

Explanatory Statement accompanying Ofcom's Modification of Wholesale Fixed Telecoms Market Review SMP Conditions

On 18 March 2021, Ofcom published its Wholesale Fixed Telecoms Market Review Statement (the Statement) including the SMP Conditions and Directions contained in Ofcom's notifications dated 18 March 2021 in Volume 7 of the Statement.

On 31 March 2021, we issued a modification to the SMP conditions and Direction 4 of the Quality of Service Directions together with a statement explaining these changes.

Following publication of the Statement and the modification, we have identified a small number of inadvertent errors or inconsistencies in the SMP Conditions which did not reflect our policy decisions correctly. We summarise the corrections and clarifications below.

In the notification appended to this statement in Annex 1 we are correcting and clarifying the further issues we have identified in respect of the SMP Conditions notified on 18 March 2021 (the Modification). The notification sets out all the SMP Conditions which we have corrected. A corrected version contained in the notification does not contain any of the original errors and inconsistencies. To provide additional transparency, we are publishing separately an unofficial, consolidated version of all the SMP Conditions and Directions reflecting the two modifications made following publication of the Statement.

The Modification will take effect from 16 July 2021.

Corrections to the SMP Conditions and Direction 4

We have identified that the SMP Conditions¹ require corrections and clarifications as follows:

- Correcting the definition of Miscellaneous Ancillary Services in section 3 to the annex to SMP condition 12E to capture under the applicable charge control contractually applied early termination charges in addition to those listed on the price list.
- Correcting a reference in SMP Condition 12F.8 which now refers to SMP Condition 12E.2 instead of 12E.10.
- Correcting the charge control formulae in SMP Condition 12G.12 to reflect the policy decision that the £2,800 ECC threshold should be inflation adjusted each year.

¹ The references in this statement to relevant SMP Conditions are to the SMP Conditions as numbered in the Modification.