



An open letter on broadband speeds to the chief executives of the UK's leading Internet Service Providers

James Murdoch, Chief Executive, BSkyB
Ben Verwaayen, Chief Executive, BT Group
Charles Dunstone, Chief Executive, Carphone Warehouse
Olaf Swantee, Chief Executive, Orange UK
Mary Turner, Chief Executive, Tiscali UK
Neil Berkett, Acting Chief Executive, Virgin Media

9 October 2007

As you of course will be aware, there is widespread concern being expressed at the moment about the difference between the “up to” speeds advertised in your broadband packages, and the actual speeds experienced by many subscribers.

As this is an issue of such fundamental importance to consumers here in the UK, I am writing, as Chairman of the Ofcom Consumer Panel, to seek your views about how this problem might be addressed. The Consumer Panel is an independent body that advises Ofcom on the consumer interest in the communications market.

At the most basic level, it seems to us that in any transaction, people need to be able to see:

- What they are buying
- What influences the performance of the product or service they buy
- How to do something about it if, in the event, the product or service doesn't live up to expectations.

Against these simple tests, we believe that broadband customers are not at the moment getting enough information.

We are of course aware of the technical reasons for the “up to” terminology that you use in particular in your advertising and marketing literature.

Ofcom Consumer Panel
Riverside House
2a Southwark Bridge Road
London SE1 9HA

T +44(0)20 7783 4021
F +44(0)20 7981 3406
contact@ofcomconsumerpanel.org.uk
www.ofcomconsumerpanel.org.uk

Ofcom

I would however like to have your views about how these technical issues might be better addressed in terms of giving clearer information to potential customers.

Some suggestions that we would welcome your view on are these:

1. Advice to potential customers at the point of sale about the speed likely to be available on their specific line (plus an explanation that this will also be impacted by the contention rate).
2. Extend the cooling off-period within your contractual terms to a sufficient length so that the customer can actually experience the speed and quality of the connection before becoming contractually committed.
3. Enable customers who sign up to a 12 or 18 month contract and who experience speeds and quality well below the advertised speeds, and whose problems persist rather than be resolved by a technical solution, to exit from the contract early and without penalty.

I would very much like to hear your views on this problem in general; and your response to the three specific points made above.

I would be very happy to meet with you if this is the most convenient way to move this forward.

I am copying this letter to Ed Richards at Ofcom and Chris Graham at the ASA.

A handwritten signature in black ink that reads "Colette Bowe". The signature is written in a cursive style with a small flourish at the end.

COLETTE BOWE
Chairman, Ofcom Consumer Panel