

Your response

Question	
<p>Question 1: Do you agree with our proposed new GCs to implement the One Touch Switch process?</p>	<p>TalkTalk welcomes Ofcom’s final decision to implement the One Touch Switch process. This process will greatly support and benefit consumers wishing to switch providers in a multi-platform environment. This in turn will support the investment and competition between FTTP networks in the UK.</p>
<p>Question 2: Do you agree with our proposed amendments to the Auto-Switch GCs?</p>	<p>TalkTalk agrees with the proposed amendments to the Auto-Switch GCs.</p>
<p>Question 3: Do you have any other comments on our proposals?</p>	<p>We have two specific comments on Ofcom’s proposals as outlined below.</p> <p><u>Provision of switching information</u></p> <p>We are concerned about Ofcom’s proposed change to the way in which a customer requests and is provided with switching information. Under Ofcom’s revised process, the customer cannot define themselves where they should receive the relevant switching information from their losing provider. Instead, the losing provider will be required to use the customer’s registered email address, regardless of whether it is up-to-date or not. We believe this may disrupt the switching process, as described below. As envisaged by the</p>

original process, the customer should be given the flexibility to define which email address they would like their losing provider to send the switching information.

There are several reasons why their losing provider may not hold a valid email address:

- the losing provider may hold an email address that is simply incorrect (e.g. due to spelling errors that the losing provider has failed to correct in the past);
- the losing provider may hold more than one email address (e.g. one from their own email domain that the customer in theory may have been told of in the past but has in reality never used as well as the email address that the customer regularly uses for their everyday purposes);
- the losing provider may hold an email address to which the customer no longer has access (e.g. because they have forgotten their password which may not be easily retrievable).

Under any of the above scenarios, the customer's attempt to switch provider would be stalled which would render the switching process anything but "simple and efficient" as envisaged by GC C7.4(a). We do not believe it is acceptable simply to place the responsibility on the customer in this scenario "to contact the losing provider to update their contact details." It would mean hassle for the customer which would make them less likely to switch provider. It would also give the losing provider an unwarranted save opportunity as the customer effectively has to contact them to begin the switching process (in conflict with the principle in GC C7.5 that the switching

provider should be led by the gaining provider).

Ofcom suggests the original process would entail a risk of customer information being sent to a person other than the authorised customer. Ofcom asserts this would be the case without presenting any evidence or data. We are concerned that Ofcom does not attempt to quantify this risk which we believe has been grossly overstated.

There is a strong imperative to find a way around this issue and not simply leaving it to the customer to sort out. Rather than ruling on the issue based on limited or no evidence, Ofcom needs to give industry room to try and find a reasonable mechanism to correct any invalid emails without the customer having to stop the switching process.

There is no likely perfect or failsafe solution but for instance, the gaining provider could collect the email address from the customer upfront and use this as part of the matching process. If the losing provider is unable to confirm the email address, the gaining provider could request the customer to check if there might be another email address. If that fails, the customer should be given the opportunity to use their chosen email address as basis for receiving the key information from the losing provider. It should be borne in mind that the customer must provide a host of other key personal information as part of the matching process which reduces the (alleged) scope for misuse of an email address.

Pay-TV

We find Ofcom's position on switching pay-TV services to be rather unhelpful. We note that Ofcom's observation that GC C7.4 requires processes for switching of bundles (e.g. bundles of broadband and pay-TV) to be "simple and efficient". [Confidential ✕]

It is imperative Ofcom provides more detailed guidance on this issue to support the forthcoming industry discussions. The current process for switching of pay-TV services is anything but "simple and efficient". It involves the customer:

- contacting their losing provider to terminate their service;
- contacting their gaining provider to order their new, chosen pay-TV service; and
- attempt to coordinate the switch over date for both services to avoid being charged double.

Ofcom needs to set out the steps it will take to ensure that the current switching process is made compliant with GC C7.4(a). Needless to say, the gaining provider cannot do this on their own but needs the agreement and cooperation of the losing provider. If industry cannot agree on including switching of bundles with the scope of the One Touch Switch process, Ofcom needs to carry out another consultation setting out its views on how the most appropriate way forward.

Please complete this form in full and return to switching@ofcom.org.uk.