

## ACCESS CHARGE CHANGE NOTICE (ACCN)

### ACCN reference information

<b>ACCN Number:</b>	ACCN_2019_06
<b>Regulatory condition:</b>	SMP Condition 4 applying to KCOM Group plc in relation to the wholesale provision of regulated leased lines in the Hull area.
<b>Scope:</b>	New Network Access Charges and T&Cs, Existing Network Access T&Cs
<b>Notification period:</b>	New Network Access Charges and T&Cs (28 days), Existing Network Access T&Cs (56 days)
<b>Services:</b>	New Services: External CableConnect, Optical Wave Access Service (OWAS), Existing Services: Ethernet Direct Access Service (EDAS) and Ethernet Connect Access Service (ECAS)
<b>Terms and conditions:</b>	Product terms and conditions are those applying to the wholesale Reference Offer for leased line and Ethernet services.
<b>Effective date:</b>	New Network Access Charges and T&Cs (28 days): would be 26 September 2019, however the Technical Customer Interface Publication (CIP) 90 day notice becomes effective from 15 October 2019 and we have also incorporated changes to Existing Network Access T&Cs (56 days) for the wholesale provision of Ethernet Direct Access Service (EDAS) and Ethernet Connect Access Service (ECAS), so the effective date of this ACCN is: <b>24 October 2019</b>



## ACCN regulatory submission

**Ofcom submission:** 29 August 2019

**Submitted by:** Martin Bertolotti on behalf of Marvin Luttrell

**Position:** Wholesale Product Lead on behalf of the  
Director of Regulatory and Government Affairs

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## **Description of Network Access in question**

*Leased line pricing applicable to the wholesale provision of Ethernet Direct Access Service (EDAS) and Ethernet Connect Access Service (ECAS), incorporating the new services External Cable Connect and Optical Wave Access Services (OWAS).*

*External CableConnect supports the provision of Wholesale FibreLine Local Access Services. It provides a passive connection between CP Equipment in the KCOM Exchange and a point of handover located within the curtilage of the same KCOM Exchange.*

*Optical Wave Access Service (OWAS) including filter is a high-speed point to point wavelength service that consists of a core 10Gb lit and managed wavelength with the option for the CP to use additional wavelengths between sites using a CP's own terminating equipment.*



## Location of current Reference Offer Terms and conditions

Current Terms:

[Existing Reference Offer for Leased Line Services](#)

[Existing Schedule 1 - Definitions](#)

[Existing Schedule 2 - Service](#)

[Existing Schedule 3 - Service Standards](#)

New Terms & Conditions including Red Line Versions and current versions:

<https://www.kcomplc.com/regulatory/kcom-wholesale/leased-lines/>



## **Charge changes**

*Leased line pricing applicable to the wholesale provision of Ethernet Direct Access Service (EDAS) and Ethernet Connect Access Service (ECAS), incorporating the new services External CableConnect and Optical Wave Access Services (OWAS). The pricing of these products can be found at:*

<https://www.kcomplc.com/regulatory/kcom-wholesale/leased-lines/>

and previous price change submissions for ECAS & EDAS service effective from 1 September 2019 are in ACCN\_2019\_05 at: [https://www.kcomplc.com/media/1481/ethernet-direct-access-service-edas-and-ethernet-connect-access-service-ecas-accn\\_2019\\_05.pdf](https://www.kcomplc.com/media/1481/ethernet-direct-access-service-edas-and-ethernet-connect-access-service-ecas-accn_2019_05.pdf)

**The new services prices for External CableConnect and Optical Wave Access Service (OWAS) are included below**

**Effective date:                      24 October 2019**



## New wholesale prices - External CableConnect

### Connection Charge

Service	Notes	Connection Charge
		Ex VAT
External CableConnect (install external cable up to 24 fibres and provide internal)		£2,000.00
External CableConnect (install external cable up to 48 fibres and provide internal)		£2,150.00
Excess Construction Charges	1	POA
Cancellation charge (External CableConnect)	2	£429.90
Optional optical patching shelf for 12 fibres	3	£350.00

#### General Notes:

- 1) Excess Construction Charges include the survey for and installation of a KCOM handover box and the civils work needed to install new duct infrastructure from the KCOM handover box to the Cable Chamber. The KCOM handover box will be no more than 100 meters from the relevant Cable Chamber and it must be located on public land. Excess Construction Charges will be applied to construct the relevant infrastructure and are charged in addition to the External CableConnect Connection Charge in those cases where additional infrastructure is needed to give a new or extended service to the CP. For the avoidance of doubt, where the CP cancels the Order for Services the CP shall be liable to pay any and all Excess Construction Charges, where KCOM has undertaken infrastructure work.
- 2) Cancellation charges are compensatory and not subject to VAT.
- 3) Multiples required based on cable size e.g. if 24 fibres are required, the CP would require 2 patching shelves. Where this is not purchased, the internal fibre cable is left coiled in the CP's licenced space and no connectors are provided.

### Rental Charge

Service	Minimum Period	Rental Charge per annum
		Ex VAT
External CableConnect	12 months	£8.00

## New wholesale prices - Optical Wave Access Service (OWAS)

### Connection charges

Connection Charges				
Feature	Notes	Operative Date	Until	Connection Charge Ex VAT
Optical Wave Access Service 10Gb + filter	Both ends: new fibre	24/10/2019		£14,350.00
	Both ends: existing fibre	24/10/2019		£9,350.00
	One end new; One end existing	24/10/2019		£11,850.00
Additional 10Gb Wavelength	Per Wavelength	24/10/2019		£1,500.00
Resilient Optical Wave Access Service 10Gb + filter (Including amplification)	Both ends: new fibre	24/10/2019		POA
	Both ends: existing fibre	24/10/2019		POA
	One end new; One end existing	24/10/2019		POA
Excess Construction Charges		24/10/2019		POA

## Annual Rental Charges

Annual Rental Charges				
Feature	Minimum Period	Operative Date	Until	Rental Charge per annum Ex VAT
Optical Wave Access 10Gb + Filter	5 Years	24/10/2019		£6,708.00
Additional 10Gb Wavelength	5 Years	24/10/2019		£1,959.00

## Other charges

Charges				
Feature	Notes	Operative Date	Until	Charge Ex VAT
Wavelength Upgrades		24/10/2019		Cease and new provide basis

## Time Related Charges (TRC) – Call out, Visit, Missed Appointment Fee and Expedite charges

Time Related Charges are payable where the CP requests the additional Services as set out in the table immediately below.

Call Out charges	Operative Date	Until	Standard Visit Charge (For Each Site visit) Ex. VAT	Hourly Rate (per hour or part thereof) Ex. VAT	Minimum hours	Minimum Call Out charge Ex. VAT
Call Out charge*	24/10/2019		£100.00	£85.00	1	£185.00
Missed Appointment Fee**	24/10/2019		£100.00	N/A	N/A	N/A

If we have made a scheduled appointment with you for an installation or faults visit, you may be charged a Missed Appointment Fee if an engineer has been despatched to your premises and:

- > The appointment is cancelled by you after the engineer has been despatched to your premises
- > The person in attendance is under the age of 18
- > There is no one at the premises
- > There is no one at the premises who knows what work is required / where socket etc. is to be located
- > You ask the engineer to call back at an alternative time
- > The engineer is refused entry

\* Visit Charge for No KCOM Fault Found or Visit Charge for requested work

\*\* Missed Appointment Charges & Expedite charges would still be raised where an Expedite is requested which cannot be fulfilled due to the Missed Appointment reasons above.

## Cancellation Charges prior to the Proposed Start Date

Cancellation charges will be raised if an Order for the Service has been received from the CP and the Order is subsequently cancelled prior to the Proposed Start Date (“PSD”). The cancellation charges are calculated based upon the number of clear Working Days between the date the cancellation request is received by KCOM and the PSD.

In the event that an Order is suspended by the CP, or by KCOM in instances where KCOM is awaiting information from the CP in order to continue delivery of the Order, KCOM may cancel the Order when the Order has been suspended for a period of more than 90 cumulative calendar days.

The cancellation charge is expressed as a percentage of the total Connection Charge as follows:

Clear Working Days before PSD	Operative Date	Percentage of Connection Charge %
2 or less	24/10/2019	90
3 – 21	24/10/2019	75
22 – 29	24/10/2019	60
30 – 35	24/10/2019	30
36 or more	24/10/2019	0

### Additional Notes:

- (a) The full cost of any additional work, e.g. duct, that is separately identified on the Agreement and which has been specifically incurred for the Order by the time of the cancellation, will be recovered in addition to the cancellation charge.
- (b) The cancellation charge scale applies to circuits normally provided within 42 Working Days.
- (c) The cancellation date must be given in writing by the CP.
- (d) Should a CP request amendments to the PSD and subsequently cancel the Order, the cancellation charge will be calculated on the Working Days between the dates that the CP notified KCOM of the first amendment and the original PSD.



## Termination Payment

The amount of this Termination Payment shall be the Rental Charges payable for the remaining months of the Minimum Period. If the CP terminates any Order during its Minimum Period, other than because KCOM has materially breached this Agreement or increased its charges or has materially changed the conditions of this Agreement to the CP's detriment or because the Agreement is terminated under Force Majeure, the CP must pay KCOM the Rental Charges and other charges for the remainder of any Minimum Period at the rate in force at termination or as otherwise provided in the Price List.

## Service Credits

For each day or part day KCOM is late in meeting the Proposed Start Date (PSD), the CP shall be entitled to the daily sum specified in the Price List for the Service affected by the failure.

The maximum Service Credit that CP may claim under this Agreement in respect of an Order where KCOM fails to achieve the Proposed Start Date (PSD) is 60 x the daily sum specified in the Price List for that specific Service.

Day or Part day after the PSD	Operative Date	Percentage of Connection Charge %
Daily sum	24/10/2019	0.5%
Maximum Service Credit	24/10/2019	30%