

Telecoms Market Review Draft Decision – Confidential respondent one

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Question 1

Do you agree with the Authority's Draft Decision for fixed broadband set out in Chapter 4 of this Draft Decision? If you do not agree with any aspect of this, you should provide all of your analysis and assessment.

Broadly yes — we support the direction the Authority is taking, particularly recognising JT's market dominance in both the retail and wholesale fixed broadband markets. However, there are still areas that need further attention:

- The requirement to bundle WLR with wholesale broadband is outdated and limits our ability to offer flexible products. We welcome the proposal to explore a broadband-only wholesale product and urge the Authority to prioritise this.
- Greater transparency is needed around how wholesale broadband prices are calculated. It's currently difficult to forecast costs or assess cost-reflectiveness.

We support the Draft Decision overall, but practical improvements in access and pricing are essential for a fairer, more competitive market.

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Question 2

What are your views on the Authority's proposals with respect to JT's SMP obligations set out in Box 2 of this Draft Decision?

We support the proposed updates to JT's SMP obligations:

- Extending the price change notification period to 28 days is a positive step, allowing OLO's to respond to changes more effectively.
- Reviewing JT's internal trading practices is vital. We still see a lack of clarity around pricing between JT's wholesale and retail operations and we are aware that when targeting specific business opportunities JT still uses wholesale pricing in its retail operations.
- Improvements to regulatory financial reporting are welcome but should be supported by independent audits to ensure accuracy and trust in the figures.

These changes would significantly improve transparency and reduce the risk of anti-competitive behaviour.

Question 3

Do you agree with the Authority's Draft Decision for fixed voice set out in Chapter 5 of this Draft Decision? If you do not agree with any aspect of this, you should provide all of your analysis and assessment.

Yes — the conclusions around JT's continued dominance in both retail and wholesale fixed voice services are accurate.

- WLR remains a technical and commercial bottleneck. We urge the Authority to fast-track work toward a broadband-only product that removes the need for WLR provisioning.
- The market remains highly concentrated. Additional measures may be needed to encourage greater switching and alternative offerings.

We support the Draft Decision but encourage faster movement on modernising the wholesale fixed voice framework.

Question 4

What are your views on Fixed Number Portability and the Authority's proposals set out in Box 4 of this Draft Decision?

We strongly support the introduction of Fixed Number Portability (FNP). It would remove a major obstacle to customer switching — especially for businesses that depend on continuity of contact.

- FNP is standard in most jurisdictions and should be available in Jersey.
- Technical solutions exist and costs can be managed if approached collaboratively.

We recommend the Authority establish a clear timeline and stakeholder group to scope and deliver FNP. [X]

Question 5

Do you agree with the Authority's Draft Decision for leased lines set out in Chapter 6 of this Draft Decision? If you do not agree with any aspect of this, you should provide all of your analysis and assessment.

Yes. JT still holds a dominant position in this market and the continued application of cost-based regulation is necessary.

- Lead times, access terms, and pricing transparency remain problematic for OLOs.
- Leased lines are critical infrastructure for both business clients and services like mobile backhaul, and we rely on fair access to serve our customers.

We support the decision and recommend additional benchmarks and service-level expectations to improve market function. [X] [C]urrently the Market does not provide the ability for OLO's to offer services at a rate that would generate any profit.

Question 6

With respect to dark fibre, do you agree that this should be maintained as a regulatory option? If yes, please provide evidence and information on the circumstances in which dark fibre might become necessary?

Yes — dark fibre should remain available as a regulatory option.

- It allows greater flexibility and innovation, particularly for high-capacity services and bespoke enterprise solutions.
- JT's control over active services can limit options. Dark fibre access would reduce dependency and promote diversity in service delivery.

We support keeping this option available, with clear triggers and potential conditions for when it could be implemented.

Question 7

As set out in Box 5 the Authority is giving consideration to data centres, what are your views on data centre availability and connectivity in Jersey?

Data centre access and connectivity are increasingly important.

- We've encountered challenges around access, pricing, and neutrality. Some operators appear to have preferential arrangements that aren't visible to others.
- Connectivity charges, particularly for off-island routes, are still heavily marked up 'because they can' and make it hard to offer competitive services.

We support the Authority's plan to explore this further and recommend a structured review into transparency and access practices within local data centres [X].

Question 8

Do you agree with the Authority's Draft Decision for mobile services set out in Chapter 7 of this Draft Decision? If you do not agree with any aspect of this, you should provide all of your analysis and assessment.

Yes — a light-touch approach is appropriate for now, provided there is ongoing monitoring.

- With the Sure-Airtel merger, the market may shift. The Authority should stay alert to any competitive imbalances, particularly in bundling fixed and mobile services.
- We also believe mobile termination rates warrant periodic review, especially in terms of their impact on smaller operators and new entrants.

Continued oversight is key to maintaining a competitive mobile landscape as we have concerns that the required third OLO may not materialise and thus leaving consumers and businesses with considerably higher prices than similar services in the UK & Europe.

Other comments
None