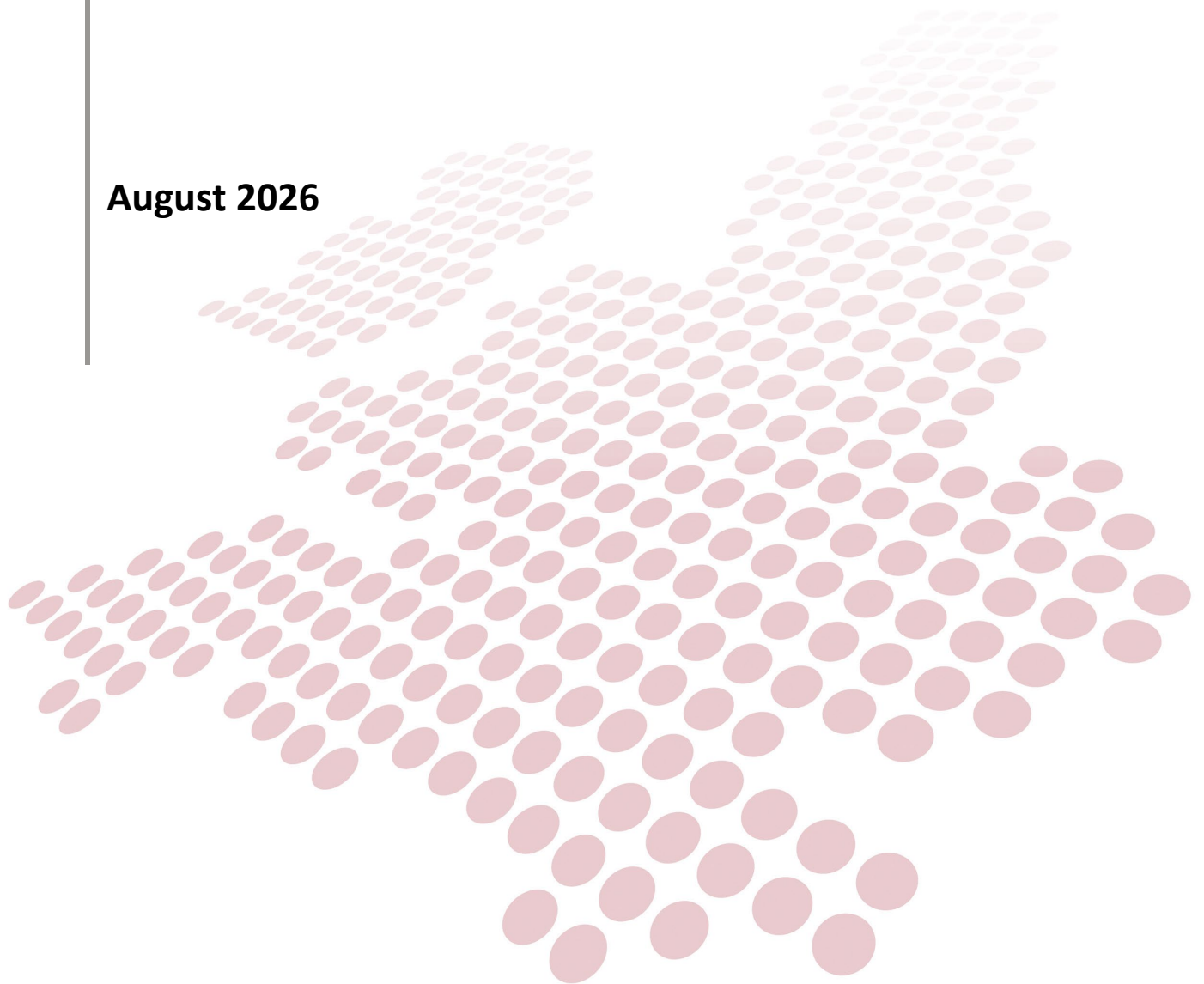


Response to Ofcom Consultation:

**Proposals to update our General Statement of Policy
under section 105Y of the Communications Act 2003**

August 2026



About UKCTA

1. This submission is made by the UK Competitive Telecommunications Association (UKCTA). UKCTA is a trade association promoting the interests of fixed line telecommunications and broadband companies competing against BT as well as each other, in the residential and business markets. Its role is to develop and promote the interest of its members to Ofcom and the Government. Details of membership can be found at www.ukcta.org.uk. Its members serve millions of UK consumers.

Executive Summary

2. The UK Competitive Telecommunications Association (UKCTA) welcomes the opportunity to respond to Ofcom's consultation on the Proposals to update our General Statement of Policy under section 105Y of the Communications Act 2003.
3. UKCTA would like to raise a number of points for consideration by Ofcom on the proposals introduced in this consultation.
4. The first point is that UKCTA believes that percentage-based customer thresholds disadvantage smaller providers, as they can be triggered by small customer bases even if many are unaffected.
5. On the issue of third-party reporting obligations, UKCTA's suggestion is that this should be qualified by reasonable endeavours, as there will potentially be numerous factors which make it impractical for providers to report immediately.
6. UKCTA support Ofcom's proposal on the three reporting template columns and that the three new optional columns should be retained.
7. However, UKCTA feels further clarification is needed from Ofcom on the scope of wholesale reporting obligations, as it is unclear whether and when a provider acting as a wholesaler to another carrier is in the scope.
8. Finally, UKCTA wishes for assessment and supervisory powers to be exercised reasonably and predictably. Clear published guidance on Ofcom's use of assessment and supervisory powers would be very helpful.

Percentage-based customer thresholds disadvantage smaller providers

9. The 25% customer-base threshold can be triggered by providers with a small customer base even where the absolute number of affected users is low. This metric should be revisited.

Third-party reporting obligations should be on a “reasonable efforts” basis

10. UKCTA believes that where a provider relies on a third party's network, rather than duplicating the burden of reporting they should only be expected to confirm that the incident has impacted their customers and refer Ofcom to the report issued by the network provider (where such a report exists), providing additional details specific to the impact on their customers if available.
11. Providing the network provider has reported the incident within the timeframe according to the guidance, there is little to no benefit to Ofcom in requiring the reseller/service provider to meet the same deadlines. Given the added time delays for the service provider obtaining information from the network provider, it's impractical in any event to expect them to report immediately. Doing so would likely result in information being passed on quickly without the service provider being able to conduct verification first or gain any understanding of the impact on their customers that enables them to add useful context.
12. For these reasons a third party's duty to collect and report information should be qualified by reasonable endeavours, where it is necessary at all.

The optional nature of the new reporting template columns is welcome

13. Making the three new columns (third-party details, global cell IDs, and other notes) optional is a positive step and should be retained.

The scope of wholesale reporting obligations needs clarification

14. Ofcom should clarify whether, and when, a provider acting as a wholesaler to another carrier is in scope, given the practical difficulty of assessing real end-customer impact.
15. While Ofcom expressly addresses wholesale at paragraph 5.21 - confirming it does not expect providers to alter monitoring/reporting systems to obtain end-customer numbers, with the obligation triggered only where it is "clear to the provider" that thresholds will be

exceeded - the consultation does not address whether wholesale-only services supplied exclusively to other carriers constitute "public" electronic communications. Can Ofcom provide further clarity and certainty on this point?

Assessment and supervisory powers should be exercised reasonably and predictably

16. Where the use of powers is routine, Ofcom should provide good notice and clear detail on what is to be covered to ensure predictability.
17. Ofcom's Supervisory effort should focus on Tier 1 providers, where the risk is greatest and where resources are more available to handle such requests.

End.