be eligible for a broadband connection or service meeting that specification where:
  - a) a broadband connection that meets the USO specification is not already available;
  - b) such a connection will not be provided by a publicly-funded rollout scheme in the next year; and
  - c) the cost of connection is less than £3,400. Where the costs are higher than this amount, consumers and businesses will be able to receive the service if they pay any costs over £3,400.
- 1.4 Under the Communications Act 2003 (the “Act”), it falls to Ofcom to implement the provisions of the Order by designating particular providers (“Universal Service Providers”) as responsible for the provision of the USO and imposing regulatory obligations, in the form of universal service conditions, upon them.

## The June Consultation

- 1.5 On 19 June 2018, we issued our ‘Request for expressions of interest in serving as Universal Service Provider for broadband’ (the “June 2018 Document”).<sup>1</sup> We set out the applicable

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<sup>1</sup> [https://www.ofcom.org.uk/\\_data/assets/pdf\\_file/0013/115042/implementing-broadband-uso.pdf](https://www.ofcom.org.uk/_data/assets/pdf_file/0013/115042/implementing-broadband-uso.pdf)

regulatory framework and explained that, as the USO is a measure which seeks to serve the interests of consumers our primary objectives in fulfilling our duties under the Act are:

- to deliver the USO as quickly as possible, so consumers benefit as soon as possible;
- to ensure any designated provider can deliver services that meet the USO specifications; and
- to ensure the cost of delivery, and therefore impact on industry and consumers, are minimised.

1.6 The June 2018 Document outlined the decisions which fall to be taken by Ofcom under the statutory framework, and set out our initial views on the approach to the designation of Universal Service Providers and the regulatory obligations which could be attached to a designation.

1.7 In considering the approach to designation, we set out that, based on discussions with providers and the structure of existing broadband network infrastructure, there appeared to be insufficient interest from providers in delivering the USO on a national basis, or in the same geographic areas, to run an effective competition. Instead, we suggested that a direct designation approach, whereby we would select and designate a provider based on the outcome of our own objective and transparent analysis, would allow the USO to be implemented quickly whilst at the same time ensuring that the process was open to all interested providers. We therefore invited expressions of interest in being designated as a Universal Service Provider, either on a national or sub-national basis.

1.8 In response to the June 2018 Document, we received expressions of interest from:

- Broadway Partners
- BT
- Hyperoptic
- KCOM
- Quickline Communications

1.9 We also received responses to the June document from a further six operators, as detailed in Section 2 below.

## **Ofcom's proposals**

1.10 We set out in this document our analysis of the responses to the June 2018 Document insofar as they are relevant to the issue of the process that will be used to designate Universal Service providers. We then set out our reasons for proposing to proceed with a direct designation approach. We consider that this approach is most likely to effectively meet our primary objectives.

1.11 Other issues covered in the June 2018 Document, including the identification of Universal Service Providers and the regulatory obligations which will apply to them, will be considered in detail in a further consultation later this year.

## 2. The Designation Process

### The June 2018 Document

- 2.1 In the June 2018 Document, we set out that all interested providers would have the opportunity to put themselves forward through a transparent process to ensure the most capable and efficient provider(s) are designated. This approach is consistent with the requirements of the Universal Service Directive<sup>2</sup> under which we must follow “*an efficient, objective, transparent and non-discriminatory designation mechanism, whereby no undertaking is a priori excluded from being designated.*”<sup>3</sup>
- 2.2 We indicated that the most effective way to deliver the USO as quickly as possible would be for operators to express their interest in delivering the scheme, either on a national or sub-national basis. We would then designate the provider(s) that are best placed to deliver the USO.
- 2.3 The June 2018 Document considered the option of designating Universal Service Provider(s) by running a formal competitive process, such as an auction. However, for this process to be effective there would need to be sufficient competition between providers to drive bids down to their efficient cost. Based on our discussions with providers and the structure of existing broadband network infrastructure at this time, we did not consider that there would be sufficient interest in delivering the USO (on a national or sub-national basis) to run an effective competitive process.
- 2.4 We recognised that certain providers had indicated an interest in delivering USO connections in different areas of the UK and we were therefore keen to ensure that providers have the opportunity to deliver the USO, particularly those who have already contributed to the rollout of broadband on a local basis.
- 2.5 We invited interested parties to respond with expressions of interest setting out:
- the geographic areas they would be interested in serving;
  - their approach to delivering the USO, and the services they propose to offer; and
  - their capacity to deliver the USO.
- 2.6 We said that once we had received responses, we would then consider whether different Universal Service Providers could be designated in different areas of the UK, or whether a national designation of a single Universal Service Provider may better meet our objectives, with the intention of setting out proposals for designation later in the year.

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<sup>2</sup> Directive 2002/22/EC of the European Parliament and of the Council of 7 March 2002 (as amended) on universal service and users’ rights relating to electronic communications networks and services as amended by Directive 2009/136/EC <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32002L0022>

<sup>3</sup> Article 8(2) Universal Service Directive

## Responses to the June 2018 Document

- 2.7 We received 11 responses to the June 2018 Document. Of those respondents, 5 expressed an interest in being a Universal Service Provider:
- Broadway Partners
  - BT
  - Hyperoptic
  - KCOM
  - Quickline Communications
- 2.8 A further 3 respondents commented on the designation process itself without expressing an interest in being designated as a Universal Service Provider, these were:
- Gigaclear
  - Internet Service Provider's Association (ISPA)
  - Speedchecker Ltd.
- 2.9 Responses were also received from Bentley Walker, OneWeb and CityFibre, none of which expressed an interest in being a Universal Service Provider nor commented on the designation process.<sup>4</sup> In this document we address only comments relating to the designation process. We will consider comments received on other matters, including the responses that suggest the Universal Service Provider should be required to utilise all existing networks in delivering the USO, in a consultation later this year which will set out proposals for formal designation of Universal Service Providers and regulatory obligations.

## Consideration of responses

- 2.10 Quickline, OneWeb, Hyperoptic, CityFibre, Broadway Partners, BT and Bentley Walker did not comment specifically on our proposed approach to designation, although Hyperoptic agreed that we should be open to sub-national designation.
- 2.11 ISPA said that it will be important to ensure any system of designation designed by Ofcom is able to utilise existing infrastructure to expand networks in areas where providers already have a significant footprint. CityFibre also said that the Universal Service Provider should use pre-existing full-fibre infrastructure.
- 2.12 Gigaclear agreed with our proposal for a direct designation approach and considered that whoever is designated should consider utilising pre-existing open access full fibre network infrastructure where such a network is available within the relevant local authority boundary.
- 2.13 Speedchecker Ltd expressed its support for Ofcom's decision to consider all providers when deciding who to designate. It also considered the USO can best be delivered by a mix of multiple operators.

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<sup>4</sup> It was not clear from Bentley Walker's response whether they were interested being designated as a USP, we are clarifying this with them.

2.14 None of the operators that responded raised any objection to us pursuing a direct designation approach.

## Proposals on the designation process

2.15 We have identified several processes by which Universal Service Provider(s) might be designated, including direct designation, and a competitive tender process such as an auction or procurement. We remain of the view that a direct designation process is the most appropriate route. A direct designation approach will allow the USO to be implemented quickly whilst at the same time ensuring that the process is open to all providers that may be interested in being designated.

### Primary objectives

2.16 In fulfilling our duties under the Act when implementing the USO, our primary objectives are:

- **Speed:** to deliver the USO as quickly as possible, so consumers benefit as soon as possible;
- **Effectiveness:** to ensure any designated provider can deliver services that meet the USO specifications; and
- **Efficiency:** to ensure the cost of delivery, and therefore impact on industry and consumers, is minimised.

### Assessment of designation approaches

2.17 The three designation approaches that we have identified as being potential options for designating the Universal Service Provider are:

- a) **Auction process** – Ofcom would define lots (i.e. the number of premises, the specification, quality parameters etc.) prior to the auction. Providers would then submit bids to deliver some, or all, of these lots. The lowest cost bidder would be designated as the Universal Service Provider for each lot. The winning bid would determine the terms of supply.
- b) **Procurement process** – providers would submit bids which would be evaluated against a pre-determined set of criteria, including the cost to deliver the USO. Ofcom would assess submissions against the criteria and designate the operator that most effectively meets them. As with an auction the winning bid would determine the terms of supply.
- c) **Direct Designation** – we would assess potential Universal Service Provider(s) against our overall objectives to determine which provider(s) to designate, and on what basis. Funding arrangements are then determined at a later date if the USP faces an unfair net cost burden.

2.18 We continue to believe that a competitive process in the form of an auction would not be appropriate, either on a national or sub-national basis. Our reasons are as follows:



- First, an auction requires a clear definition of the rights and obligations being bid for. In this case, there are several parameters defining the service, which adds complexity. There is a possibility that the winning bid (lowest subsidy bid) could be one which involved services being offered to consumers at a very high price (potentially conflicting with the aim of affordable USO services). Furthermore, a winning bid which minimised the subsidy through being low cost might be one which compromised on network rollout (e.g. speed or quality of delivery) or subsequent service provision (e.g. making the delivery of at least 10Mbps at all times less likely or delivering lower quality customer support).
- Second, an effective auction process requires there to be sufficient competition between potential providers to drive bids down to their efficient cost of delivering the USO. No provider (other than BT) has indicated that it would be prepared to be designated on a national basis. Even if we were to conduct an auction on a sub-national basis, there is only one Local Authority in which we have received more than two expressions of interest, while large areas of the country have attracted no expressions of interest. We consider that it is unlikely that an auction process involving just two bidders would be sufficient to reveal the efficient costs of delivering the USO. As such, an auction approach is unlikely to best meet our objectives in this case.
- Third, auctions are further complicated when the rights and obligations being awarded have synergies between them. For example, sub-national lots are likely to have complementarities between them because of common costs in network deployment or operation. As such a bid in one area may be contingent on being awarded an adjacent area, for example. This can lead to risks of stranding – i.e. winning bidders being left with an area to serve at a price which was only viable if they were awarded adjacent areas. Whilst auctions can be designed to mitigate these risks, this adds complexity to the process.

2.19 We have also considered the merit of carrying out a procurement exercise to select the preferred provider of the USO. We note that an effective procurement process also relies to some extent on rivalry between bidders. We do not consider that a procurement approach is likely to deliver benefits over direct designation, whereas there are a number of advantages to a direct designation approach. First, we consider that direct designation can be achieved more quickly than running a procurement exercise. Second, under a procurement process, we would be likely to have to revert to a direct designation approach if an operator withdrew. Third, a direct designation approach also provides the flexibility to take account of various uncertainties that may arise during our USO implementation process, rather than requiring us to specify the terms of procurement in a way which provides for all possible eventualities. It also allows us to carry out an ex-post assessment of the actual net cost burden falling to the Universal Service Provider(s), which is highly uncertain at the point of designation.

2.20 In light of the advantages of a direct designation approach and assessing each approach against our primary objectives, we consider that a direct designation approach is more

likely to meet these objectives, particularly with regard to the speed of delivery and in light of the need for flexibility given the uncertainties which remain.

- 2.21 To implement this in line with the statutory framework, we therefore set out draft regulations in Annex 1 for consultation.

## **Assessment of who to designate as the Universal Service Provider(s) under a direction designation approach**

- 2.22 Under a direct designation approach, we would need to make a final decision on whom to designate as the Universal Service Provider(s). To make this decision, we would assess submissions from operators against a set of criteria. In our June 2018 Document we outlined a number of factors that we would consider when carrying out our assessment of who should be the Universal Service Provider(s). These factors are set out below and are likely to inform our decision:

- the geographic areas applicants would be interested in being the Universal Service Provider for, based on Local Authority boundaries;
- the process through which they would assess whether premises are eligible for the USO, particularly, how providers would forecast take-up and how quickly they would respond to requests;
- the technology mix they plan to use to deliver the USO and the timeframes involved;
- the quality of service that would be provided to USO premises;
- the prices applicants would offer to USO premises in order to be satisfied that the service is affordable;
- the complaint handling process that would apply to USO premises;
- the operators' corporate structure and management; and
- the sources of funding that operators have in order to fund the USO.

## **Draft regulations**

- 2.23 Under section 66(1) of the Act, before designating a Universal Service Provider, Ofcom is required to make regulations setting out the process by which providers will be designated. Those regulations must:

- not authorise the designation of a person other than a communications provider except in respect of conditions relating to directories and directory enquiry services;
- include provision as to the procedure to be followed in the case of a review of designations; and
- provide for a person's designation as a Universal Service Provider to cease in the event that the conditions to which it is subject are all revoked.

- 2.24 The procedure set out in the regulations must be one which appear to Ofcom to be:

- efficient, objective and transparent; and
- not to involve, or to tend to give rise to, any undue discrimination against any person or description of persons.

- 2.25 The draft regulations contained in Annex 1 set out a procedure which we have designed to meet the requirements of section 66 of the Act. Under those procedures, we will set out proposals for designating a particular person as a Universal Service Provider and may also include proposals for the universal service conditions to be applied to that person. Where we make designation proposals, we will also invite alternative proposals from any providers who think that they are better placed to deliver the USO (or elements thereof) to ensure that there is no undue discrimination against any person or description of persons. Should any alternative providers come forward, we will carefully consider their proposals before reaching our conclusion.
- 2.26 The draft regulations set out in Annex 1 would apply not only to the designation of Universal Service Providers for the broadband connections and services set out in the Order. The process which is set out in those draft regulations would, if made, apply equally to any subsequent designation of providers for other elements of a universal service. BT and KCOM have already been designated as Universal Service Providers in respect of the services set out in The Electronic Communications (Universal Service) Order 2003. Those designations were made under the Electronic Communications (Universal Service) Regulations 2003 (“the 2003 Regulations”) which were made by the Secretary of State prior to the coming into force of the Act.
- 2.27 We are proposing to revoke the 2003 Regulations to ensure that any future designation will follow the same procedure as that set out in the draft regulations contained in Annex 1. In doing so, we are mindful of the need to ensure that the designations made under the 2003 Regulations continue to have effect. We have therefore included a provision to this effect in the draft regulations.
- 2.28 In accordance with the requirements of section 403 of the Act, we are now consulting on the draft regulations for a one-month period.

## Next steps

- 2.29 This consultation will close on 15 October. Subject to responses to this consultation, we intend to proceed to make the regulations contained in Annex 1 setting out the procedure for designation of Universal Service Providers.
- 2.30 At the same time, we will set out proposals for the designation of providers responsible for delivery of the broadband connections and services set out in the Order. We will also set out proposals for the universal service conditions to be applied to those persons. We intend to issue those proposals for consultation later this year.

# A1. Draft Regulations

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## STATUTORY INSTRUMENTS

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**2018 No.**

### **ELECTRONIC COMMUNICATIONS**

#### **The Electronic Communications (Universal Service) Regulations 2018**

*Made* - - - - - \*\*\*

*Coming into force* - - - - - \*\*\*

The Office of Communications (“OFCOM”), in exercise of the powers conferred by section 66(1) of the Communications Act 2003<sup>(1)</sup>, makes the following Regulations.

#### **Citation and commencement**

**1.** These Regulations may be cited as the Electronic Communications (Universal Service) (Designation) Regulations 2018 and shall come into force on [\*\*\*\*\*].

#### **Interpretation**

**2.** In these Regulations—

- (a) “the 2003 Order” means the Electronic Communications (Universal Service) Order 2003<sup>(2)</sup>;
- (b) “the 2018 Order” means the Electronic Communications (Universal Service) (Broadband) Order 2018<sup>(3)</sup>;
- (c) “the Act” means the Communications Act 2003;
- (d) “the universal service” means the provision in the United Kingdom of the services and facilities set out in the 2003 Order, the 2018 Order and any further Order which may be made by the Secretary of State in accordance with section 65 of the Act; and
- (e) “universal service provider” means a person who is designated to provide the whole or part of the universal service.

#### **Revocations**

**3.—**(1) The Electronic Communications (Universal Service) Regulations 2003<sup>(4)</sup> are revoked in their entirety.

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<sup>(1)</sup> 2003 c. 21.  
<sup>(2)</sup> S.I. 2003/1904.  
<sup>(3)</sup> S.I. 2018/445.  
<sup>(4)</sup> S.I. 2003/33.

(2) Any designation of a universal service provider made, and any conditions set, under the Electronic Communications (Universal Service) Regulations 2003, prior to the revocation of those Regulations shall have effect as if made under these Regulations.

### **Designation of universal service provider**

**4.**—(1) In order to secure the universal service, OFCOM may propose the designation of such persons as they consider appropriate as universal service providers.

(2) Proposals for designating any person as a universal service provider shall be by means of a notification published by OFCOM—

- (a) stating that they are proposing to designate that person as a universal service provider;
- (b) giving the reasons for making that proposal;
- (c) inviting alternative proposals from any other person to be designated as a universal service provider instead of the person stated in the notification; and
- (d) specifying the period within which representations about OFCOM's proposal, including any alternative proposals, may be made.

(3) The notification may also set out the conditions that OFCOM are proposing to set on a person designated as a universal service provider in accordance with sections 45 to 48C and 67 of the Act.

(4) The period specified for the purposes of paragraph (2)(d) must be one of not less than one month, beginning with the day after the day on which the notification was published.

(5) The publication of a notification under this regulation must be in such manner as appears to OFCOM to be appropriate for bringing it to the attention of the persons who, in OFCOM's opinion, are likely to have an interest in it, or be affected by it.

(6) Where following publication of a notification in accordance with paragraph (2), OFCOM receive, within the period specified for the purposes of paragraph (2)(d), an alternative proposal from a person to be designated as a universal service provider instead of the person stated in the notice they shall—

- (a) consider that alternative proposal; and
- (b) determine whether or not, in their opinion, it would be appropriate to propose to designate that person as a universal service provider instead of the person stated in the notification.

(7) Where OFCOM determine, in accordance with paragraph (6)(b), that it would be appropriate to propose to designate another person as a universal service provider instead of the person stated in the notification, they must, before confirming that proposal, publish a notification in accordance with paragraph (2).

(8) If—

- (a) OFCOM have considered every representation about the proposals set out in a notification published under paragraph (2) that is made to them within the period specified in the notification; and
- (b) OFCOM have determined, in accordance with paragraph (6)(b), that it would not be appropriate to propose to designate another person as a universal service provider instead of the person stated in the notification,

OFCOM may, by publication of a further notification, make the proposed designation, with or without modification.

(9) OFCOM may designate a person other than a communications provider for the purposes of conditions relating to—

- (a) the supply of directories capable of being used in connection with the use of an electronic communications network or electronic communications service; and
- (b) the making available of directory enquiry facilities capable of being used for purposes connected with the use of such a network or service.

## **Review of designation**

**5.**—(1) OFCOM may from time to time—

- (a) review the designations for the time being in force in accordance with these Regulations; and
- (b) on such a review, consider what (if any) universal service conditions should continue to apply to each of the designated persons.

(2) Where OFCOM undertake a review of the designations in accordance with paragraph (1), it shall do so in such manner as appears to OFCOM to be appropriate for bringing it to the attention of the persons who, in OFCOM's opinion, are likely to have an interest in it, or be affected by it.

(3) Where, following a review of any designation in accordance with paragraphs (1) and (2), the universal service conditions applicable to a designated person are all revoked, the designation of that person as a universal service provider shall immediately cease to have effect.

## A2. Responding to this consultation

### How to respond

- A2.1 Ofcom would like to receive views and comments on the issues raised in this document, by 5pm on 15 October 2018.
- A2.2 You can download a response form from <https://www.ofcom.org.uk/consultations-and-statements/category-3/implementing-broadband-universal-service-obligation>. You can return this by email or post to the address provided in the response form.
- A2.3 If your response is a large file, or has supporting charts, tables or other data, please email it to [Broadband.USO@ofcom.org.uk](mailto:Broadband.USO@ofcom.org.uk), as an attachment in Microsoft Word format, together with the cover sheet (<https://www.ofcom.org.uk/consultations-and-statements/consultation-response-coversheet>).
- A2.4 Responses may alternatively be posted to the address below, marked with the title of the consultation:
- Jack Gaches  
Ofcom  
Riverside House  
2A Southwark Bridge Road  
London SE1 9HA
- A2.5 We welcome responses in formats other than print, for example an audio recording or a British Sign Language video. To respond in BSL:
- Send us a recording of you signing your response. This should be no longer than 5 minutes. Suitable file formats are DVDs, wmv or QuickTime files. Or
  - Upload a video of you signing your response directly to YouTube (or another hosting site) and send us the link.
- A2.6 We will publish a transcript of any audio or video responses we receive (unless your response is confidential)
- A2.7 We do not need a paper copy of your response as well as an electronic version. We will acknowledge receipt if your response is submitted via the online web form, but not otherwise.
- A2.8 You do not have to answer all the questions in the consultation if you do not have a view; a short response on just one point is fine. We also welcome joint responses.
- A2.9 It would be helpful if your response could include direct answers to the questions asked in the consultation document. The questions are listed at Annex 5. It would also help if you could explain why you hold your views, and what you think the effect of Ofcom's proposals would be.

- A2.10 If you want to discuss the issues and questions raised in this consultation, please contact Jack Gaches on 020 783 4254, or by email to [jack.gaches@ofcom.org.uk](mailto:jack.gaches@ofcom.org.uk).

## Confidentiality

- A2.11 Consultations are more effective if we publish the responses before the consultation period closes. In particular, this can help people and organisations with limited resources or familiarity with the issues to respond in a more informed way. So, in the interests of transparency and good regulatory practice, and because we believe it is important that everyone who is interested in an issue can see other respondents' views, we usually publish all responses on our website, [www.ofcom.org.uk](http://www.ofcom.org.uk), as soon as we receive them.
- A2.12 If you think your response should be kept confidential, please specify which part(s) this applies to, and explain why. Please send any confidential sections as a separate annex. If you want your name, address, other contact details or job title to remain confidential, please provide them only in the cover sheet, so that we don't have to edit your response.
- A2.13 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and try to respect it. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A2.14 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's intellectual property rights are explained further at <https://www.ofcom.org.uk/about-ofcom/website/terms-of-use>.

## Next steps

- A2.15 Following this consultation period, Ofcom plans to publish a statement later this year.
- A2.16 If you wish, you can register to receive mail updates alerting you to new Ofcom publications; for more details please see <https://www.ofcom.org.uk/about-ofcom/latest/email-updates>

## Ofcom's consultation processes

- A2.17 Ofcom aims to make responding to a consultation as easy as possible. For more information, please see our consultation principles in Annex 3.
- A2.18 If you have any comments or suggestions on how we manage our consultations, please email us at [consult@ofcom.org.uk](mailto:consult@ofcom.org.uk). We particularly welcome ideas on how Ofcom could more effectively seek the views of groups or individuals, such as small businesses and residential consumers, who are less likely to give their opinions through a formal consultation.
- A2.19 If you would like to discuss these issues, or Ofcom's consultation processes more generally, please contact:



Corporation Secretary  
Ofcom  
Riverside House  
2a Southwark Bridge Road  
London SE1 9HA  
Email: [corporationsecretary@ofcom.org.uk](mailto:corporationsecretary@ofcom.org.uk)

## A3. Ofcom's consultation principles

### Ofcom has seven principles that it follows for every public written consultation:

#### Before the consultation

- A3.1 Wherever possible, we will hold informal talks with people and organisations before announcing a big consultation, to find out whether we are thinking along the right lines. If we do not have enough time to do this, we will hold an open meeting to explain our proposals, shortly after announcing the consultation.

#### During the consultation

- A3.2 We will be clear about whom we are consulting, why, on what questions and for how long.
- A3.3 We will make the consultation document as short and simple as possible, with a summary of no more than two pages. We will try to make it as easy as possible for people to give us a written response. If the consultation is complicated, we may provide a short Plain English / Cymraeg Clir guide, to help smaller organisations or individuals who would not otherwise be able to spare the time to share their views.
- A3.4 We will consult for up to ten weeks, depending on the potential impact of our proposals.
- A3.5 A person within Ofcom will be in charge of making sure we follow our own guidelines and aim to reach the largest possible number of people and organisations who may be interested in the outcome of our decisions. Ofcom's Consultation Champion is the main person to contact if you have views on the way we run our consultations.
- A3.6 If we are not able to follow any of these seven principles, we will explain why.

#### After the consultation

- A3.7 We think it is important that everyone who is interested in an issue can see other people's views, so we usually publish all the responses on our website as soon as we receive them. After the consultation we will make our decisions and publish a statement explaining what we are going to do, and why, showing how respondents' views helped to shape these decisions.

# A4. Consultation coversheet

## BASIC DETAILS

Consultation title:      organisation realise

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

## CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing

Name/contact details/job title

Whole response

Organisation

Part of the response

If there is no separate annex, which parts? \_\_\_\_\_

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If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

## DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)

## A5. Consultation questions

Question 1:

Do you agree with our proposed approach to designating a Universal Service Provider?