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Call for Evidence on Improving the Consumer Landscape and Quicker Switching

Dear Sirs,

This written evidence aims to tackle only consumer switching, i.e. Q.14 to Q24, and relates only to broadband and fixed telephone service switching. I am happy to provide oral evidence if that would help. I am happy for this submission to be published.

Andrews & Arnold Ltd is an Internet access provider, and also a provider of telephony services via voice over IP (VoIP) and mobile.

Utilities

One of the first points I need to make is that broadband is not like any other utility. In the case of gas, electricity or water, the actual service received is the same regardless of the "provider". Not only it is the same due to a tightly regulated specification (i.e. the same throughout the country), it is actually the same if you change provider. Changing gas provider does not change what gas comes down what gas pipes in to your home, it is a purely commercial and customer service change in terms of who charges you for the service.

Broadband is not the same. It is fair to say that one could come up with a basic technical specification for a baseline Internet access service that would be the same for all providers (and we'd be happy to help make such a spec), but the service from different providers is different.

For a start, there are a number of key technologies used to provide Internet access, even at a single premises. These include broadband over copper pairs, which itself may be VDSL, or ADSL2+ or ADSL1, even when considering the exact same copper wire; but also alternatives such as services over coax cable, or even fibre or radio or satellite.

Consumers are often unaware of the different technologies or how they might impact the services they are ordering. This is made even more confusing by some companies continuing to be allowed to sell services with blatantly wrong descriptions (e.g. calling a copper coax wire service "fibre optic broadband").

Even where the key infrastructure is the same between providers, the back-haul to their network may be different (there are a number of wholesale carriers), and then the ISP itself will have key differences. These include technical aspects (e.g. Latency, MTU, IPv6, NAT, CGNAT); performance differences (different congestion and contention); and even policy differences (default blocks on adult sites, default blocks on port 25, forced DNS servers, etc). In addition there will be different financial models (usage quotas, times of day based usage, excess usage policies). Consumers will often only look at the costs and nothing more.

This means that simply "switching provider" is nothing like that for other utilities. Importantly it means the issues over a mistake in switching are much more serious. If I have my gas provided changed, the consequence is entirely billing related, and that can always be retrospectively

corrected. It does not matter if it takes a month to get it fixed, the end result will be I had working gas the whole time, and now the billing is fixed.

If an Internet access service is switched without consent then the consequences can be serious, especially for a business, and the new service can be effectively unusable for the customer depending on which of the extra features they may require of their ISP.

It is also worth realising that "broadband" can be used for services other than just Internet access. A company selling point to point data lines for business only may not have to consider consumer switching (does not apply to large businesses) and be totally unable to handle someone mistyping their number and one of their dedicated lines suddenly becoming a consumer Internet access link.

The result of this is that there needs to be a process to correct mistakes very efficiently! That process is lacking in the current system.

Current process

The current process has just extended the lead time from 5 working days to 10, at OFCOMs mandate. It works for broadband and telephony by the gaining provider requesting the move. The losing provide is required to notify the customer, and provide a means for them to reject the move. In general the process works, but there are a number of key issues.

Key process issues with current process

- There is no process to correct or reverse a switch if it is in error. The only solution seems to be to "move back" with the same long lead time (10 working days), during which the service may be unusable by the consumer. This is not like gas!

- The process totally fails to handle the case of the telco changing wholesale carrier. As an ISP, we may (unilaterally or at request of our customer) change back-haul between wholesale providers. However, this is treated as a customer switch, when it is not. The customer is staying with "us" as their provider, so the 10 working day lead-time is simply a hinderance.

- The 10 day lead time is both too long and too short! If the move is not valid (either a mistake, or slamming), then the lead time needs to be long enough to ensure the customer gets the notice and acts. 10 working says is probably just about OK for this, but could catch someone out if on holiday. This would be less of an issue if there was a quick reversal process. However, 10 working days is too long for many customers that definitely do want to move where it is not a mistake.

- The current process is for customer switching - i.e. same customer, different telco. However it can end up getting used for new customer at same premises wanting different ISP, and causes confusion. Perhaps it could be harmonised slightly with customer change on a service. We have had cases where we are ceasing a service and someone puts in a migration request which cancels our cease and makes it a migrate to new ISP. This is wrong, as we should not pay beyond the cease - what would make sense if for the cease to be cancelled internally in the carrier and new service provided on the migration date - or perhaps even the new customer offered changed to move the date back earlier to the cease.

- We still see issues where, once a migrate order has started on 10 working day lead time, carriers (BT in particular) will refuse to fix a fault on a line. This is not meant to happen, but does. Perhaps the rules could be clearer that a pending migration does not stop a requirement to provide a working service!

- Even though the current process only applies to consumers and businesses of 10 or fewer staff, there is no code to "reject" a migration for the reason that the process does not apply. There

should be one so that the losing provider can advise that the service is not one subject to this process.

Suggestions

I think there is a simple key change that could be made to the existing process that would address almost all of these points.

I think that the losing provider should provide an option to allow the migration to be "accepted" (as well as "rejected" as now), and cause the migrate to move forward to an earlier date (even next day).

This would allow the 10 working days for cases where there is a mistake or slamming.

This would allow "internal" wholesale carrier changes to be managed as the ISP would be both ends of the move and can "accept" it to make it happen immediately.

This would allow mistakes to be rectified quickly using a normal "move back" but where the losing provider "accepts" the move right away to expedite it.

This would allow customers to switch quickly if they want to as they can tell the losing provider they want to go ahead.

From a technical point of view, I suggest the gaining provider can order with a required date before the 10 working days (they can do that now, but it gets changed); the losing provider needs to have a means to "accept the requested date"; the gaining provider gets the date updated to the accepted date. Order update messages already exist and the only extra message is the "accept".

The key point here is that this simple change removes the need for any trade-off between risk of slamming and mistakes, and the expediency of changing provider - it allows time to address mistakes whilst allowing quick migrates, even next day.