

## Consultation response by telent to Wholesale Local Access market review

**Question 1: Do you agree with our proposed product market definition? If not, please explain why. :**

Yes, telent agrees with the proposed product market definition.

**Question 2: Do you agree with our proposed geographic market definition? If not, please explain why.:**

Yes, telent agrees with the proposed geographic market definition.

**Question 3: Do you agree with our proposals that BT and KCOM have SMP in their respective geographic markets? If not, please explain why.:**

Yes, telent agrees that BT and KCOM have SMP in their respective geographic markets.

**Question 4: Do you agree with our proposals for the general access requirements that should apply to BT and KCOM respectively? If not, please explain why.:**

Yes, telent agrees with the proposals for general access requirements that should apply to BT and KCOM.

**Question 5: Do you agree that Ofcom should impose a new network access obligation on KCOM, that would require it to follow a statement of requirements process to handle requests for new network access in this market? If not, please explain why.:**

Yes, telent agrees that Ofcom should impose a new network access obligation on KCOM.

**Question 6: In relation to LLU, do you agree with the assessment and options set out?:**

Yes, telent agrees with the assessment and options set out in the consultation. We also believe that Option 1 would be the most suitable at this time. Whilst we support the consequences of keeping the LLU remedy in the interest of maintaining competition within the market, we also believe that additional measures should be considered in the future to stimulate interest and investment in the development of next generation networks. This may include allowing existing unbundled copper access connections to remain but removing the ability for any new LLU activity to take place.

**Question 7: In relation to fibre access, do you agree with the potential unbundling arrangements for the different fibre architectures and the positions/options set out given the current and expected future availability of fibre within BT's access network?:**

To the extent that BT's planned deployment of FTTP will initially be on a relatively small scale, and therefore the immediate demand for fibre unbundling will be low, we agree with all options stated with Option 1 as a preferred route in the immediate future.

It is our view that as standards are established and technologies mature, wavelength unbundling would be the preferred option going forward. This is because we believe that this type of implementation would be cost effective for all CPs and would also promote

competition and choice for the end user community. Physical unbundling at any level will, as stated in the consultation, always have the potential to lead to customer disruption and poor service levels during migration.

**Question 8: In relation to SLU, do you agree with the assessment and options set out?:**

Yes, telent agrees with the assessment and options set out in the consultation. Additionally, we believe that Option 2 would be the most appropriate at this time. Demand for SLU is currently limited but it is becoming more viable and would therefore require further review when demand grows in order to create competition and choice for the end user.

**Question 9: In relation to PIA, do you agree with the proposed PIA obligation structure and the proposed implementation arrangements?:**

telent agrees that BT should be subject to a PIA obligation. However, from our comprehensive understanding of operational issues we believe that detailed work processes and responsibilities will be critical in the success of the PIA obligation and would therefore suggest that these are worked through at the same time as the RO.

One of the issues that we feel needs to be addressed is the maintenance of the CPs' networks. telent does not believe that CPs should maintain their own networks due to the potential commercial and operational complexity of multiple CP access requirements into common infrastructure, particularly in the case of major cable faults where cause and remedy may be difficult to ascertain in a reasonable time frame for the end user.

As a result, telent believes that the provision of maintenance services would be best served by a single provider. This could be achieved by placing an obligation on Openreach to provide a regulated service for the provision of cable maintenance for all CPs.

Additionally, the key to providing PIA is a national database that holds accurate information on current capacity and availability. This would need to be managed by an audited body that would oversee the unbiased provision of available space on an ongoing basis.

**Question 10: In relation to VULA, do you agree that VULA may be a necessary access remedy in the WLA market and if so, do you agree with the key characteristics identified and how these currently relate to BT's GEA products?:**

Yes, telent agrees that VULA may be a necessary access remedy in the WLA market. It also agrees with the key characteristics identified and how these currently relate to BT's GEA products.

**Question 11: Do you agree with the framework for considering specific access remedies on BT?:**

Yes, telent agrees with the framework for considering specific access remedies on BT.

**Question 12: Do you agree that there is a need to have a complementary set of access remedies and if so, do you agree with the proposed set of remedies on BT?:**

Yes, telent agrees that there is a need to have a complementary set of access remedies and with the proposed set of remedies on BT.

**Question 13: Do you agree that no specific access remedies should be imposed on KCOM in the WLA market at this time? Could any remedies on KCOM at the WLA market level address the competition issues that we have identified?:**

Yes, telent agrees that no specific access remedies should be imposed on KCOM in the WLA market at this time.

**Question 14: Do you agree with our assessment against the legal tests for each specific remedy, as set out in Section 9?:**

Yes, telent agrees with Ofcom's assessment against the legal tests for each specific remedy.