

# Consultation response form

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## Your response

Question	Your response
	<p>Background</p> <p>We welcome this opportunity to respond to Ofcom’s consultation on the Telecoms Access Review 2026-31. Access to high-quality, cost effective and reliable fibre services is of considerable importance to consumers and we welcome the expansion of full-fibre and gigabit capable broadband across the UK<sup>1</sup>. Ofcom plays a critical role in supporting investment and competition across wholesale fibre markets and this creates downstream benefits in retail markets through increased quality and choice for the consumer.</p> <p>Which? has a long-standing interest in the effectiveness of the full-fibre market stemming from our role chairing the Gigabit Take-up Advisory Group [established in 2020<sup>2</sup>] alongside the Confederation of British Industry and the Federation of Small Businesses. We also responded<sup>3</sup> to the previous Wholesale Fixed Telecoms Market Review, covering the period 2021-26. Like our previous response, we have chosen to focus on key issues raised by Ofcom that we judge pertinent to UK consumers and where we have the necessary expertise.</p>
Question 3.1: Do you agree with our proposed approach to supporting copper retirement? and 3.2: What are your views in relation to our initial thinking on how we might identify excluded premises?	Copper Network Retirement

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<sup>1</sup> Ofcom (2025) Telecoms Access Review: ‘69% of premises now can access FTTP connections and 83% can access gigabit capable networks’.

<sup>2</sup> DCMS (2020) [Gigabit broadband rollout milestone reached](#)

<sup>3</sup> Which? (2020) [Ofcom Wholesale Fixed Telecoms Market Review - Which? response](#)

Question	Your response
	<p>The retirement of copper networks<sup>4</sup> is an important undertaking and it will be critical that the transition to full fibre prioritises support for customers who face barriers to migrate<sup>5</sup>. This is especially important for customers who rely on broadband for essential voice services and customers who face barriers to FTTP installation such as those living in Multiple Dwelling Units (MDU's) or in rural and remote areas.</p> <p>We are generally supportive of Ofcom's proposals for a phased and gradual process to retire the network. However, we want to raise specific issues concerning the relevance of the PSTN switch-off to the copper network retirement, support for customers unable to access an FTTP connection and the potential for increased consumer costs.</p> <p>The process of the PSTN migration highlights key lessons about the importance of instituting effective processes for data-sharing and vulnerability mapping, ensuring adequate measures for back up battery solutions and addressing issues with device compatibility<sup>6</sup>. Consumer awareness has proved particularly important considering that as recently as late 2023, 74% of consumers with a copper line were unaware of the PSTN migration.<sup>7</sup> As multiple entities are involved in delivery, the importance of clear and robust governance mechanisms is also imperative.<sup>8</sup> Although network migrations will inevitably be industry-led, the Government and Ofcom must play a critical role in monitoring delivery, holding network operators and ISPs to account and identifying and mitigating risks.</p> <p>Following the anticipated completion of the PSTN migration in January 2027,<sup>9</sup> we hope that a full, independent and timely evaluation of the programme will provide additional insights to assist with the planning and delivery of the copper network retirement. In the interim, we recommend that Ofcom</p>

<sup>4</sup> Ofcom (2025) Telecoms Access Review, Volume 3: Non-pricing remedies

<sup>5</sup> The response within this section is primarily addressed to Question 3.1: Do you agree with our proposed approach to supporting copper retirement? and 3.2: What are your views in relation to our initial thinking on how we might identify excluded premises?

<sup>6</sup> Digital Communities APPG (2025) [Care to Connect Report](#)

<sup>7</sup> Which? (2023) [PSTN - What is the consumer impact of the switch-off?](#)

<sup>8</sup> Digital Communities APPG (2025) [Care to connect: Public Switched Telephone Network Migration](#)

<sup>9</sup> BT (2025) [Your guide to the PSTN Switch-off](#)

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	<p>establish a risk framework to assist in the identification and mitigation of issues that may arise during this transition.</p> <p>A closely related issue is how customers with support needs are protected during the transition. Ofcom acknowledges that there is potential for consumers with disabilities, older people and financially vulnerable customers to be negatively impacted by the transition.<sup>10</sup></p> <p>We are broadly supportive of the charge control measures that Ofcom is proposing to mitigate adverse impacts on consumer and note that it is seeking industry views on how to protect consumers where barriers remain for customers to migrate to full-fibre.<sup>11</sup> We regard this as a critical issue. Our experience through the Digital Voice Advisory Group<sup>12</sup> has provided us with relevant insights into consumer protection in the context of network migrations. As such, we recommend:</p> <ul style="list-style-type: none"> <li>● Openreach must work with stakeholders to ensure that the identification of vulnerable customers is supported by clear and robust processes for data sharing among delivery partners.</li> <li>● Openreach must work with ISPs to certify that no known vulnerable customers are left without a viable FTTP or alternative service prior to copper network withdrawal. This should be a mandated requirement before a Second Threshold Notice can be issued.</li> <li>● Where identified vulnerable customers currently rely on copper-based DSL connections to access IP-based voice, broadband, or telecare services, an engineer visit should be provided to ensure that all essential services continue to function as expected following migration to full-fibre networks.</li> <li>● Where a customer needs uninterrupted access to an FTTP connection for telecare or emergency services access, a battery backup solution should be provided free of charge.</li> <li>● Ofcom should work with network operators, ISPs, consumer groups and other stakeholders to ensure</li> </ul>

<sup>10</sup> Ofcom (2025) [Telecoms Access Review Annex 1-22](#).

<sup>11</sup> Ofcom (2025) Telecoms Access Review, Volume 3: Non-pricing remedies

<sup>12</sup> The Digital Voice Advisory Group is an assembly of charities and representative groups brought together by BT to provide feedback and monitor the Digital Voice rollout. More information can be found [here](#)

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	<p>that clear and consistent information on the copper network retirement is communicated via a multi-channel approach.</p> <ul style="list-style-type: none"> <li>● Ofcom to ensure that network operators provide assurances concerning the quality of support and assistance provided by engineers.</li> </ul> <p>An additional point concerns the risk that households may face barriers to migrate to an FTTP connection by the time a Second Threshold Notice has been issued within an exchange area. Exchange exits must be managed carefully due to the potential impact on competition<sup>13</sup> as well as the risk of disruption to consumers and critical public services<sup>14</sup>. In general, we support Ofcom's proposed approach to identify excluded premises using a 'defined exclusions'<sup>15</sup> approach. However, we are concerned that applying a fixed percentage threshold of excluded premises to determine when the second threshold has been met risks obscuring rural/urban differences. As such, differentiating the fixed-percentage based on geographic typologies<sup>16</sup> may provide a more contextually accurate approach.</p> <p>We also note that at present there is no mechanism for a consumer to be notified or appeal an exclusion designation. To build consumer trust and confidence, we believe that a mechanism to ensure that consumers can input into this process is vital.</p> <p>Ofcom also identifies a risk that prices for services may rise for consumers because of the transition. Some consumers may need to obtain landlord permissions to install FTTP or they may live in rural or remote areas where installation is complex. Practically, there will be some consumers who, after several years, are only able to access a copper-based connection and will be designated as an 'excluded premise'. While we support the designation of 'excluded premises' to prevent the withdrawal of copper-based services, we identify a risk that in the medium-long term consumers could face higher prices when charge controls on legacy copper products are</p>

<sup>13</sup> INCA (2024) [Exchange closure Issues for the Telecoms Access Review](#)

<sup>14</sup> Cambridge Management Consulting: [How the PSTN Switch-Off Will Impact the Public Sector](#)

<sup>15</sup> Ofcom (2025) Telecoms Access Review, Volume 3: Non-pricing remedies

<sup>16</sup> *ibid*

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	<p>removed. Ofcom notes that the removal of these controls will require the regulator to exercise its judgment<sup>17</sup> but there is little detail as to what this means in practice.</p> <p>Although this issue will impact a small number of total premises, estimates suggest that approximately 100,000<sup>18</sup> premises are classified as very hard to reach and will be difficult to connect to FTTP with either commercial or public funding. For consumers in these premises alternative coverage options such as mobile or satellite connectivity may be unreliable or expensive. As such, we encourage Ofcom to outline its approach to determining when charge controls on legacy copper products for consumers unable to access FTTP will be removed.</p> <p>Ofcom also indicates that the current system of voluntary social tariffs may play a role in mitigating these challenges.<sup>19</sup> Although we partially agree, we do not think that social tariffs alone would be a satisfactory solution. Ofcom’s research has found that 69% of eligible consumers are unaware of broadband social tariffs.<sup>20</sup> We believe that this is below the level necessary to be an effective safeguard and efforts to increase awareness and uptake have been inconsistent among internet service providers. Although social tariffs can prove effective in meeting customers connectivity needs, negative preconceptions may deter eligible customers from the initial sign up<sup>21</sup>. Unless significant efforts are made to drive awareness and uptake it is doubtful that social tariffs will provide a sufficient level of protection.</p>

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<sup>17</sup> Ofcom (2025) Telecoms Access Review, Volume 3: Non-pricing remedies

<sup>18</sup> House of Commons Library (2024) [Gigabit broadband in the UK: Government targets, policy, and funding](#)

<sup>19</sup> *ibid*

<sup>20</sup> Ofcom (2024) [Pricing trends for communication services in the UK](#)

<sup>21</sup> Which? (2023) [Are social tariffs in connectivity up to scratch?](#)

Question	Your response
<p>Question 5.1: Do you agree with our proposal to retain a QoS SMP condition in all wholesale fixed telecoms markets in which we provisionally determine that BT has SMP and where we propose to apply transitional arrangements?</p>	<p>Network quality<sup>22</sup> and reliability are attributes that consumers value highly when using connectivity services.<sup>23</sup> The 2024 Connected Nations report finds that 1,523 significant network resilience incidents were reported, between September 2023-August 2024, impacting a total of 24 million customers and resulting in approximately 235 million customer hours of lost service. The number of resilience incidents in 2024 was the highest in recent history.<sup>24</sup></p> <p>We are supportive of Ofcom’s proposals to maintain quality standards on Openreach in areas where it has Significant Market Power (SMP). Maintaining these standards will be important absent a market incentive for network operators to compete on quality and price.</p> <p>We also support the extension of QoS requirements for Openreach full-fibre networks in Wholesale Local Access (WLA) market Area 3. We note that Ofcom is not proposing to impose QoS obligations on Openreach in WLA Area 2 for full fibre, but note that Ofcom would consider additional interventions if a material issue became apparent.</p> <p>While we appreciate that QoS obligations are a remedy open to Ofcom under certain conditions, there does appear to be a regulatory gap with respect to quality of service among non-Openreach wholesale providers in non-competitive areas. Obligations would not be warranted in WLA Areas 1 and 2 as competition will act as an incentive to improve standards. However, in areas where there is limited FTTP competition and an alt-net or Nexfibre is the sole or dominant provider, additional quality safeguards may be beneficial. We recognise that Ofcom has not determined that any provider except Openreach have SMP status across any geographical areas. However, as the full-fibre market matures, Ofcom should monitor competition closely and be prepared to conduct market reviews to determine if other providers have SMP status across specific geographic areas.</p> <p>In areas where the Nexfibre network or alt-net networks are the sole FTTP provider we believe Ofcom should consider</p>

<sup>22</sup> The response within this section is primarily addressed to Question 5.1: Do you agree with our proposal to retain a QoS SMP condition in all wholesale fixed telecoms markets in which we provisionally determine that BT has SMP and where we propose to apply transitional arrangements?

<sup>23</sup> Which? And Britain Thinks (2019) [Consumer engagement in the broadband market](#)

<sup>24</sup> Ofcom (2024) [Connected Nations UK Report](#)

Question	Your response
	<p>whether it can utilise its information gathering powers to request quality information from network providers where they are the sole provider of FTTP services, even where a provider has not been identified formally as holding SMP status. Additionally, Ofcom should also actively monitor sole FTTP providers to ensure that they are in compliance with consumer protection laws and their general and licence conditions.</p>
<p>This section is not addressed to a specific consultation question but covers the theme of</p>	<p><b>Market consolidation and competition</b></p> <p>The final theme we want to highlight relates to the impact of market dynamics on service disruption and consumer prices.</p> <p>Current market conditions are different to when Ofcom conducted their previous review covering the period 2021-2026. The tightening of capital availability and higher interest rates means that wholesale providers face a challenging commercial environment. As a result, experts have suggested that we may see a period of consolidation among alt-net providers.</p> <p><sup>25</sup>Although it is difficult to anticipate the degree and scale of consolidation, a potential risk is that previously competitive areas revert to monopolies or duopolies, reducing pressure on providers to maintain competitive pricing and high-quality standards.</p> <p>A feature of consolidation is that some providers may exit the market. If a customer is within a non-competitive area and the network operator they depend on exits the market, they may be unable to move to an ISP operating on an alternative FTTP network. An estimate finds that approximately 6.9 million premises access FTTP through an alt-net as the sole provider.<sup>26</sup> In this scenario, a consumer may be forced to downgrade to a copper-based product, if available, or otherwise face disruption and a potential loss of service.</p> <p>A similar risk is present where an ISP as the sole customer on an FTTP network, exits the market. Unless the network has new wholesale customers who can step in, this could also leave consumers without service.</p> <p>Given the potential risk to consumers and the likelihood of market dynamics continuing to evolve, we would encourage Ofcom to review relevant mechanisms to protect consumers</p>

<sup>25</sup> Enders Analysis (2024) '[Alt-nets: Waiting for the music to stop](#)'.

<sup>26</sup> ISP Review (2024) '[Alternative Full Fibre Networks Grow to Cover 12.9 Million UK Premises](#)'

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	<p>and publish a framework for protecting consumers from disruption in these scenarios.</p> <p>We are also concerned that in some cases the pricing practices of sole providers of FTTP may be unfair to consumers. Although this is primarily an issue impacting the retail market, the retail market is an aggregation of consumer demand which in turn justifies additional investments in FTTP infrastructure. Specifically, we have seen evidence of providers offering customers large discounts to incentivise customers switching to an FTTP subscription for an initial contract term. However, once that minimum term ends, providers have raised prices in the region of 80-100%.<sup>27</sup> This level of increase is difficult to justify and creates a downgrade trap for consumers who must choose, at least in the short term, between switching to a lower quality copper-based service or having to pay a disproportionate price increase for ultrafast broadband. Ofcom has committed to closely monitoring retail pricing in areas where consumers have limited choice in FTTP options. We recommend Ofcom should investigate this issue with a view to taking action to improve provider transparency and information about price increases when a minimum contract term ends.</p>

Please complete this form in full and return to [tar2026consultation.responses@ofcom.org.uk](mailto:tar2026consultation.responses@ofcom.org.uk).

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<sup>27</sup> Based on Which? Market Analysis