

## Consultation response form

Please complete this form in full and return via email to [broadband.speeds@ofcom.org.uk](mailto:broadband.speeds@ofcom.org.uk) or by post to:

Celia Pontin Ofcom Riverside House 2A Southwark Bridge Road London SE1 9HA

Consultation title	Broadband Speeds Code of Practice
Full name	Mr Tim Atkinson
Contact phone number	[X]
Representing (delete as appropriate)	Self
Organisation name	
Email address	[X]
We will keep your contact number and email address confidential. Are there any additional details you want to keep confidential? (delete as appropriate)	Nothing
For confidential responses, can Ofcom publish a reference to the contents of your response?	Yes

## Your response

I have twice been sold a broadband service with speeds which have not be obtainable, once by BT and more recently by Sky. In both cases it was an unpleasant and time consumer process to switch and I feel that I was miss-sold on both occasions. BT made no effort to provide the speed they had guaranteed and simply said I could leave. I then experienced technical difficulties switch provider, being left with no service (both broadband & phone) for a number of weeks. The ISPS blamed each other and provided little help nor compensation.

My view is that if an ISP sells you a service with a guaranteed minimum speed then they should be held responsible to deliver that speed. As a consumer, terminating the contract does not actually achieve much as broadband is an essential part of everyday life, and the speed & quality of service are important, so leaving the ISP means the consumer is left with no service and the task of having to find another ISP and go through the switch (which I have found to be tedious, time consumer and fraught with issues such as loss of service for a considerable period of time).

If an ISP is confident that they can provide a guaranteed minimum speed then they should be held accountable and use reasonable commercial efforts to deliver it. This should be enforced for both download and uploads speeds as both are as important as each other in order to use services such as VoIP services, 2-way video calling, interactive services, online back-up & storage, and such like. This is especially

important to enable home working, reducing congestions on the road and public transport systems.

## Consultation questions

4.5 Do you have any comments on the proposed changes to the codes, as outlined in this consultation document (including Annex 1)? Please provide reasons for your response. In particular:

- . a) Do you agree that the codes should require the provision of speed estimates that reflect peak-time network congestion?
  - Yes<sup>[1]</sup><sub>[SEP]</sub>
- . b) Do you agree that the minimum guaranteed speed should always be given to customers at point of sale?
  - Yes<sup>[1]</sup><sub>[SEP]</sub>
- . c) Do you agree that, where a customer's speed falls below the minimum guaranteed level, there should be a limit on the length of time providers have to fix the problem before offering the right to exit? Do you agree that the limit should be 30 calendar days?
  - Partially, I propose that ISPs should be held accountable to provide the minimum guaranteed speeds using reasonable commercial efforts to do so.
  - The right to exit should also be offered. <sup>[1]</sup><sub>[SEP]</sub>
- . d) Do you agree that the right to exit should also apply to a landline service sold over the same line, and to pay-TV services purchased at the same time, as the broadband service? <sup>[1]</sup><sub>[SEP]</sub>18
  - Yes<sup>[1]</sup><sub>[SEP]</sub>

### Broadband Speeds Codes of Practice

- . e) Do you agree that the codes should be capable of being applied in full to all standard fixed broadband technologies, including cable and FTTP?
  - Yes<sup>[1]</sup><sub>[SEP]</sub>
- . f) How long do you consider that signatories should be given to

implement the proposed changes following publication of the final version of the codes?

- a maximum of 3 months<sup>[1]</sup><sub>SEP</sub>

<p>1. 1.1 Question 4.7: Do you have any comments on the proposed changes to the codes, as outlined in this consultation document (including Annex 1)? Please provide reasons for your response. In particular:</p> <ul style="list-style-type: none"><li>a. a) Do you agree that the codes should require the provision of speed estimates that reflect peak-time network congestion?</li><li>b. b) Do you agree that the minimum guaranteed speed should always be given to customers at point of sale?</li><li>c. c) Do you agree that, <b>where a customer's speed</b> falls below the minimum guaranteed level, there should be a limit on the length of time providers have to fix the problem before offering the right to exit? Do you agree that the limit should be 30 calendar days?</li><li>d. d) Do you agree that the right to exit should also apply to a landline service sold over the same line, and to pay-TV services purchased at the same time, as the broadband service?</li><li>e. e) Do you agree that</li></ul>	<p>Confidential? – Y/N</p>
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the codes should be capable of being applied in full to all standard fixed broadband technologies, including cable and FTTP?

- f. f) How long do you consider that signatories should be given to implement the proposed changes following publication of the final version of the codes?

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