



Ben Harries

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Ofcom

By email: Openreachcommercialoffers@ofcom.org.uk

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Re: Expansion of Equinox Offer Area

Nexfibre notes that Openreach has issued ACCN OR1119 and associated customer briefing which Ofcom has issued as an update to the current consultation on Openreach's FTTP and Ethernet Commercial Offers.

We note that Openreach proposal amends the definition of the Offer Area but that all other Equinox terms remain the same.

However, we regard Openreach proposal to expand the Equinox Offer Area as another demonstration of its policy of drip feeding price amendments to the market that we have raised with Ofcom on previous occasions and have done so again in our response to the Consultation Document on the Commercial Offers.

Releasing this change to the Equinox Offer Area during the consultation period on their FTTP Commercial Offers under a compressed timescale means that we now need to analyse the impact of the Equinox area extension within the same timescale.

We consider this to be deliberate and unreasonable behaviour by Openreach.

We therefore think that Ofcom should ensure that stakeholders have adequate time to respond to this proposed expansion and that this should be subject to the 120 day consultation period so that we can provide a considered response to any competition issue this proposed expansion might raise.

Yours sincerely

Giles Rowbotham