

# BT Response to ERG Consultation

On Best Practices in Wholesale Unbundled Access and Bitstream Access

## **BT RESPONSE TO ERG CONSULTATION ON BEST PRACTICES ON REGULATORY REGIMES IN WHOLESALE UNBUNDLED ACCESS AND BITSTREAM ACCESS**

BT generally supports the approach outlined in the first section to the use of KPIs. However the details are very important and need to be assessed and modified on a national basis.

Three specific comments are:

- In the area of forecasting we believe that an error tolerance of 30-40% could cause significant problems.
- Consideration needs to be given to the fact that WBA may consume WLA (as in the UK) which may simplify monitoring arrangements. When the downstream services are consuming the upstream product as an input (e.g. WBA consuming WLA), NRAs should have the ability to determine the most appropriate comparator.
- The KPIs should take account of the different needs of mass market and major business customers. Best practice requires an approach that systematically identifies the needs of both types of customer<sup>1</sup>.

In the “migrations and reference interconnect offers” section BT notes:

- That the migration process should be negotiated with industry and the transfer should be no longer than necessary to enable the customer to be well informed about the transfer and protect against mis-selling.
- Synchronisation of FLLU and Number Portability requires actions by both parties and not only the SMP operator.
- That there are numerous potential problems with duct sharing relating to availability/planning, management, control, and fault-causation that have been well described in the past.
- That naked DSL is a very complex issue which requires more analysis than in the current ERG document. In particular there are issues over the extent of demand given that costs may be little different, or even in the short term higher, than combined voice/broadband service; and there are issues from the consumer's viewpoint, for example over access to low end bandwidth if the consumer wishes to add back a traditional voice service.
- That the concept of synchronising number portability with naked DSL is a little unclear as there will not necessarily be a number associated with a naked DSL line.

On the economic space between WBA and WLA we simply note that consumption of the WLA product by the WBA product may remove many of the concerns.

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<sup>1</sup> The ERG's earlier Common Position on WBA (ERG(06)69Rev1) underlines that: “*access should be sufficient to allow competitive provision of bitstream services in both the business and residential market segments*”.