

Dear Kirby Sharpe,

02 May 2008

Thank you for your reply 30<sup>th</sup> April, but unfortunately I was not aware a public consultation was in progress. Was it promoted, because I have never heard of any discussion through the media?

There are many issues I would take issue with to both Ofcom and Telecoms providers. (Also ref to my previous correspondence), but I am only able to respond in brief:

1. I am very concerned Ofcom are at risk of not acting in the public interest in respect of charges, are letting the telecoms companies off lightly.
2. Forcing companies to 'explain their charges' without due diligence to whether they are fair, reasonable or legal is playing into their hand. It will not offer the public better competition - simple legalise the basis for charging.
  - a. BT still has a monopoly and when they changed from charging for a basic land line and calls, to a collective package 'Options 1, 2, 3', the cost moved in favour of BT with higher fixed costs. (My last BT invoice calls were only 10% of the bill; average is about 20-25% only – 75% is fixed costs).
    - i. Further BT now offer free weekend calls – I would rather have lower fixed costs and choose with whom I make a call.
    - ii. I also take issue with mobile companies who charge a 'bundle price' for minutes and texts. ALL have removed monthly roll-over, so although you have paid and not used, the minutes are lost. This should be restored.
  - b. To the best of my knowledge no telecom company has ever provided evidence that non DD are more costly to process than say CHAPS or BACS. Cash, when credited to the suppliers bank, or branch, is credited 'same day' and is by far the fastest method to pay.
3. Force telecom companies to be honest about what the differential charge actually is.
  - a. An online bank CHAPS is electronic in exactly the same ways as DD, except the customer originates the transaction, not the company. (BT lost my CHAPS payment even though it went to a numbered customer reference. I had to pay twice and take them to court to recover my loss).
  - b. I have no faith in BT to bill correctly and have years of experience, both as a business and retail customer. I would far rather pay the correct charge than have to claim a refund which can take 12 weeks to get back from BT.
    - i. (A company who has your money is far less receptive to resolve a complaint than one which is owed.)
  - c. So how can BT and others claim it is more expensive? It is simply untrue...
4. It is unfair to impose 'penalty' or 'late payment charge' when only 4 working days are given to pay a bill. If the post is delayed I will be in default if the bill is not paid in one or two days from receipt.
  - a. I am disputing many late payment charges because BT's non DD T&C are design to force customers into default.
  - b. BT have changed T&Cs and in doing so apply stricter payment terms to non DD customers. (OFT suggest this might be unlawful).
  - c. As a business customer I don't have to sign-up to DD and get longer to pay.

- d. If I pay on time I should not have to pay for other peoples' or the companies costs in respect of the collection or processing of money.
  - e. I do accept if I don't pay on time (which should be a fair and reasonable period in which to check the bill and taking any complaint into consideration), that I will be charged a late payment charge, but this, by law, (see OFT ruling) must reflect the actual cost.
- 5. Many telecom companies charge 'in advance'. I have a serious legal challenge that a company cannot load additional charges for a service that the consumer has not yet enjoyed or the company has yet to incur the full cost of any outlay (wages).
  - a. If this is not tackled now what is to stop a telecom company charging one year in advance?
- 6. Force all telecom companies to sign up to standards when operating customer service
  - a. Written complaints should be acknowledged within 'x' days
  - b. Complaints must be fully answered within 'x' days or the customer could demand a fixed charge from the company (BT took over 12 weeks to answer my complaint and I had to take them to court to force a repayment back to me).
  - c. Better customer service: ringing customers services often results in long delays; the customer has no record of the call or what they might have agreed to- (Mobile companies use this method to get customers to sign up).
- 7. It is with regret that I believe Ofcom either are too soft or do not hold the power to regulate:
  - a. It took a long time to regulate over roaming charges and the argument has not ended.
  - b. BT still holds a monopoly and has been a consistently poor service provider. (There is little or choice for ADSL, as in most cases, you are forced to pay 'twice'; once for the landline and to your ISP.)
  - c. Telecom companies operate in a tough market. There must be transparency and fairness in their business to the customer and greater speed of change to regulate when things go wrong.

Regards