

Connectivity Services

BT Internal Reference Offer

23rd April 2013



openreach

a BT Group business



Connectivity Services BT's internal arrangements for network access.

BT is required to publish a reference offer in relation to services provided within SMP designated markets under the terms of the Business Connectivity Market Review published on 28th March 2013.

Connectivity Services will be provided on an Equivalence of Inputs (EOI) basis in accordance with BT's Undertakings as set out in Ofcom's "Final Statements on the Strategic Review of Telecommunications, and Undertakings in lieu of a reference under the Enterprise Act 2002", dated 22 September 2005 (see Annex B). The Connectivity Services reference offer can be found at the following URL:

<http://www.openreach.co.uk/org/products/connectivityservices/connectivityservices.do>.

The Connectivity Services contract details which products this covers.

ANNEX A - Network access used by BT's downstream services

The definition of EOI is shown at Annex B. This Annex A highlights differences between the external Reference Offer and its application to other parts of BT, all these differences falling within the definition of EOI.

(a)	Credit vetting procedures	Credit vetting is a contractual requirement and not applicable to other parts of BT as the transaction are within the same legal entity.
(b)	payment procedures	Internal sales of Connectivity Services will be charged in full on an internal trading basis.
(c)	<p>the standard terms and conditions for the provision of Network Access, in particular those cited below:</p> <p>(i) a definition and limitation of liability and indemnity; and.</p> <p>(ii) details of any relevant intellectual property rights;</p> <p>(iii) a dispute resolution procedure to be used between the parties.</p>	<p>The standard Connectivity Services terms and conditions will generally apply to other parts of BT except that certain provisions will not apply because both parties are part of the same legal entity.</p> <p>In view of the fact that this type of contractual requirement would not reasonably apply to transactions which take place within the same legal entity, this information is not applicable to this document. Compensation payable (if any) is consistent with Schedule 4 of the contract. The mechanism for applying compensation internally will be via utilisation of the internal trading accounting procedures featuring internal transfers rather than adjustments to bills.</p> <p>In view of the fact that this type of contractual requirement would not reasonably apply to transactions which take place within the same legal entity, this information is not applicable to this document.</p> <p>In view of the fact that this type of contractual requirement would not reasonably apply to transactions which take place within the same legal entity, this information is not applicable to this document.</p>
(d)	<p>(i) provision of locate accommodation space</p> <p>(ii) provision of locateaccommodation space</p>	<p>Applications by other parts of BT for rack space in BT exchanges must be referred to BT Property who will manage the request though the SNAP process.</p> <p>Applications by other parts of BT for rack space in BT exchanges must be referred to BT Property who will manage the request though the SNAP process.</p>

ANNEX B – Definition of EOI

“Equivalence of Inputs” or “EOI” means that BT provides, in respect of a particular product or service, the same product or service to all Communications Providers (including other parts of BT) on the same timescales, terms and conditions (including price and service levels) by means of the same systems and processes, and includes the provision to all Communications Providers (including other parts of BT) of the same Commercial Information about such products, services, systems and processes. In particular, it includes the use by BT of such systems and processes in the same way as other Communications Providers and with the same degree of reliability and performance as experienced by other Communications Providers.

In this context “the same” means exactly the same subject only to:

- Trivial differences;
- Such other differences as may be agreed by Ofcom in writing;
- Differences relating to the following:
 - Credit vetting procedures;
 - Payment procedures;
 - Matters of national and crime-related security, physical security, security required to protect the operational integrity of the network and such other security requirements as agreed between BT and Ofcom from time to time;
 - Provisions relating to the termination of a contract; and
 - Contractual provisions relating to requirements for a safe working environment; or
- Such other differences as are specified elsewhere in these Undertakings, including where Commercial Information is provided in accordance with these Undertakings to any of the nominated individuals, and individuals occupying the roles and functional areas (and their relevant external advisers, subcontractors and agents) listed in Annex 2.