

29 APR 2008

C. COOPER

Office of Communications
Riverside House
2a Southwark Bridge Road
London
SE1 9HA

Your Ref: 1-50481523

My Ref:

28 April 2008.

Dear Sir/Madam

REVIEW CONSULTATION

BT

MY BT ACCOUNT NUMBER: EA 3355 2989

MY BT TELEPHONE NUMBER: 01394 388572

CCMS	1-50481523
Assigned	J1
Processed	

Thank you for your letter dated 20 March 2008.

I attempted to access your website to obtain advice on how to forward my views in response to the consultation. I could not find instructions.

I hope you will accept this letter and include it in your review.

PAYMENT PROCESSING FEE

In your letter you described the charge as relating to a payment process not by Direct Debit or Monthly Payment Plan. In their communications BT described the charge as arising from the processing of my payment. This is an entirely different position and basis. I have argued that BT does not process my payment because I pay by Bank Giro Credit which means the payment is directly credited to BT's bank account without any work on their part. If I made payments by cheque then I could understand the nature of the charge and would have some sympathy for it. Again, if BT had stated quite clearly at the outset that the charge would be applied except where a Direct Debit or Monthly Payment Plan was in force I would have been better informed.

Because BT has said "This charge has been made by BT Payment Services Ltd for processing your payment" where the customer payment has been made by bank giro credit BT should NOT be allowed to levy the charge.

BT did not state at the outset the charge would be levied on customers who did not pay by Direct Debit.

BT have (however inadvertent) misled those of its customers using the bank giro credit payment system.

I believe BT should be required to repay those charges until such time as a new contract has been formed which unequivocally defines the payment terms..

LATE PAYMENT CHARGE

I have been charge a late payment charge amounting to £7.50 because of non-payment of the payment processing fee amounting to £4.50.

I believe the late payment fee is excessive in relation to the amount of the payment processing fee.

I believe the late payment fee has been unfairly charged because I have legitimately and legally disputed, in writing, the payment processing fee.

BT did not reply to my letter to them dated 27 July 2007.

BT PAYMENT SERVICES LIMITED

You have said in your letter that by collecting the additional charge via this company creates any great harm .

My complaint is that I do not have a contractual relationship with this company and therefore my position is harmed. A fundamental principle of English contract law has been violated.

BT has withdrawn it services to me and disconnected my line because of I have refused to pay the payment processing fee which it claims is due to a company with which I have no contract.

WITHDRAWAL OF SERVICE AND DISCONNECTION OF LINE BY BT

Despite having informed BT of a referral of a number of complaint to the Office of Telecommunications Ombudsman and yourself they have continued with the above action.

BT withdrew the service without any written warning.

On 17 March 2008 I received from BT a Termination Notice dated 13 March 2008. On 19 March 2008 I wrote to BT in response to the termination notice. My letter was sent first class post. BT has however continued to disconnect the line. During a telephone call to Sue Wood of BT on 27 March 2008 I was informed my letter of 19th March had been received but not processed.

CONSUMER PROTECTION

It seems to me BT have implemented a payment collection and enforcement regime which ignores customers rights, principles of fairness and has no regard or respect for the authority (if that is the right word) of either Ofcom or Otelco.

Will you please explain to me what consumer protection is in place, what rights I have in dealing with such a large and powerful organisation and where I can find details of these.

I believe BT has abused its power and position.

A final account was sent to me which included the disputed charges and the following day I received a threatening letter referring the claim to debt collectors and damaging my credit status.

Please advise me of the action you will be taking in dealing with the above complaints.

Whilst you are undertaking this review Ofcom should be aware that during the dispute period BT has abused its market position, size and power by implementing a process of termination and therefore denying its customers natural justice.

Yours faithfully

COLIN COOPER