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28 November 2011

**BY EMAIL ONLY**

Dear Lawrence,

**Dispute between Talk Talk Group and Openreach relating to the MPF rental charge – Dispute Consultation**

I refer to the consultation document issued by Ofcom on 14 November 2011 regarding this dispute. For the reasons set out in our letter dated 11 October 2011, Everything Everywhere Limited would like to record its support for Ofcom's provisional assessment that the relevant interim MPF rental charge is compliant with British Telecommunications Plc (BT's) relevant regulatory obligations.

Whilst we do not necessarily agree with all of the points that Ofcom has made in its consultation document, we do agree with Ofcom's provisional assessment that:

- Given that Ofcom's current 2011 consultation does not provide Ofcom's final view on charge ceilings for the MPF rental charge and that the base case figure of £90.00 is therefore still not a settled position but rather one that remains subject to genuine industry consultation, Openreach should not be considered obliged to rely on this price estimate (§3.23); and
- Having previously determined that BT's approach was reasonable and in the absence of any further evidence to suggest that the charge is not fair and reasonable, it would remove important industry certainty for Ofcom to now "unpick" this approach (§§3.28-3.29).

Yours sincerely



Robyn Durie  
Regulatory Director

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