



FTTP – FUTURE APPROACH TO EMERGENCY CALLS – CALL FOR INFORMATION – T1557G

SURE (GUERNSEY) LIMITED'S NON-CONFIDENTIAL RESPONSE – 24 SEPTEMBER 2021

Introduction

1. Sure (Guernsey) Limited (“Sure”) welcomes the publication of this Call For Information¹ by the Guernsey Competition and Regulatory Authority’s (“the Authority”) and the opportunity to respond. Please note that this is the non-confidential version of our response.
2. On 13 September 2021, we publicly announced our ambitious plan to roll out island-wide fibre broadband. With the support of the States of Guernsey, we will be creating a state-of-the-art fibre to the premises (FTTP) broadband network, reaching every property in Guernsey to deliver a faster, more reliable connection with gigabit capable speeds. This project is due to commence in April 2022, with all properties in Guernsey expected to be connected by the end of 2026. In the meantime, a six-month commercial Pilot Phase, which will begin on 19 October 2021, will allow Sure’s engineers and local ISPs to test their services and end-to-end processes prior to the full launch.
3. We are confident that our FTTP rollout will bring numerous benefits, both to the people of Guernsey and the local economy. However, as recognised by the Authority, the implementation of FTTP and withdrawal of our legacy copper network also brings challenges. One significant point is that fibre only facilitates optical signals, transmitted through glass strands, so there is no means of providing an electrical current ‘down the line’ to power customers’ landline phones. This is different to copper wires (currently used to provide all Sure network based broadband and landline services) that can transmit power from the local telephone exchange to each customer’s landline phone. The consequence is that, during a power outage at the customer’s premises, their FTTP based phone or broadband cannot be used². This includes the facility to make emergency calls.
4. The safety and wellbeing of consumers is of paramount importance. Consequently, we have been working closely with our FTTP equipment supplier (Adtran) to establish how we can appropriately provide relevant FTTP customers with the facilities needed to make and receive calls during a power outage. We have tested a variety of battery back-up (BBU) solutions and we are now working towards the approval between Adtran and Sure of a particular unit that will enable customers to use voice services (including uninterrupted connectivity to emergency services) during a power outage for a considerable number of hours.

¹ www.gcra.gg/media/598354/t1557g-telecom-network-licensees-emergency-calls-call-for-information.pdf

² This is because broadband and voice services provided over FTTP requires an optical network terminal (ONT) to operate, via a power source within the premises. Therefore, by default, when there is a power outage at that premises, broadband and voice services will not function.

In the absence of an approved BBU solution being available prior to the start of the Pilot Phase, we have committed to make available a SIM-free pay-as-you-go (PAYG) mobile phone for each customer, so that they have an alternative means of contacting the emergency services during a power outage. Any premises where no mobile signal exists (from any of the three local mobile operators) or where the occupants rely heavily on an uninterrupted fixed voice connection (e.g., Lifeline customers) are being excluded from taking part in the Pilot Phase, as already agreed with the GCRA.

5. We are grateful that the Authority is engaging with industry and other key stakeholders. This is an important issue, and we want to work collaboratively with the Authority, industry, and those key stakeholders to ensure that any emergency calls solution works in the interest of consumers.

It is also important to note that the provision of local FTTP networks is something relevant to both Sure and JT. Ideally, from a customer experience perspective and to minimise the chances of any confusion in the market, there would be as much alignment as possible between the FTTP network support processes employed by Sure and JT. Retail customers of Sure, JT and Airtel should not need to include in their decision making processes the particular emergency service access facilities available from their underlying network provider during a power outage. We would support the creation of an industry working group to help create the appropriate alignments between the types of equipment provided and processes followed, at the network level.

6. We have provided answers to the Authority's specific questions in the annex below. Where we are unable to answer a question (either because we do not have the relevant information or are not best placed to respond) we have stated this.

Annex

Q1. Is it appropriate for a vulnerable group to receive a free back-up solution from the telecommunications provider/operator on the conversion to FTTP and should they have this solution periodically replaced for free by the operator/provider? Please provide your reasons for this (which may include social, economic and other policy reasons).

Sure supports the provision of a free BBU for vulnerable customers, on migration from copper to fibre and indeed, any time after that.

We already support Lifeline customers, and they are prioritised by us as our most vulnerable customers. They receive personal health alarm equipment from Sure at a subsidised rate and, on an informal basis, we provide free out-of-hours support for any faults that may occur – either with their Lifeline equipment or their landline service.

For all Lifeline customers we propose that the Optical Network Terminal (ONT), installed as part of our fibre service, has a BBU solution provided alongside, by default. This will provide the most robust means of continually enabling those customers to contact the hospital switchboard, from where the Lifeline service is managed. At the customer's specific request, we may consider providing a PAYG mobile instead, should it better suit their particular requirements, but this is not our preference.

For other vulnerable customers, we are happy to be more flexible in relation to the type of back-up solution that we provide, but will be guided by the customer as to the solution that is likely to best suits their needs (based on the nature of their vulnerability).

In relation to replacement considerations, we discuss this later in our response.

Q2. Which of the above qualification tests (Emergency Service Reliance, Landline Reliance or Combination approach) or any other should be adopted to determine whether a household is vulnerable and qualifies for a free power back-up solution? Please detail why your chosen solution is the most appropriate (you may wish to consider its social, economic and technological desirability, effects or its costs and ease of administration).

We will continue to prioritise and support Lifeline customers, by default, irrespective of any decision made by the GCRA (as long as no conflict arises).

As set out above, for other vulnerable customers we are happy to provide either type of back-up solution (the BBU unit or PAYG mobile). We recognise that some may prefer the portability of a PAYG mobile, so they have it with them wherever they are within their premises, whereas others may prefer the reliance of a fixed location of their landline phone(s) within their home.

Category A: In principle we support this, but note that there is a risk that numerous householders will suddenly consider themselves vulnerable in a way that they otherwise would not have, had they not been asked – something that may result in over-cautiousness as a result of lack of understanding or confidence in the new fibre landline service. It should be borne in mind that we

have multiple individual and localised landline faults across our copper network at any one time and this has not created any material issues to date (or Sure and the emergency services would have become aware of this). The phrase ‘substantially more likely to require’ is helpful here though, in providing focus to those that should particularly receive this dedicated level of support.

Category B: For any landline-only vulnerable customers we are happy to consider our BBU unit solution or the provision of a PAYG mobile phone (if a mobile signal is present within their home). However, we would have some concerns about the provision of a BBU unit by default for customers in instances where there is no particular reason why they could not use a provided PAYG phone as their means of back-up. We do, however, recognise the points made by the GCRA in relation to technical inability or refusal to use a mobile phone on principle. We would be keen to discuss this matter with the GCRA. We want to provide the correct level of support, but simply being a landline-only customer should not create a default requirement for the provision of a BBU unit.

Category C: We would like to discuss this as part of the further consideration of category B.

Q3. Should all lift, fire and burglar alarm lines be provided with free power back-up systems or should this depend on whether the household ultimately served is within Emergency Service Reliance, Landline Reliance or a particular Combination approach?

To date, Sure has not provided dedicated alarm lines (via a landline service), but when a fault develops those customers already anticipate a quicker resolution (although they pay no more for any prioritisation that our engineers are expected to provide). Acknowledging that customers will still have this expectation, our proposed solution is similar to that provided by JT in Jersey – being that a small monthly rental premium is applied. This would then cover the provision and enhanced support for those particular types of landline and our associated BBU unit.

This could be provided as a dedicated Lift/Alarm Line service, with customers using such services being transferred to that service at the time of migration from copper to fibre (i.e. when the fibre ONT is installed).

Q4. Should the above qualification tests be applied to each person in the household (as suggested above) or only to the landline subscriber and, in the former case, how best should one determine/define what should constitute a household for these purposes?

Sure recognises the benefits of considering all members of a household, rather than just taking account of the landline subscriber. We propose that ‘household’ be defined as those people who consider it their normal place of residence (as opposed to any short-term guests).

Q5. Should business premises and subscribers using the service for the conduct of a business, be excluded from the above free back-up solutions and, if so:

- a. Is there any particular class of subscriber conducting a business from residential premises who should still enjoy these free solutions?**
- b. Should business life, fire and burglar alarms enjoy these free solutions?**

a): We believe that the criteria should apply to residential premises (i.e. as per above – to householders), so it would not matter whether a business was also being conducted from there.

b): As per our response to Q3, we believe that a small premium should be paid for the provision and enhanced support provided in relation to such lines.

Q6. What has been the frequency, duration, cause and location of power outages in Guernsey in the last five years?

In our view, Guernsey Electricity is best placed to answer this question. We would recommend that the GCRA engages Guernsey Electricity directly to obtain information about the frequency, duration, cause, and location of power outages in Guernsey.

We reached out to Guernsey Electricity (GE) in an attempt to obtain the relevant information and statistics. GE's Head of Risk and Compliance confirmed that Guernsey Electricity intends to submit its own response to this question, which we see as a helpful position.

Q7. Which areas of Guernsey (if any) are more affected by power outages, to what extent and why?

In our view, Guernsey Electricity is best placed to answer this question.

Q8. Are there foreseeable/predictable, if exceptional, events that may cause longer than normal outages, and if so, what are these events and what length of power outages would they be likely to cause?

In our view, Guernsey Electricity is best placed to answer this question.

Q9. Does the mobile communications network have the capacity to handle the increased call volumes during an outage, where consumers have all migrated to an FTTP system (and there is no PSTN)? Please provide details of relevant capacities, expected increase in call volumes and your calculations in regard to the above.

Yes. We consider that our 2G and 3G mobile voice networks will have sufficient capacity to handle increased call throughput during a power outage.

To understand the potential impact of increased throughput during a power outage, we have analysed the current voice congestion levels on our 2G and 3G mobile networks in Guernsey, the throughput capacity per site and forecast concurrent calls per hour during a 'busy' period on our fixed network.

Currently, our 2G and 3G mobile networks hit less than [X] and [X] congestion respectively per month. This can be observed in the two graphs below and clearly denotes that our mobile voice network has plenty of additional capacity should call volumes need to increase following a power outage.

[Graphs redacted]

Additionally, when comparing maximum call throughput capacity per site with observed 'busy hour' volumes across Guernsey, Herm and Sark, we found that site capacity significantly offset potential fixed demand. Our 2G network currently facilitates between [X] and [X] concurrent calls per site, and our 3G network can facilitate between [X] to [X] concurrent calls per site. Thus, our voice mobile network can facilitate almost [X] concurrent calls per site across the Bailiwick. When observing a typical 'busy hour' on our fixed network, we only observed between [X] and [X] concurrent calls across the whole of the Bailiwick – substantially less than our mobile network capacity.

Q10. If the capacity of the mobile network is exceeded by calls placed during an outage, to what extent and with what degree of certainty, can emergency calls still be identified and prioritised and connected?

Notwithstanding our response to Q9, in the event that our mobile network capacity is exceeded by calls placed during a power outage, calls to emergency services would be prioritised and connected. Calls to emergency services are prioritised by our radio access network (RAN). Also, in response to a customer dialling an emergency services number, the handset will stop any other in-progress voice or data sessions and prioritise the call to the emergency services.

Whilst our core mobile network does not prioritise calls to emergency services, the capacity of our core is scaled to ensure that it will not be exceeded and thus there is no need to prioritise emergency services call traffic within the core itself.

Q11. In what specific areas of Guernsey is there mobile reception that would be sufficiently poor to risk 999 call failures or prevent adequate communication on any connected call?





We have provided a map (below) indicating the 2G mobile coverage/mobile reception across Guernsey and Herm. As can be seen from the map and corresponding key, it is estimated that the majority of premises in Guernsey and Herm have good (green) or adequate (yellow and orange) indoor mobile coverage. Areas that are highlighted in purple indicate that we have observed poor outdoor 2G coverage and estimate that there may be no indoor coverage³. These are the areas in which we estimate there is insufficient mobile reception to make calls to emergency services via Sure's mobile network. We believe there are only three small areas in which such coverage issues exist:

- [REDACTED];
- [REDACTED]; and
- A number of small areas on the walking paths on the back of Herm (GY1).

It is important to note that this mapping is based on drive tests conducted [REDACTED] years ago. Since that time, Sure has undertaken a number of network upgrades in order to improve 2G and 3G voice network coverage. For example, we have installed new mobile base stations in [REDACTED],[REDACTED] (the Vale) and [REDACTED], and poor coverage in [REDACTED] has been addressed by moving a mobile base station from the [REDACTED] to [REDACTED]. Along with other improvements, we believe that the coverage map below now represents a conservative estimate of voice mobile coverage in Guernsey and Herm.

Furthermore, we are only able to provide network coverage information for Sure's mobile network. The Authority will need to separately consider the network coverage of JT's and Airtel's mobile networks to fully understand whether there are any areas in which indoor 2G and 3G network coverage is sufficiently poor to prevent a call to the emergency services. This is particularly pertinent when considering the effectiveness of the Nokia 105 PAYG mobile phone (without SIM card) that Sure intends to provide for relevant FTTP customers to access the emergency services in the event of a power outage. This PAYG mobile phone will identify the strongest available mobile network signal and will contact the emergency services using that network. Therefore, areas in which Sure's 2G and 3G mobile network coverage is poor may well be offset by better JT or Airtel mobile network coverage.

2G Open

	Great Outdoor / Indoor
	Great Outdoor / OK Indoor
	Good Outdoor / Possible problems Indoor
	OK Outdoor / Very poor Indoor
	Poor Outdoor / No Indoor
	N/A no data recorded

³ Please note, as this coverage test was a drive test, we were unable to confidently measure the level of indoor coverage in individual premises. Indoor coverage indications are therefore just an estimation.

[Map redacted]

Q12. To what extent are all poor reception areas known and well documented or, if not, able to be easily and accurately determined (and, if so, how is this determinable)? How large is the number of potentially affected households?

As set out in response to Q11, our 2G and 3G mobile network coverage was last measured in [X]. We do not conduct regular mobile coverage drive tests. This is because drive testing is complex, time-consuming and expensive, and as a result we will generally only conduct this analysis when significant network deployments have been undertaken. However, since conducting the [X] tests, Sure has undertaken network upgrades to improve its 2G and 3G coverage, as explained above. We therefore believe that the coverage map above represents a conservative estimate of voice mobile coverage in Guernsey and Herm.

Furthermore, we have not conducted any indoor coverage tests so are unable to provide exact numbers of affected households, although we expect the volume to be minimal, based on customer feedback. We try to focus network improvements in areas where there are known network coverage issues or where we receive customer complaints about poor coverage.

Conducting indoor coverage testing, by default, is likely to be very complex and disruptive. However, please note that when our engineers are on site at each FTTP applicants' premises, they will check for indoor mobile coverage at that location, as part of the fibre survey. This is carried out before each fibre installation is undertaken.

Q13. For what period could the mobile network be expected to function (on reserve battery power) in an ongoing outage, where there is only a FTTP system (and no PSTN) and factoring in any expected increase in mobile usage during such an outage? (Please show relevant calculations, expected call loads and consequent duration of back-up power sources to mobile masts etc).

Our core network is able to run for extended periods during a power outage. This is because our core sites (predominantly in data centres) have battery backup and power generators, which ensure uninterrupted power.

For our RAN, [X] out of [X] mobile base station sites have a battery backup facility. These batteries will provide, on average, at least [X] hours of power to each of those base stations. We carry our routine maintenance on mobile sites, which includes checking and replacing batteries every five to seven years. This prevents battery deterioration.

When there is an extended power cut, Sure is able to disable power hungry technologies, such as LTE (4G), in order to prolong the availability of coverage for 2G and 3G voice services.

Q14. What are the installation costs of and the relevant specifications, size and bulk costs of BBU units able to deliver 1, 4 and 8 hours of standby power (and what talk time would each deliver)?

The COVID issue has caused considerable supply-chain delays, which are impacting Sure's ability and that of Adtran (our FTTP network equipment provider) to test the full range of battery backup solutions short-listed by us for consideration. Until that testing has been completed, we won't have a definitive proposal to share with the GCRA and other key stakeholders.

We note the GCRA's request for installation costs and relevant details of battery backup units able to deliver 1, 4 and 8 hours of standby. We believe that any regulatory requirement in Guernsey should take account of the lack of issues seen in the Jersey market, where all landline services are already provided via FTTP. Vulnerable customers there are provided with a four-hour battery backup solution.

We are pleased, however, with the testing undertaken to date on our preferred BBU solution as that has been able to power our ONT equipment for over eight hours. Should we be able to go ahead with that type of equipment as our default BBU unit, we would still be wary about having to meet an 8 hour standby power duration for regulatory compliance purposes, were the GCRA minded to consider that a duration twice that applicable to Jersey was necessary.

Looking at our preferred BBU unit in more detail:

- There would be no installation charge if the unit were fitted at the same time as the customer's FTTP installation were undertaken. Please see our response to Q19 for our post-installation considerations.
- It contains 6 x 3.7V lithium cells (i.e. a modern form of battery), which is providing over 8 hours of operational time. More detailed testing is ongoing.
- It has small dimensions, compared to BBU units used in many other jurisdictions, being only 11.2cm x 6.1cm x 4.3cm.
- We do not yet know the exact cost of the unit, but we expect it to be about [£8]. In addition, we would need to source a suitable wall-mount option, which looks to be in the region of £5 - £10. In both cases, we would look to negotiate a bulk discount, once we could establish the likely quantity of households that would need (or want) a BBU unit.

Q15. What are the relevant specifications and bulk costs of PAYG mobile phones (without SIM cards) able to provide 1, 4, and 6 hours of standby power (and what length of talk time would each deliver)?

We believe that all mobile phones on the market today will provide significantly more than 8 hours of standby power. Regardless of that, the model that we're keen to provide, in instances where a mobile phone offers a suitable solution, is a Nokia 105⁴. It has a particularly long-life battery and a flashlight built-in – both aspects that are suited to a power outage situation. The performance is quoted as approximately 25.8 days standby time or 14.4 hours talk time. Our real-world tests have proven the standby time to be around 21 days. Customers could either regularly recharge the device or, if they keep it turned off until they need it (which would be our recommendation), they would certainly not need to charge it more than once a month (and less frequently would be acceptable). With most people now being paid monthly, we could probably come up with a catchy reminder, such as 'Whether it's pay day or pension day, make it your phone recharge day'.

Q16. With due regard to the above and any other relevant factors you describe, for what minimum period of time should any back-up solution provide the ability to make emergency calls?

We believe that the default BBU duration for vulnerable customers should be set at four hours. This would match the regulatory requirement in Jersey (a very similar jurisdiction in terms of population factors and electricity network/supply implications) and would be four times that of the requirement in the UK. We understand from JT that to the best of its knowledge there have been no customer related implications or issues that have occurred beyond that four hour period.

Q17. Where both solutions (BBU and PAYG mobile) are available, which is superior/preferable? Please detail why.

We would consider our intended BBU unit to provide the more superior solution, compared to a PAYG mobile phone, but we recognise that some customers may have particular reasons to prefer the latter. The BBU unit will automatically recharge, but the PAYG mobile's effectiveness is reliant on customers remembering to periodically charge it.

Should a vulnerable customer's situation change, we would be keen to review their revised needs and to make equipment changes, where relevant.

Q18. Are there particular subscribers for which either a BBU or PAYG mobile would be an unsuitable solution, given any relevant factors (including technical competence to operate, charge and maintain)? Please detail who these would be and why.

⁴ [Nokia 105 mobile | New model](#)

For vulnerable customers who want or need a maintenance-free and robust solution, we would always prefer to provide our BBU unit option. Whilst we are recommending a monthly check of the equipment, that is a belt and braces approach, as that type of equipment is very rarely prone to fault or failure. We cannot envisage a specific scenario where a PAYG phone would provide a better outcome, but we recognise that some customers may have a preference for it.

Regardless of customer preference, we want to empower our engineers to be able to match each vulnerable customer's requirements with the relevant Sure backup solution. We know that some of our more vulnerable customers may not be fully comfortable following a set of instructions and that others might, through frailty or poor eyesight, for example, not be suited to a mobile device solution, due to the button and/or screen size. In any circumstance where our engineers consider that a customer risks not understanding how to use the device we will reserve the right to override their decision for a PAYG mobile and instead install a BBU unit. By default, we want to take a cautious approach.

Q19. In the circumstances outlined above, do you have any information that might indicate the level of demand for paid BBU installation, the financial viability/profitability of such a BBU installation business (particularly for a telecommunications operator) and likely pricing levels? If so, please provide the same.

JT is probably best placed to answer this question, as it will have real-world statistics for the proportion of Jersey customers who chose to purchase a battery backup solution during its island-wide migration from copper to fibre. Earlier in 2021, JT publicly stated that 'only a handful of customers' had chosen to purchase a battery backup. With regard to Sure's Guernsey network rollout, we are amenable to providing a chargeable battery backup solution to any customer who requests one. We envisage that our BBU units could be provided via a number of means:

- Sure's engineers can supply and connect one at the time of the fibre installation, with the customer being charged via their chosen ISP.
- If ISPs were amenable to stocking the battery backup units (which Sure Wholesale could provide or they could source for themselves, at their preference), customers could purchase a unit at any time after fibre installation and connect it themselves. Clear instructions of the simple setup process would be provided. Were the ISPs to prefer that solely Sure handled this facility, our High Street store would stock the battery back-up units and would be happy to provide them to any customer, irrespective of their ISP.

It should be noted that whilst Sure will make a BBU option available, customers would be able to source and connect their own battery backup solution, should they wish to. Some customers, may, for example, look for a retail solution that supports both their voice and broadband services, so that they can continue to access the internet via a laptop or handheld device for a period of time during a power cut. It is not for Sure to promote a particular third-party provider or vouch for the validity of their solutions, but as a ready example, amazon.co.uk sells a range of UPS (Uninterrupted Power Supply) units, which customers could choose to use instead. For the avoidance of doubt, we would only provide support for BBU units that we have provided, but we

have no intention of enforcing their use over those of any others that customers may prefer to use instead.

As explained elsewhere in this document, Sure and Adtran have not yet been able to complete the testing of our preferred BBU solution, but we are looking at a buy-in cost⁵ of around [£]. This type of unit is simple to set up, with only two connections – one to a power socket and one from the battery backup unit into the power supply for the ONT.

We would anticipate that most customers seeking a BBU solution would do so at the time of migration of their copper service to fibre. In that instance, there would be no charge made for connection of our BBU unit as it so quick to connect. Should any non-vulnerable customer, or their ISP, want a Sure engineer to undertake a specific visit to connect the BBU unit, then we would look to apply a labour charge. Our default charge is £65.00 for a visit and 30 minutes labour, with each additional 30 minutes charged at £32.50. Considering how quickly a battery backup connection can be made, it may be possible for us to provide this for a total charge of £32.50, but this would need to be confirmed.

Q20. Should an operator be legally required to install a BBU unit for a subscriber that requests it and is willing to pay for it?

We are broadly supportive of the prospect of Licenced Operators having a licence condition obligation to provide and install a BBU unit when requested by a customer. However, the scope and wording of that licence condition must be subject to further consultation with Licenced Operators.

For example, we believe that the scope of any licence condition obligation to provide and install a BBU unit would need to extend to all operators, including retail communications providers, rather than simply a network operator. This is because network operators and retail communications providers will need to work collaboratively to provide the BBU unit. Customers, whether new or in-life, may wish to request a BBU unit and, where relevant, register a vulnerability, via their retail communications provider. This information will then need to be passed from the retail communications provider to the network provider so that the request can be actioned, and appropriate charge levied (for non-vulnerable customers). Failure on the part of the retail communications provider to share the relevant information and request with the network operator could result in the BBU unit not being connected and/or the customer being inappropriately charged. Responsibility for this must not sit solely with the network operator.

Similarly, any request for, and connection of, BBU units should be reasonable and Licenced Operators should not have an obligation to provider and/or connect where the request is unreasonable. This could occur where, for example, customers make repeated requests for new BBU units due to the units being damaged, being sold on, or where customers make inappropriate requests for free BBU units in instances where they are not vulnerable.

⁵ In addition to the unit cost, Sure will incur a delivery charge, which will need to be factored in. We also need to source a wall mounting option, which we expect to cost between £5 and £10 extra. Our initial view is that no more than a 20% margin should need to be added to our costs to arrive at the customer charge to be applied by any ISP.

We believe that there are benefits in the provision of BBU units being cost-based, and therefore the Authority could include a requirement for provision to be cost-based in each operator's BBU facility relevant licence condition.

Q21. If network operators do provide BBU installation to subscribers converting to FTTP, to what extent does an operator enjoy a position of market power to raise BBU pricing above a competitive level?

Whilst we understand the rationale behind the Authority's question, we urge caution about speculating whether a certain network operator enjoys (or will enjoy) a position of significant market power. It is important that any prescription of significant market power is evidence-based and empirically driven.

Whether or not an operator enjoys a position of market power will depend on the extent to which it is constrained by demand and/or supply-side competition. These competitive conditions will need to be assessed within a recognised economic framework, including defining a relevant market using the Hypothetical Monopolist test and assessing the extent to which one or multiple network operators hold significant market power within that relevant market. The Authority will need to consider a variety of factors before concluding that significant market power is present, including (inter alia) market shares, barriers to entry and expansion, countervailing buyer power, and profitability analysis. It would not be appropriate for the Authority to designate one or multiple network operators as enjoying a position of market power without assessing the market in this way or based on assertions made in response to this question.

However, we note that BBU units are readily available online and are easily installed by consumers. For example, there are a variety of BBU units (often termed 'UPS') available at amazon.co.uk and many other online retailers. There is a wide variety of units, available at different price points and with different device runtimes and facilities. Many of these units are easily connected, in the same manner as Sure's intended BBU unit, with the customer simply needing to plug their ONT into the BBU unit (and the BBU unit into their power socket). In our view, the wide availability of these BBU units, at competitive prices, would undermine the extent to which any network operator could profitably increase the price of its BBU units.

Q22. Would it be proportionate for the GCRA to regulate the pricing of telecommunications operators for installing a BBU, in order to prevent any abuse of market power in BBU installation (such as unreasonably high prices) and to ensure an affordable price and, if so, on what basis should such regulation proceed?

We do not believe it is appropriate or proportionate for the GCRA to actively regulate the price of BBU units and installation. Active price regulation, such as cost orientation or a cost-based charge control, is complex and resource-intensive. Imposing a cost orientation obligation or cost-based charge control on network operators would mean that the GCRA would need to work with the relevant operators to identify efficiently incurred costs, agree on cost allocation principles and determine an appropriate price. Furthermore, the GCRA would need to create a compliance programme for each regulated operator, including compliance reporting. Given our preliminary view that no network operator will enjoy a position of significant market power, we do not believe that it would be proportionate for the GCRA to actively regulate the price of BBU units and installation.

A more proportionate approach, as suggested in response to Q.20, would be a licence condition that requires the provision of BBU units to be cost-based. Operators should be free to build their own cost recovery mechanism, with GCRA scrutiny only required should concerns be raised by customers or other operators.

Q23. To what extent should the network operator be required to: independently price its BBU installation and not bundle the same, not design its FTTP in a fashion that unreasonably restricts compatibility with third party BBUs, provide reasonable logistical and technical cooperation to third party BBU installers and inform customers of their right to have their BBU installed by an independent installer?

We do not object to network operators being prevented from bundling their BBU solutions in a way that reduces transparency and interoperability. We intend to provide our BBU units free of charge to vulnerable customers and on a cost basis for others that request a BBU from us. Our proposed BBU solution is a standalone unit (that is, not integrated with the ONT) and can easily be replaced by a third-party BBU unit or be connected by the customer or by a third-party provider.

At the retail level, we support the ready availability of customer information, setting out the options available in relation to BBU units. This would include the facility for one to be provided and connected at the time of coper to fibre migration, one being available to purchase at any time after migration and the option for customers to source their own BBU solution.

Q24. What subscriber and household data do network operators hold from which they may be able to determine/deduce: (i) Emergency Service Reliance or (ii) Landline Reliance (and how would this be done)?

Sure maintains details of Lifeline customers (around 1,100 subscribers at any one time) and these we would class as 'Emergency Service Reliant'. There will be other customers for whom the use of a landline, rather than a mobile device, may be beneficial. This group may include the likes of blind or partially sighted customers, or those with certain hearing difficulties for whom a landline phone may facilitate helpful features (such as an inductive coupler). We are open to discussion as to how these types of customers would best be identified, so that we can assist them.

If deemed appropriate, we would be keen to work with the likes of the Guernsey Blind Association and the Guernsey Hard of Hearing Association to understand how we could best provide support to those landline customers who would deem themselves vulnerable in this regard.

Q25. What subscriber and household data could operators obtain from retail broadband providers or other sources that would allow them to deduce (i) Emergency Service Reliance or (ii) Landline Reliance (and how would this be done)?

Please see our response to Q24.

Q26. To what extent would network operators be dependent on subscribers providing the information necessary to determine their (i) Emergency Service Reliance or (ii) Landline Reliance?

For Lifeline customers, Sure Retail has full awareness of their emergency service reliance but for other customers it is very unlikely that Sure and other retail ISPs would have specific awareness of their customers' needs. Sure Wholesale will need to strike the appropriate balance in trying to identify those customers who should appropriately benefit from receiving support from us (as the network provider of their landline service) and seeking to identify those customers who might wish to be treated as a vulnerable customer solely to access a free battery backup solution. We need to ensure fairness across the customer base.

We would obviously hope that we could rely on the honesty of customers, but there may be instances where this proves to be doubtful. It would be beneficial for consideration to be given as to how claims of vulnerability should best be assessed. Certain local support agencies (including relevant local charities) may be well placed to assist in that eligibility checking process. Importantly, any checking process must not be, or appear to be, onerous, as this may dissuade certain vulnerable customers from applying for BBU support.

Q27. To what extent, in what circumstances and how would a network operator be likely to migrate subscribers, en masse and/or without consent, to an FTTP system?

Sure hopes that the vast majority of customers will appreciate the benefits that our fibre network will bring. Our February 2021 project information⁶ referred to a planned copper-to-fibre migration wholesale charge of £94.05, but this charge had been reduced by the time of the formal notification⁷ to a fee of £12.75 (and indeed, there is no charge for the remainder of 2021). The much lower standard fee, which could well be covered by the customer's chosen ISP, has been set to encourage all customers to upgrade their copper service to fibre. The majority of customers are on the entry level copper broadband service and they will receive a free average speed uplift from 16Mbp to 30Mbps, by default, with the initial six months period at the enhanced speed of 50Mbps. We therefore hope that the vast majority of customers will choose to migrate to fibre when it becomes available at their premises.

For those customers who do not wish to benefit from the free extra broadband speeds (both download and upload), they will be welcome to remain on copper until nearer the time that the exchange equipment that serves their broadband and/or landline service(s) is due for decommissioning. This will occur on a phased basis around the island (and for Herm). Only as that time approaches will an enforced migration process need to be introduced (unlike in Jersey, where that was the standard throughout JT's project). There is likely to be a sub-set of customers who are still resistant to change and our Wholesale Customer Liaison Team will be able to visit them to listen to and discuss their concerns. There may be instances where we will need to swap out their legacy hard-wired landline phone(s), which we will do without charge.

We do appreciate that an absolute minority of customers may simply refuse to have their service(s) migrated from copper to fibre and unfortunately, we will reach a stage where it is simply not viable for us to continue to provide their copper-based service(s). We are entirely amenable to working with the GCRA and other relevant parties to ensure that any forced migrations are planned and performed in the least disruptive manner and with the appropriate level of respect shown to customers at each touchpoint during the migration process.

Ultimately, if a customer continued to refuse for us to migrate their service(s) from copper to fibre it would reach a point when their service(s) would no longer function, as a result of the underlying copper network needing to be decommissioned. Individual service disconnection would not occur until all other options had been exhausted and would only come at the end of a clearly defined and well communicated process.

Q28. How and at what stage of an FTTP migration process, especially an involuntary migration, would the operator be able to:

⁶ Issued to the GCRA and ISPs on 26/02/21.

⁷ Issued 06/09/21.

- a. **Provide information to transitioning subscribers as to the requirements to be able to claim vulnerable status and the process for doing so?**
- b. **Obtain the information necessary to determine a subscriber's Emergency Service Reliance or Landline Reliance and then implement any solution?**
- c. **Determine a non-vulnerable subscriber's desire to purchase a BBU and then install it?**
- d. **Explain the risks of FTTP (especially in power outages) and for the subscriber to opt out of any migration (if the PSTN remains)?**
- e. **Explain the operation, testing and maintenance of any back-up solution supplied/installed?**

We note the particular focus of this question on the involuntary migration aspect, but for each of the points set out by the GCRA we would want to provide this information in a timely and easily accessible manner to all customers, both via the GuernseyFibre.gg website and local ISPs.

Taking each point in turn:

- We want our standard migration process to take account of the implications for all customers, so that the relevant solution can be provided for their needs. In relation to the requirements for claiming vulnerable status, there is ongoing work to establish that (including this helpful Call For Information process). We have had informal discussions with some of the local charities that support vulnerable people and have further meetings lined up with others, so that we can better understand how we can identify and help such customers.
- We will be using our six-month Pilot Phase to understand more about how we can suitably ascertain this information in a manner that does not risk any ODPa related information breach. We would welcome discussion with the GCRA, should it have any specific views as to how it would like the process to be established.
- Once our battery backup proposals have been finalised and approval has been sought of the GCRA, we would look to the ISPs to embed the offer of a chargeable (for non-vulnerable customers) battery backup unit into their retail fibre ordering process. During our engineers' visits to a premises (for survey and installation processes), should they have any concerns as to the vulnerability of the customer (or a householder), they would be empowered to provide and connect a free battery backup unit, even if the customer did not believe that one was necessary. Ongoing support would then be provided.
- The key purpose of Sure's five-year Guernsey Fibre project to migrate broadband and landline services from copper to fibre is that it will allow the increasingly legacy copper-based access network and associated core network equipment to be removed. As such, once customers have migrated to fibre, their copper-based wiring will be decommissioned. Customers will be invited to migrate to fibre on an opt-in basis, until such time as the enforced migration process, by area, is required to be undertaken. Information about power outages will repeatedly be provided and at the time of migration, warning stickers will be provided on the ONT and the customer's master telephone socket, to serve as longer term reminders.
- For any battery backup solution provided by Sure (either directly to customers or via their chosen ISP), we will include clear instructions, in larger print. Please also see our responses to the GCRA's associated questions, below.

Q29. On what timescale should (i) PAYG mobiles and (ii) BBU units be replaced to ensure reliable operation and appropriate back-up duration?

It is too early in Sure's Guernsey Fibre project to understand any relevant default timeframes for the replacement of PAYG mobile phones and BBU units, but in both cases the equipment is basic, reasonably fool-proof and robust. We expect very little to go wrong with it.

We would suggest to customers that any PAYG phone supplied as a fibre service backup is charged and tested on a monthly basis.

Our intended BBU unit is equipped with a status light (green = charged; red = charging) and we will ask customers to check the status light on a monthly basis. If, after any power cut, the light remains red for more than a few hours, the unit is potentially faulty. This should be reported to Sure via the customer's ISP.

Q30. Should network operators be required to replace PAYG mobiles/BBUs at the end of their effective life, if they become faulty or malfunction and what would be the projected cost of imposing this duty on operators?

We consider that long-term support for vulnerable customers is important and as such, in principle, we are happy to take on the responsibility for the ongoing support of BBU equipment provided to them. For that to be effective, we need the definition of 'vulnerable' to be as unambiguous as possible, to ensure that non-vulnerable customers cannot unfairly claim to be vulnerable, solely to receive free ongoing support from Sure. We need to focus that support on those who have a real need, so that the level of service that we can provide them is not unnecessarily diminished through us also having to offer priority services to other customers, whose needs are materially less, by comparison.

Based on the above, we are happy to commit to maintaining and replacing BBU and PAYG mobile phones, for vulnerable customers, as required. It is too early for any projected costs to be established. As explained elsewhere in this document, we have not completed testing of our preferred BBU option and at this stage. The upcoming Pilot Phase will be used for a full operational assessment of the equipment. So as to be compliant with the Part J requirement of 13A.2⁸ of Sure's licence modification, this testing will be limited to amenable staff within Sure, JT and Airtel, rather than any 'real' customers.

For non-vulnerable customers, the equipment offered by Sure (in relation to the ONT power related aspects) will be for purchase. Within the warranty period (likely to be 12 months for both the BBU and the PAYG phone), customers will need to return the equipment to us, should any issues arise. At the end of that period, responsibility will transfer to the customer. Should a fault then occur, any repair or replacement requested through Sure may be chargeable. As a reminder, non-vulnerable customers are not bound to take Sure's equipment in the first place and many alternatives are commercially available. Sure wishes to exert no control or influence in the competitive BBU or PAYG phone markets.

⁸ [t1557g-sure-guernsey-limited-licence-modification-final-decision-annexure.pdf \(gcra.gg\)](https://www.gcr.gov/gcra/gcra-1557g-sure-guernsey-limited-licence-modification-final-decision-annexure.pdf)

Q31. What testing may be required of BBUs or PAYG mobiles to ensure they are still functioning normally and reliably on an ongoing basis (and what testing equipment can be supplied with the solution to enable this to be done easily by laymen)?

We will be recommending that customers test their BBU equipment or PAYG phone on a monthly basis.

The BBU unit that we intend to use will have a green light displayed in normal operation. A red light, at any time other than the hours following a power cut, could be indicative of a fault. Ideally, as part of the monthly test, customers will be happy to check that when the power supply is turned off at the socket, the ONT still operates (again, a green light will indicate whether this is the case). We will provide clear instructions of the simple steps to be undertaken and what action to take, should a fault be found. No specific testing equipment is required.

The PAYG phone will ideally be kept turned off, so as to preserve the battery life. It should be charged at the time of the monthly check, although this basic mobile device is designed to still work, even if not recharged for three months, or even longer. If the phone is seen to be functioning, it should be fully operational and ready to call 999, if required. As discussed, the phone will be provided SIM-free, so it will connect to any of the three local mobile networks.

Q32. Should the duty to test for reliable functioning of the solution be imposed on vulnerable subscribers or on operators (and what would be the costs of imposing this on operators)? Please provide full reasoning and costing.

It would not be necessary (or even feasible) for Sure to test the equipment provided for vulnerable customers on a monthly basis. Whilst we will recommend that customers undertake their own monthly test, the equipment should provide a high level of reliability for a considerable number of years, so these checks are just additional safeguards.

Customers reliant on their landline will also unknowingly test the equipment on a more day-to-day basis anyway, as the ONT will not function (thereby meaning there would be no dial-tone present on any fixed line phones and no broadband service), if the BBU itself has failed. That is because the BBU is plugged into the mains, with the wired output from it providing the power to the ONT.

More generally, it would be inappropriate for us to accept from our suppliers any equipment that is not fit for purpose. In the very unlikely event that a pattern of issues were to be identified, we would want to rectify the problem or swap out that equipment, as a matter of priority. In addition, we will collate fault related information fed back to us by ISPs, their customers and our own engineers to help us monitor the reliability of our BBU units and PAYG phones.

Q33. Which, if any, particular categories of vulnerable subscribers would not be capable of doing any testing of back-up devices (whether BBU or PAYG mobile) and would it, in any such case, be more appropriate to impose this duty on the operator?

We have considered three main reasons why customers might not be considered capable of testing a back-up device. We provide our views in relation to each:

- Customers who are not physically able to reach the ONT and/or BBU unit – Sure would be amenable to siting the equipment in, or moving it to, a readily accessible location within the premises. The standard installation would usually provide for the equipment to be fitted discretely, but we recognise that this may not suit some customers. We will take full account of their needs and agree the best location for it to be fitted.
- Customers who are blind or partially sighted – the unit could be inspected by a visiting family member, friend or carer. Also, a raised sticker could be provided to identify the relevant plug for the customer to turn off the mains power and see if they can still hear dial-tone on any fixed line phone.
- Customers who may not have the capacity to fully understand the testing process – We would hope that customers would receive the appropriate in-home support from a family member, friend or carer and as such, we would like them to test the equipment for the customer.

Our engineers cannot undertake regular mass testing of BBU facilities for customers, but in the same way as we already go above-and-beyond to support Lifeline customers, our team would be available, should any vulnerable customer be particularly concerned about the status of their BBU equipment. This type of support is currently provided free of charge and we do not envisage a need to deviate from that stance.

Q34. Should a network operator be required to monitor whether a subscriber has become vulnerable and is entitled to relevant back-up protections, and if so, in what fashion and how regularly should it conduct such monitoring?

When a customer becomes vulnerable, to the extent that they need a Lifeline system installed, if an ONT has already been fitted at the premises, Sure would simply add a BBU unit and then take on responsibility for its ongoing support, alongside that of the Lifeline unit.

For other customers who become newly classed as vulnerable, they would be entitled to a free BBU unit (or PAYG phone, at their preference). Further consideration will need to be given as to how this can best be flagged to Sure's engineers, whilst taking account of data protection requirements, so as to avoid us needing to know the underlying medical (or other legitimate) reason for that customer having become vulnerable.

We believe that it could be considered intrusive for any local telecoms provider to actively try to monitor the medical status of its customers, but it may well be that the existing community support mechanisms could be expanded to help cover the reporting to Sure of the needs of any customers that they believe would benefit from being added to the list of vulnerable users. That support network is likely to include health/social workers, doctors and members of the charity

sector (such as carers.gg) – all of whom would be well placed to know when particular customers would benefit from additional support for their telecoms service(s). The Lifeline validity and application process has worked well for decades and thus would form a good foundation onto which the expanded vulnerability considerations could be added.

Q35. Should a network operator be required to investigate and respond to a change of a vulnerable subscriber's address (which might require protective measures at a new site) or their switching to a new FTTP provider (who might need to be informed of his/her vulnerable status)?

Initially, we envisaged that an extension to the logic already employed in relation to Lifeline customers could have been workable. A Lifeline 'flag' is associated with the customer and when they move home our engineers know that the equipment needs to move with the customer. That can easily apply to the BBU unit as well.

However, there is an issue that would need to be overcome in relation to customers who switch to a new FTTP provider. The reason for this is that at that wholesale level, services are associated with the relevant operator (e.g. JT or Airtel), rather than their end users (for whom Sure Wholesale currently has no specific reason to identify), whereas for Sure Retail customers, we actively need to identify those customers individually (in the same way that JT and Airtel will need to know their own customers' details for their retail purposes).

A materially fool-proof solution does not yet exist for this problem, but we are certainly amenable to working with JT and Airtel, along with the GCRA and any other relevant parties (e.g. the ODPA) to consider what might be achievable.

Q36. Comment on any matters relevant to a potential dispute resolution process that may need to be put in place, including the:

- a. Obligation to provide documentation or evidence (and what this should be) in order for a household to establish a proper claim to vulnerable status;**
- b. Operator complaint/claim procedures to process and resolve subscriber claims for vulnerable status;**
- c. Time limits and milestones for the processing and resolution of claims by operators;**
- d. Obligations by operators to provide written reasons to claimants for any decision to refuse their claim.**

We believe that our existing dispute resolution code of practice (known as our 'Here to Help Guide')⁹, remains appropriate and should be retained in any amended provisions associated with FTTP. A new dispute resolution process should not be necessary.

Our Here to Help Guide provides customers with information about how to make a complaint, an overview of our complaints process (what to expect), and what to do if the customer does not agree with the outcome of our investigation. Our complaints procedure does not currently require customers to provide any specific documentation when making a complaint as we recognise that this documentation may have been lost or not be available at the time of complaint. Where we do not have necessary documentation or evidence to help us investigate and resolve the complaint, we will reach out to the customer directly to discuss what information or evidence *can* be provided. Requiring specific documentation or evidence to always be provided could dissuade complaints and reduce customer satisfaction.

Similarly, our Here to Help Guide already sets out a time limit for processing and resolving a complaint. We make every effort to resolve complaints within seven working days. However, where complaints are particularly complex, we do note that an investigation can take longer than this. We provide the customer with regular updates throughout the investigation process to assure them that the process is being dealt with.

We do not, as standard, provide customers with a written reason for rejecting their complaint. It will ultimately depend on the channel in which the customer contacted the Sure Complaints team – for example, if the customer contacted us via telephone, then the Sure Complaints team will usually provide a complaint rejection via telephone. Should the customer request a copy of the complaint rejection in writing, this is something that we would provide to the customer on an ad hoc basis. We also provide the customer with a 'Sure Ticket Number' and direct them to take their complaint to the Authority (GCRA) in the event they are not satisfied with the resolution that has been offered.

In our view, the flexibility and personalisation of our complaints and dispute resolution process sufficiently accommodates for the needs of vulnerable customers. We enable customers to make complaints via their preferred method and allow customers to inform us of any additional assistance requirements. We will endeavour to support the customer in whatever way we can.

⁹ [Sure-Guernsey-Limited-Here-to-Help-Guide-October-2019.pdf](#)