

Reference: 0369796

5 January 2017

Julia Snape

information.requests@ofcom.org.uk

Freedom of Information request

Thank you for your request for information about pricing and competition subsidies in relation to broadband. Your request was received on 7 December 2016 and I am dealing with it under the terms of the Freedom of Information Act 2000 (the 'Act'). In your request you also reflected your difficulties and concerns around changing to a fibre broadband service.

Firstly, I am sorry to hear about the difficulties you have had. In order to clarify matters, the following information may be helpful.

Fibre broadband has been rolled out across the majority of the UK over the last few years, through a mix of commercial roll-out and roll-out with government funding support. Where fibre broadband has been rolled out, the wholesale provision of those services by Openreach are subject to a number of Ofcom rules in order to promote competition among retail providers. These rules apply nationally across the UK (excluding Hull); the rules themselves therefore do not require any geographic differentiation in services or prices.

Across the UK as a whole we allow retail competition to operate unaided, which means that telecoms companies are free to set their own retail prices for fibre-based retail products. Ofcom therefore does not directly control Plusnet's retail pricing, although we sympathise with you regarding the lack of clarity around the pricing offers Plusnet provided to you. If you are unhappy with the services available to you from Plusnet, you may wish to consider an alternative broadband supplier.

Turning now to your specific request for information considered under the Act, you asked:

"I would like to see copies of minutes of your meetings where these pricing, competition subsidies and so on, strategies were discussed and all associated reports".

The information you have requested is not readily accessible as a considerable amount of time would be needed to locate, retrieve, identify and extract any relevant information. Section 12 of the Act provides that a public authority is not obliged to comply with a request for information if the authority estimates that the cost of complying with the request would

exceed the “appropriate limit”. The appropriate limit is set out in the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004, and is, for Ofcom, £450. That sum is intended to cover the estimated costs involved in determining whether Ofcom holds the information requested, identifying, locating, retrieving and extracting the information from any document containing it. The Regulations provide that costs are to be estimated at a rate of £25 per person per hour.

Ofcom estimates that it would take at least 18 hours to identify, locate and extract the information you require and as such the cost of complying with your request will exceed the appropriate limit. We will therefore not be able to provide any information in connection to your request.

However, I hope that the clarity I provided earlier has helped. If you still wish to submit an alternative request with a narrower, more specific scope in relation to this subject, we would be happy to give it our full consideration but with any information requested, exemptions may apply.

If you have any queries then please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

Julia Snape

If you are unhappy with the response or level of service you have received in relation to your request from Ofcom, you may ask for an internal review. If you ask us for an internal review of our decision, it will be treated as a formal complaint and will be subject to an independent review within Ofcom. We will acknowledge the complaint and inform you of the date by which you might expect to be told the outcome.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for undertaking internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact:

Steve Gettings
The Secretary to the Corporation
Ofcom
Riverside House
2a Southwark Bridge Road
London SE1 9HA

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire

SK9 5AF