

Your response

Question	Your response
<p>Question 1: Do you agree with our proposed changes and additions to the defined terms used in the GCs in order to align with the EECC, as set out in Annex 11?</p>	<p>No comments</p>
<p>Question 2: Do you agree with our proposed changes to the GCs to implement Article 102, as set out at Annexes 11 and 16?</p>	<ul style="list-style-type: none"> ▪ Contact information – Annex 1 to Condition C1 should only require disclosure of a “telephone number (<i>where available</i>)” (added text in emphasis). Under Condition C1, all Public Electronic Communications Service Providers must provide the information listed in the table at Annex 1 to Condition C1, which appears to include an affirmative requirement for a contact telephone number. For many PECS, particularly Number-Independent Interpersonal Communications Services that are not subscription services, it will not be necessary to provide end-users with a contact telephone number. There is no such requirement in the EECC. ▪ Usage monitoring – Under C3.1(d), Regulated Providers should be limited to providers of “Interpersonal Communications Services and/or Publicly Available Internet Access Services <i>billed on the basis of time or volume consumption</i>” in accordance with EECC 102(5). Such control and monitoring features are not relevant for services without charges based on usage. ▪ Dispute resolution/complaint handling – The new Public Electronic Communications Service definition requires a change to C4 in addition to changes in the other GCs related to end user rights. Under the new definition, all Independent Interpersonal Communications Services would be required to have a complaint handling code and join an alternative dispute resolution scheme, including email and messaging providers. C4.1 should be revised to apply to <i>Internet Access Services</i> and <i>Voice Communications Services</i> rather than all Public Electronic Communications Services.

<p>Question 3: Do you agree with our proposed guidance in Annex 6 on our expectations for how providers should comply with the provision of contract information and the contract summary?</p>	<p>No comments</p>
<p>Question 4: Do you agree with our proposed changes to the GCs to implement Article 103 and our proposed approach to implementing Article 104, as set out in Annex 11?</p>	<ul style="list-style-type: none"> ▪ Comparison tool – Under C2.1(d), Regulated Providers should be limited to providers of “Internet Access Services and Number-Based Interpersonal Communications Services when they provide such services to Consumers for recurring or consumption-based direct monetary payment” to make clear that comparison tool providers are not entitled to pricing or quality of service information with respect to a variety of non-subscription based services. EECC 103(2) recognizes that such obligations generally should not apply to number-independent interpersonal communications services. Comparison tools are rightly focussed on fixed and mobile telephony and internet access services, which are the type of subscription services that consumers most want to compare.
<p>Question 5: Do you agree with our proposed changes to the GCs to implement the requirements in Article 105, as set out in Annex 12?</p>	<ul style="list-style-type: none"> ▪ 12-month contract – Any requirement to provide a 12-month initial commitment period should be focused on fixed and mobile telephony and internet access services. Under C1.13, any Public Electronic Communications Service would be required to offer a subscription with a 12-month term. This would limit the ability of providers of specialized Number-Based Interpersonal Services, including outbound-only calling services, to offer subscription packages with more attractive prices with a longer commitment. Historically, such services have not created consumer protection issues, and the EECC does not require a 12-month contract option for any service. Accordingly, C1.1(e) can be revised (with respect to C1.13) as follows in order to cover only those services for which an initial commitment period is most relevant: “Condition C1.13 applies to providers of Publicly Available Internet Access Services

	<p>and Voice Communications Services when they provide these services to Subscribers.”</p> <ul style="list-style-type: none"> ▪ Best tariff information – Number Based Interpersonal Communications Services provided at a standard monthly rate should not be required to provide annual “best tariff information” as defined in C1.33 as most of that information would not be relevant to consumers. C1.30 should be revised as follows: “Regulated Providers must provide best tariff information to a Relevant Customer at least annually, if each of the following requirements are met: (a) the Relevant Customer has a contract with the Regulated Provider for a Relevant Communications Service; and (b) the contract is not subject to a Commitment Period; and (c) the Regulated Provider offers more than one tariff plan.
<p>Question 6: Do you agree with our proposed changes to the existing guidance as summarised here and set out in Annex 7?</p>	<p>No comments</p>
<p>Question 7: Do you support our proposals to introduce (a) new general switching requirements for all types of switches for residential and business customers and (b) specific switching requirements on information, consent, compensation and notice period charges for residential customers?</p>	<p>No comments</p>
<p>Question 8: Do you support our proposed guidance in Annex 8 on compensation for residential customers?</p>	<p>No comments</p>
<p>Question 9: Do you agree with our assessment that device locking can deter customers from switching and cause customer harm?</p>	<p>No comments</p>
<p>Question 10: Do you agree with our assessment of the effectiveness in reducing the consumer harm that can result from device locking and the impact on providers of Options 1 and 2?</p>	<p>No comments</p>
<p>Question 11: Do you agree with our proposal to prohibit the sale of locked mobile devices?</p>	<p>No comments</p>
<p>Question 12: Do you agree that we should protect customers by issuing guidance on our proposed approach when considering the case</p>	<p>No comments</p>

<p>for enforcement action against non-coterminous linked contracts?</p>	
<p>Question 13: Do you agree with our proposed guidance in Annex 9 which sets out our proposed approach to assessing whether certain types of non-coterminous linked contracts are likely to act as a disincentive to switch?</p>	<p>No comments</p>
<p>Question 14: Do you agree with our proposal to mandate emergency video relay for emergency communications to be accessed by end-users who use BSL?</p>	<p>Yes, but see our response to Question 15</p>
<p>Question 15: Do you agree with our proposal that the obligation to provide emergency video relay free to end-users should be imposed on regulated firms that provide internet access services or number-based interpersonal communications services?</p>	<p>While we support the introduction of emergency video relay, the proposed GC appears to impose affirmative obligations to provide video relay services on service providers who do not control access to such services. As currently written, C5.11 obligates providers of all forms of number-based interpersonal communications services, including apps with calling features, to provide access to a relay service. In practice, relay services will be provided through a specialized app that is installed on a device, and calling apps will have no control over whether such relay apps are available for a device, have been installed and registered, or can connect to a network to reach the relay service. Providers of access services, rather than over-the-top services, should have the obligation to ensure that relay services can be used. Consequently, C5.11 should be revised as follows:</p> <p style="padding-left: 40px;">Regulated Providers must ensure that any End-User of Internet Access Services, <i>Fixed-line Telecommunications Services or Mobile Communications Services</i> it provides, who, because of their disabilities, communicates in BSL, can access and use, free of charge, an Emergency Video Relay Service which has been approved by Ofcom.</p> <p>If Ofcom believes it is necessary to include other forms of Number-based Interpersonal Communications Services within the scope of C5.11, providers of such services can be obligated as follows:</p> <p style="padding-left: 40px;"><i>Regulated Providers of other Number-based Interpersonal Communications</i></p>

	<p><i>Services must ensure that they do not limit the ability of End-Users to use applications available for their device to access an Emergency Video Relay Service which has been approved by Ofcom.</i></p> <p>C5.1 will also need to be conformed to reflect these changes.</p>
<p>Question 16: Do you have any comments on our proposed approval criteria for emergency video relay services, or the proposed approval process?</p>	<p>No comments</p>
<p>Question 17: Do you agree with our proposal to a) extend the current requirement to cover the other specified communications i.e. any communication (except marketing) that relates to a customer’s communication service, and b) extend the GC so that any customer who cannot access communications due to their disability should also benefit from accessible formats? When answering please provide evidence of any benefits or costs.</p>	<ul style="list-style-type: none"> ▪ Accessible format communications – While we support the extension of availability of more communications in accessible formats, we would suggest that a mandatory obligation to provide all communications in such formats be limited to Public Electronic Communications Services that are provided for direct monetary compensation as communications with respect to those services are more likely to be important to subscribers. By focusing the requirement, other types of services would not be unduly burdened for limited benefit.
<p>Question 18: Do you agree that implementation by December 2020 is reasonable?</p>	<p>No comments</p>
<p>Question 19: Do you agree with our proposed changes for implementing the requirements in Article 108 and Article 109 to reflect the differences between these EECC provisions and their predecessors in the Universal Service Directive?</p>	<p>Note that the definition of Voice Communications Service in Annex 14 is incorrect. Annex 16 includes the correct definition (“national or <i>national and</i> international calls”).</p>