



INCA Response To The CMA's Draft Price Transparency Guidance (DMCC Act 2024)

The Independent Networks Cooperative Association

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Non-Confidential

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1.1 Executive Summary

INCA strongly supports the CMA's goal of enhancing price transparency to empower consumers and build trust in the market. Altnet providers (independent network operators) already embrace straightforward pricing and welcome clear rules that protect consumers. However, **it is vital that new guidance aligns with existing telecom regulations and is applied proportionately**, so as not to undermine competition or innovation. This submission outlines five key concerns and recommendations:

- **Avoiding Regulatory Overreach:** The broadband sector is already governed by Ofcom's extensive transparency rules (e.g. clear monthly pricing and upfront disclosure of any mid-contract price rises). **INCA asks the CMA to ensure any new price transparency rules complement – and do not duplicate or conflict with – Ofcom's framework**, thereby avoiding confusion and unnecessary compliance burdens.
- **Guarding Against Incumbent Advantage:** Without safeguards, transparency requirements could be **gamed by dominant providers** (e.g. BT/Openreach or Virgin Media O2) through aggressive price-matching or bundling, leveraging their scale to squeeze smaller rivals. **INCA asks the CMA to monitor and prevent incumbents from exploiting the new rules in anti-competitive ways**, so that transparency benefits consumers *without* entrenching incumbent market power.
- **Preserving Flexibility:** Broadband pricing models vary – many Altnets use simple monthly fees with no hidden charges, while others offer innovative contracts (no annual CPI increase guarantees, local discounts, etc.). **INCA asks the CMA to allow flexible price presentation (such as clear monthly pricing) provided all mandatory fees are prominently disclosed**, rather than imposing a one-size-fits-all format like a total contract cost that may confuse consumers and stifle innovation.
- **Proportionality:** Smaller alternative network providers lack the compliance resources of big ISPs. New rules should be scalable to firm size, with realistic implementation timelines. **INCA asks the CMA to adopt a proportionate approach – including at least 12 months lead time for compliance and simplified guidance/templates for SMEs – to ensure Altnets can implement changes without diverting from network investment and growth.**
- **Level Playing Field for Consumers and Competition:** Done right, the guidance can raise transparency standards across all providers. **INCA asks the CMA to continue engaging with Altnets and industry experts in finalising the guidance, aiming to uplift consumer protection in broadband without inadvertently disadvantaging new entrants.** By coordinating with sector regulators and fine-tuning measures (for example, including a broadband-specific example of best practice), the CMA can improve clarity for consumers while safeguarding the competition and innovation that drive better deals.

In summary, INCA welcomes the CMA's initiative and urges a coordinated, evidence-based approach. The Altnet sector is delivering gigabit connectivity and competitive choice across the UK; it is crucial that price transparency rules reinforce consumer trust *and* support ongoing investment and competition. By heeding the recommendations in this submission, the CMA can achieve both objectives – empowering consumers with clear information while ensuring the UK's broadband market remains dynamic and open to challengers.

1.2 Introduction

The Independent Networks Cooperative Association (INCA) is the UK trade association for alternative network providers (“Altnets”) deploying independent full-fibre and wireless broadband infrastructure. INCA’s members are at the forefront of delivering gigabit-capable connectivity, often in areas underserved by incumbents, and have a strong track record of straightforward, all-inclusive pricing models that are transparent by design. We welcome the opportunity to respond to the Competition and Markets Authority (CMA)’s consultation on its draft Price Transparency Guidance under the Digital Markets, Competition and Consumers Act 2024 (DMCC Act).

INCA supports the principle that consumers should be given clear, accurate pricing information to make informed choices. However, we are concerned that without sector-specific consideration, the draft guidance could inadvertently disrupt the competitive dynamics of the UK broadband market. In particular, the proposals (as drafted) risk limiting pricing flexibility, placing disproportionate burdens on smaller challenger providers, and ultimately entrenching the dominance of incumbent operators – to the detriment of innovation, competition and consumer value.

This response provides constructive, technically specific feedback on the CMA’s examples and scenarios (including those discussed in the CMA’s July 2025 webinar) as they relate to broadband services. We address five priority areas for Altnets – avoiding regulatory overreach, risk of incumbent advantage, preserving flexibility, proportionality, and fostering consumer trust and fair competition – and offer evidence-based recommendations in each area. Our aim is to ensure the final guidance meets its consumer protection objectives in a way that is aligned with existing telecoms regulations and supportive of the Government’s broader goals to promote competition and investment in digital infrastructure.

Executive Summary (for reference): *INCA urges the CMA to align price transparency rules with Ofcom’s regime (avoiding duplication); guard against unintended advantages for dominant providers; preserve flexibility in pricing formats (e.g. allowing monthly pricing); apply rules proportionately with adequate implementation time for smaller firms; and continue working with industry to ensure transparency measures strengthen consumer trust without harming competition.*

1.3 Avoiding Regulatory Overreach

INCA Ask: Ensure that new price transparency rules for broadband complement Ofcom’s existing regulations and do not create duplicative or conflicting obligations.

The pricing of broadband services is already governed by a robust, sector-specific framework under Ofcom. Notably, Ofcom’s General Conditions require providers to advertise clear monthly prices for communications services, to facilitate easy consumer comparisons, and to prominently disclose any foreseeable price increases in pounds and pence at point of sale [2]. This regime was developed through extensive consultation and evidence-gathering in the telecoms sector. For example, as of 2022 providers must clearly set out any mid-contract inflation-linked rises in monetary terms upfront when a customer signs up [2]. Ofcom deliberately prioritised transparent monthly pricing (rather than lump-sum contract prices) as the most meaningful reference point for broadband consumers, reflecting how people shop for these services.

In this context, the CMA’s draft guidance must be careful not to “cut across” or supersede rules that broadband providers have already implemented. Initially, the CMA had considered requiring a single cumulative price for fixed-term contracts, which raised alarms of conflict with Ofcom’s approach. We are pleased that the CMA’s revised draft now acknowledges that for periodic services like broadband, the “total price” requirement can be met by displaying the per-period (e.g. monthly) price along with the contract length [4]. This altered position – allowing either a total monthly price *with* the number of months, or the full contract total – is a welcome alignment with Ofcom’s established practice [5]. It helps ensure that providers are not torn between two regulators prescribing different price presentation formats.

Nevertheless, there remain areas where overlap or inconsistency could arise. The draft guidance emphasizes that “partitioned pricing” (showing a price split into components without a single total) will not satisfy the DMCC Act requirements [6]. In principle, INCA supports the goal of preventing misleading drip pricing. However, in broadband, certain pricing disclosures – for instance, a monthly fee displayed alongside a one-off installation charge – have long been presented separately for clarity. Ofcom and the Advertising Standards Authority have generally permitted this, as long as both elements are transparent and prominent (in fact, this was analogous to how line rental used to be listed separately until rules changed). If the CMA now effectively mandates combining all charges into one figure, there is a risk of unnecessary duplication and confusion, especially if the format diverges from what Ofcom requires in customer communications.

Crucially, any new obligations must be demonstrably beneficial enough to justify adding to the existing rulebook. Introducing a parallel set of pricing rules without clear evidence of additional consumer harm could amount to regulatory overreach. The Regulatory Policy Committee and the Government's own Regulatory Action Plan have stressed the importance of simplifying regulation and avoiding duplicate burdens, with a target to reduce administrative costs on businesses by 25%. Imposing two masters on broadband providers – Ofcom and CMA – in the price information space runs counter to that aim. Indeed, industry stakeholders have already observed that the CMA's draft, as it stands, reflects a "lack of regulatory alignment" with recent Ofcom measures, effectively duplicating requirements right after providers invested in compliance with those.

For example, broadband ISPs have only just implemented Ofcom's new rules on contract information and mid-contract price notifications (effective early 2023–2024). They have re-engineered websites and sales processes so that any annual price increase formula is clearly stated in monetary terms upfront^[2]. These changes were costly and time-consuming. Introducing a *different* set of presentation rules (such as mandating a total contract cost format) before the impact of the Ofcom-led transparency improvements can even be assessed would not only be burdensome but potentially counterproductive.

INCA strongly urges the CMA to coordinate closely with Ofcom in finalising this guidance. The goal should be a consistent, coherent regime where compliance with Ofcom's requirements (for clear monthly pricing, prominent disclosure of any one-off fees and any in-contract rises) is deemed sufficient to satisfy the DMCC Act's transparency duties for broadband. More broadly, the CMA should consider applying its rules only to sectors that are not already subject to comprehensive, sector-specific transparency regulation. In telecoms, this would avoid duplication, reduce unnecessary compliance costs, and preserve clarity for consumers while still allowing the CMA to act where genuine regulatory gaps are identified

In summary, CMA should leverage the sector expertise of Ofcom and avoid "reinventing the wheel." We note positively that the CMA appears receptive to this – as seen by adjustments allowing monthly pricing displays, which ensure consistency between the DMCC guidance and Ofcom's telecoms rules^[5]. Going forward, the final guidance should explicitly state that it is *primacy* to Ofcom's regime. This might include cross-references or even an annex for communications services clarifying how traders can comply with both regimes in one go. Such clarity will prevent regulatory overreach and give consumers the benefit of improved transparency *without* creating duplicative red tape or legal uncertainty in an essential services market.

1.4 Risk of Incumbent Advantage

INCA Ask: Build in safeguards so that dominant broadband providers cannot use the new transparency rules to cement their market power or undermine smaller competitors.

One of INCA's chief concerns is the potential for well-intentioned transparency measures to be twisted into a competitive weapon by incumbent firms. In the UK broadband market, the largest providers (notably BT including Openreach's wholesale influence, and Virgin Media O2) enjoy significant scale, brand recognition, and resources. They also possess integrated offerings (bundling broadband with TV, mobile, etc.) that smaller Altnets do not. If the CMA's guidance is not carefully calibrated, there is a risk that these dominant players could actually strengthen their position by exploiting the rules in ways smaller rivals cannot easily match.

For example, consider a scenario where all providers are required to present a total contract cost. An Altnet might charge £30 per month with a £50 one-off installation fee, reflecting the true cost of building and connecting new infrastructure. Under strict interpretation, this could require presenting the fee as part of the first month or embedding it into a total figure such as "£720 for 24 months." While this is accurate, it risks distorting the way consumers compare offers. By contrast, an incumbent with sunk infrastructure can often advertise a "£28/month – no setup fee" product. The difference is genuine, but the way totals must be displayed risks making offers look less comparable on their core recurring cost, potentially discouraging consumers from focusing on the ongoing monthly price that determines affordability.

More broadly, publishing mandatory "total contract prices" may unintentionally sharpen the ability of dominant providers to monitor competitors and respond immediately with targeted discounts or promotions. That risk already exists under current disclosure rules, but the CMA's proposals could heighten it by requiring totals to be calculated and presented in a uniform way. If large firms can instantly benchmark against rivals and flex their national marketing budgets regionally, smaller networks may find it harder to gain a foothold. The danger is not in transparency itself but in enabling practices that look consumer-friendly in the short term yet reduce diversity of supply in the longer term.

The CMA should also consider how the rules apply to bundles and add-ons. Large ISPs often combine broadband with mobile, TV, or "free" extras. If the guidance examples do not cover such packages, costs can be shifted in ways that obscure the effective price of broadband. A standalone broadband product will always look starkly priced by comparison. To ensure consumers can make genuine like-for-like decisions, we recommend that the CMA includes broadband-specific bundle

examples in the guidance, showing how all compulsory elements should be disclosed clearly and comparably.

Finally, transparency rules must avoid unintended wholesale impacts. Openreach's wholesale pricing practices, such as volume discounts, already raise competition concerns. If new disclosure obligations provide additional insights that can be leveraged in wholesale negotiations, that could further tilt the playing field. Close coordination with Ofcom is therefore essential to ensure consumer-facing rules do not inadvertently distort wholesale competition.

In practical terms, INCA recommends that the CMA explicitly acknowledge this risk in the guidance and commit to monitoring outcomes. The final guidance could, for example, state that the CMA will *keep under review* how dominant firms implement the price transparency requirements and will intervene (or coordinate with Ofcom or the Advertising Standards Authority) if there are signs of anti-competitive tactics or gaming. This might include scrutinizing any "price match guarantees" or conditional offers that incumbents announce following the introduction of the rules. The CMA should also make clear that compliance with the letter of the guidance does not excuse anti-competitive behavior – e.g. using loss-leading transparent prices to drive out competitors could still attract scrutiny under competition law.

Ultimately, transparency measures will backfire if they weaken the smaller competitors that drive prices down in the first place. The CMA's own statutory duty is to promote competition for the benefit of consumers. We therefore urge a precautionary approach: design and implement the rules in a way that prevents incumbent abuse**. If, for instance, providers are required to show full contract totals, perhaps there should be an accompanying note or monitoring to ensure those totals aren't used by an incumbent to systematically undercut others below cost. If one provider starts bundling mandatory fees in a confusing yet technically compliant way, the CMA should be ready to issue clarifications or enforcement.

In sum, INCA asks the CMA to integrate a pro-competition lens throughout this guidance. Rules should be crafted not only to inform consumers, but also to anticipate strategic responses by dominant firms. The CMA should explicitly discourage practices like aggressive price-match campaigns or misleading bundling that could leverage the transparency rules to stifle competition. By safeguarding against incumbent advantage, the CMA will ensure that transparency reforms truly deliver long-term consumer benefits – lower prices, better service, and more choice – courtesy of a vibrant competitive market, rather than inadvertently consolidating a duopoly.

1.5 Preserving Flexibility

INCA Ask: Permit broadband providers to present prices in the format that is clearest for consumers (such as monthly pricing with any one-off fees clearly disclosed), instead of mandating a single rigid format like a cumulative contract cost or “inflated” first-month price.

Broadband is typically sold as an ongoing service with recurring monthly charges, and over the years the industry – guided by regulators – has gravitated to simple, predictable pricing structures. Many Altnets lead on this front: they advertise a flat monthly fee that already includes line access, routers, and other essentials, avoiding the maze of add-ons. Some even offer “no mid-contract price rise” guarantees (distinguishing themselves from larger rivals who often raise prices annually by inflation + X%). Others provide flexible contract options – e.g. one-month rolling contracts at a slightly higher rate, or 12-24 month contracts with a discount, sometimes with an upfront installation fee trade-off. This diversity of models benefits consumers by allowing choice: customers can pick a plan that suits their budget and commitment preference (for instance, pay a bit more upfront to avoid long-term commitment, or vice versa).

It is therefore crucial that the CMA’s guidance does not inadvertently outlaw or discourage legitimate pricing structures that consumers understand and appreciate. We are encouraged that the CMA heard industry feedback on this point. In the latest draft guidance, traders are explicitly allowed to display the price for each billing period (e.g. per month) alongside the contract length, as an alternative to showing a total contract sum^[4]. This flexibility is vital. It recognizes that a “£XX per month for 18 months” format can convey the necessary total commitment just as well as “£YYY total” – and often more intuitively, since most consumers mentally budget in monthly terms. Indeed, the CMA’s change here ensures consistency with Ofcom’s rules and how real consumers shop for broadband^[5]. INCA views this as a positive outcome from consultation – we acknowledge this as a win for common-sense regulation and appreciate the CMA’s willingness to adjust the draft.

However, other aspects of the guidance still appear overly rigid and could reduce pricing flexibility to the detriment of consumer clarity. Specifically, draft section 5.33 proposes that any mandatory one-off fees in a periodic contract must be reflected either in a combined total price or in the price of the first billing period^[12]. In practice, this means if a broadband plan has, say, a £50 installation charge, a provider *either* has to lump that £50 into a full contract total (e.g. “£50 + £30×12 = £410 total”) or into the first month’s price (“£80 for month one, then £30/month thereafter”). INCA understands the intention – ensuring the consumer isn’t misled by a low headline that ignores an

entry cost. But we believe this approach is actually less clear and potentially confusing for consumers in the broadband context.

Requiring an “inflated” first-month price is particularly problematic. A customer seeing “£80 for the first month and £30 for subsequent months” might mistakenly think the service costs £80 per month initially or be puzzled why the first bill is so high. As ISPA (the ISP Association) noted in its response, presenting a non-intuitive spike in the first month could easily be misinterpreted as an ongoing cost level^[13]. It obscures the core message – that the service is essentially £30 a month and there’s a one-time setup fee. In contrast, the current common practice (“£30/month, £50 setup fee”) is straightforward and immediately understood by consumers: they grasp that they pay a one-off £50 to get connected and then £30 each month. There is no evidence of widespread consumer confusion under the status quo; consumers do not assume the setup fee recurs monthly, especially when it’s clearly labeled as one-off. Indeed, industry stakeholders have challenged the CMA to provide any research showing that the existing presentation (separate one-off fee) misleads customers – to date, no such evidence has been cited. By contrast, the proposed “fold-in” approach risks *introducing* confusion where none previously existed.

Similarly, mandating a single cumulative total for the entire contract as the primary figure can be unhelpful for broadband buyers. Telling a consumer “this 24-month broadband contract will cost £720 in total” may sound like a large expense and lacks context (is that good or bad compared to alternatives?). Consumers typically compare broadband offers by looking at the monthly rate and the contract length – which effectively gives them the total if they care to multiply, but their decision usually hinges on “Can I afford £30 per month and do I think it’s worth it for 18 months?” rather than “Can I afford £540 overall?” Especially given that broadband is an ongoing utility-like service, not a one-time purchase, the monthly price conveys value in a familiar way. The CMA’s own guidance acknowledges that if it’s not possible to calculate a total price in advance for some products, traders should at least give consumers the info to calculate it themselves and make sure all components are prominent^[15]. In broadband, the total is calculable, but presenting it as a lump sum arguably detracts from the accessibility of the information.

INCA’s recommendation is to preserve flexibility in how prices are displayed, so long as the presentation is transparent. Providers should be permitted to continue showing a recurring price (per month) *alongside* any one-off upfront fees, with equal or appropriate prominence. For example, a compliant advertisement or webpage might state: “£30 per month for 12 months, plus £50 installation fee upfront”, and perhaps also, “(Total payable £410)” in small print if desired. We submit that this format is actually clearer than artificially blending the £50 into £80 month one or a £410

headline. It keeps the pricing unambiguous: the customer knows exactly what they'll pay to get started and what they'll pay ongoing. The key is prominence and honesty, not forcing arithmetic into a single number. If in some cases providers were burying the fees in footnotes or not disclosing them, the remedy should be to enforce equal prominence and clarity – not necessarily to mathematically combine the fees.

Indeed, prominence can be the CMA's focus: ensure that any mandatory charge (activation fee, router delivery charge, etc.) is displayed upfront, next to the monthly price, and not hidden at checkout. Most Altnets already abide by this principle, advertising "no hidden fees". If some providers fail in this regard, a targeted rule on prominence would address it. This achieves the transparency goal without dictating an awkward format that might confuse. We note that the CMA's draft guidance includes many practical examples for other sectors (like how to show booking fees with "from £X" pricing, or using dynamic basket totals for e-commerce)[\[17\]](#)[\[18\]](#). We suggest including a broadband-specific example in the final guidance to illustrate how a provider can clearly list a monthly price and a one-off fee side by side in compliance with the law. This would give reassurance that such a format is acceptable and encouraged, provided it's done plainly. For instance, the guidance example might show a mock broadband offer: "*SuperFiber 100: £25 per month, 18-month contract, £40 set-up fee applies*" – and label this as compliant because the total price per period is given and the mandatory fee is included with equal prominence (the example could contrast a non-compliant version where the £40 was hidden or only revealed later).

Apart from one-off fees, pricing flexibility matters for other innovative offers too. Altnets and ISPs sometimes run introductory discounts (e.g. first 3 months half price) or loyalty rewards (month 13 free if you stick for a year, etc.). The guidance should clarify how these can be advertised transparently without banning them. We believe as long as the terms are clear (e.g. "£15/month for first 3 months, then £30/month for remaining 9 months; 12-month minimum term"), such offers are pro-competitive and beneficial to consumers. The total cost in that case can be calculated, but it might be less salient than knowing the two phases of pricing. The CMA should allow breakdowns of time-limited discounts as long as all required information is there (what you pay each period and for how long). A rigid insistence on one aggregate number might actually obscure the fact that a discount is temporary. We encourage the CMA to provide guidance or examples on promotional pricing to ensure traders can comply while still offering sales and discounts that consumers value.

Finally, flexibility is important for future pricing innovations. The telecom industry is evolving – for example, some providers abroad are trying subscription models with flat annual fees, others experiment with usage-based billing or "upgrade anytime" plans. The UK's Altnets are agile and

often pioneer new ideas to win customers. The CMA's rules should be future-proof enough to accommodate different pricing structures, so long as they are transparent. Rather than prescriptively requiring a certain format in all cases, the guidance should articulate principles (all mandatory costs upfront; no misleading partitioning; information presented in a way consumers can understand) and allow compliance in various forms. This principle-based approach will prevent stifling beneficial experimentation. It will also reduce the need for the CMA to constantly update guidance for every new pricing tactic – if the focus is on outcomes (clear, honest info) rather than one mandated format, businesses can adapt and still meet the requirements.

In conclusion, INCA urges the CMA to retain and reinforce flexibility in price presentation for broadband services. The final guidance should explicitly confirm that showing a monthly price (as the “total price per billing period”) together with any one-off fee is compliant, provided nothing is hidden or misleading. It should caution against formats that confuse (like an unexplained lump-sum first payment) and instead promote transparent disclosure of each element of cost. By doing so, the CMA will ensure consumers continue to benefit from easy-to-digest pricing and a range of competitive offers, while still achieving the aim of full upfront disclosure. *Transparency should enhance consumer understanding – not reduce it – and flexibility in how information is conveyed is key to that outcome.*

1.6 Proportionality

INCA Ask: Tailor the implementation of the guidance to the size and capacity of providers – including generous transition periods and practical compliance support – so that smaller broadband firms are not over-burdened relative to larger players.

The DMCC Act's price transparency provisions will apply across virtually all consumer-facing businesses, from retail and travel to utilities and telecoms. However, not all businesses are equally equipped to adjust to new regulatory requirements. Alternative network providers tend to be small or mid-sized enterprises (many INCA members have local or regional operations, with lean teams). They do not have dedicated compliance departments of the scale found in major telecoms companies. When new rules come in, they often must divert resources from core activities – such as network roll-out, customer service improvements, or sales – to handle compliance tasks like website redesigns, legal reviews, staff retraining, and so on. It is therefore essential that the CMA's guidance be proportionate and sensitive to these differences, to avoid placing a disproportionate burden on challenger firms.

There are a few aspects to proportionality we wish to highlight:

1. **Sufficient implementation timeline:** The CMA should allow a reasonable grace period for businesses to come into full compliance once the guidance is finalised. We note that the initial timeline contemplated was extremely tight – the CMA's earlier consultation indicated an ambition to enforce new rules by April 2026. Given that the draft guidance itself is only expected to be finalised in autumn 2025, and considering the significant system changes that may be required, INCA recommends an implementation period of at least 12 months from publication of the final guidance. This echoes the ask from across industry: ISPA, for example, has asked the CMA to confirm the effective date and to “strongly consider a reasonable lead-in time” for firms to comply. A one-year transition would mean, practically, that if final guidance is published in say October 2025, enforcement of these new rules might begin in late 2026. This is not an excessive delay; it simply reflects realistic project timelines for website overhauls, coordination with marketing platforms and price comparison sites, updating contract summary documents, etc., especially for providers with limited IT and development staff. Rushing the process (as an April 2025 date would have done) could have led to mistakes, non-compliance by accident, or even temporary withdrawal of some marketing campaigns or offers (reducing consumer choice) until companies could figure out how to present them legally. A clear and ample timeline announced upfront will help all providers – and especially the smaller ones – budget and plan for the necessary changes.

2. Scalability of requirements: The CMA should consider whether certain detailed expectations in the guidance can be scaled according to business size or sales channel. For instance, if there are recommendations about dynamic online tools (like interactive baskets or pop-up price calculators to include fees in real-time)^[18], a national retailer might implement those, but a small regional ISP might not have a sophisticated e-commerce system and might rely on simpler pages or even offline sales. The guidance should not inadvertently outlaw simpler approaches that can still comply. Perhaps the CMA could clarify that the examples given (floating basket, etc.) are not mandatory features but suggestions, and that a small provider can achieve compliance by, say, a clear pricing table on their website or a straightforward order form listing all costs. Templates or sample formats could be provided for common scenarios – for example, a template of how to display a broadband offer with a one-off fee, which smaller providers could emulate without needing expensive legal advice. The CMA might also explicitly encourage sector trade bodies (like INCA, ISPA) to develop sector-specific compliance checklists or model webpages consistent with the guidance. INCA is prepared to assist in translating the general principles into practical tools for Altnets, but the CMA's acknowledgement of this approach would be helpful.

3. Avoiding onerous over-engineering: As discussed earlier, some of the draft's prescriptions (like combining one-off fees into a single price) would require sweeping IT changes for providers. One INCA member noted that their billing and CRM systems currently treat installation fees separately from monthly subscriptions (for perfectly logical reasons); forcing these to merge in the customer-facing display would mean re-coding systems, modifying invoice templates, retraining sales staff, and re-integrating with comparison websites that ingest their pricing. This is doable, but at significant cost – a cost that falls proportionately much harder on a small business. ISPA's response highlighted that such re-engineering of digital architecture would be “*a sweeping and costly change*” and a “disproportionate compliance burden without clear benefit”^[7]. We agree wholeheartedly. The CMA should weigh the consumer benefit of each requirement against the operational cost, especially for SMEs. Where a simpler remedy (like just making sure the fee is prominently stated) achieves nearly the same outcome with far less burden, the CMA should prefer it. This ties back to the Government's push for regulators to support growth: “reducing the burden of regulation” on businesses, especially smaller ones, is a key policy objective^[7]. A proportionate approach here means choosing measures that deliver transparency efficiently, not at maximal cost.

4. Coordinated timing with other regulatory changes: It's not just the CMA's rules in isolation – telecom providers are facing multiple regulatory initiatives simultaneously (Ofcom consultations, DSIT policies, etc.). For example, Ofcom is in the midst of implementing new consumer contract

rules (e.g. a ban on certain mid-contract price rises from 2025, enhanced social tariffs, etc.), and DSIT has ambitious coverage and competition targets that involve Altnet investment. If the CMA's transparency guidance comes into force at the same time as some other major change, the cumulative impact could strain providers' capacity to comply. INCA suggests that the CMA liaise with Ofcom and government on scheduling, to avoid a "big bang" of compliance deadlines. Staggering changes or aligning them so that providers can make one set of website updates to satisfy all new rules at once would be far more efficient. The draft guidance already indicates an understanding that some aspects (like subscription cancellation rights) kick in later (2026) – similarly, price transparency enforcement could have a sensible start date that factors in other sector timelines. In short, no small provider should be forced to overhaul its customer communications twice in quick succession because different authorities finalized rules on different schedules. Planning for coordination can prevent that.

5. Ongoing support and review: The CMA should consider providing an SME-focused guide or FAQ once the guidance is final. For instance, a condensed checklist of "Do's and Don'ts for Price Transparency" tailored to small online businesses or regional service providers. This could be published on the CMA site or via trade associations. Additionally, the CMA could offer workshops or webinars (perhaps in partnership with industry bodies) to walk smaller firms through the expectations well before enforcement begins. This proactive outreach is an investment that will pay off in higher compliance and fewer enforcement headaches later. It would also signal that the CMA is serious about proportional application of the rules. Furthermore, we propose that the CMA reviews the impact of the new rules on an ongoing basis and remains open to adjusting guidance if certain requirements prove unworkable or if unintended effects on small businesses emerge. A formal review after, say, one year of enforcement could gather feedback on costs incurred by businesses versus benefits observed for consumers, and then calibrate as needed.

In essence, proportionality is about fairness and practicality in regulation. Altnets are driving much-needed competition and fibre deployment; burying them in compliance costs would be counterproductive for consumers and the economy. The CMA has the flexibility under the DMCC Act to enforce with discretion – focusing on the most egregious practices and assisting honest traders to get it right. We urge the CMA to explicitly incorporate proportionality in its final guidance, perhaps as a preamble that says: *"The CMA will take into account the size and resources of businesses in monitoring compliance and will prioritize the most harmful violations. Smaller businesses are encouraged to follow this guidance to the extent applicable and seek further advice if needed."* Such



language can go a long way to reassure SMEs that this isn't an impossibly high bar designed only with big firms in mind.

By granting adequate time and support for implementation, and by ensuring obligations are scalable, the CMA will achieve a win-win: improved transparency standards *and* a diverse, competitive market. INCA and its members stand ready to work with the CMA on making compliance as smooth as possible, for example by disseminating guidance and developing model compliance approaches for the Altnet community.

1.7 Strengthening Consumer Trust and Fair Competition

INCA Ask: Use the price transparency guidance to raise standards across the broadband industry – encouraging incumbents to improve their practices to match the clarity offered by many Altnets – while avoiding any rules that inadvertently disadvantage new entrants or reduce competitive pressure. Maintain an open dialogue with industry to fine-tune measures in the consumers’ interest.

At its core, the DMCC Act’s price transparency provisions aim to ensure that “the price you see is the price you pay.” INCA wholeheartedly endorses this principle. We believe that empowering consumers with honest, up-front information will not only prevent harm (from hidden fees or misleading pricing) but also positively build trust in broadband services. Trust is especially crucial in our sector: consumers are more likely to switch to a new provider or technology (like fibre) if they have confidence that the deal is fair and transparent. Altnets, as challengers, have often differentiated themselves by providing simpler and more transparent offers than the legacy players – for example, *no surprise mid-contract hikes, no separate line rental, and no hard sell of extras*. It is telling that many Altnets already adopt “all-in” pricing models that are transparent by design, whereas some larger ISPs historically attracted criticism for complex discounts followed by sharp increases, or for burying important terms in the fine print. We therefore see the CMA’s initiative as an opportunity to level the playing field in a way that rewards fair competition.

INCA urges the CMA to craft the final guidance so that it elevates overall industry practice without undermining the competitive market place. One way to do this is by highlighting examples of *good practices* that are drawn from what responsible providers (including smaller ones) already do. For instance, if an Altnet or mid-sized ISP has a particularly clear way of displaying prices (perhaps one of the examples from the CMA’s webinar or stakeholder submissions), featuring that as a model in the guidance sends a signal: *“This is achievable and beneficial.”* It also nudges the larger players to match that level of clarity. The CMA could say, for example, *“Where a broadband provider advertises a monthly price, it should display any one-off charge with equal prominence – e.g. ‘£X per month + £Y setup’ – as this ensures consumers see the full cost upfront.”* By codifying such practices, the CMA effectively encourages those incumbents who may currently rely on inertia or confusion to compete on clearer terms. In the long run, consumers will trust the market more if all providers meet high transparency standards, and trust is a rising tide that can lift new entrants as well (because consumers will be less wary of switching).

On the flip side, the CMA must be vigilant that well-intended rules do not inadvertently tilt the field against Altnets. We have discussed at length the risk of overreach or burdens that fall harder on small firms – avoiding those is part of keeping the competition fair. Another aspect is ensuring that

consumer choice is maintained or improved by the guidance. If compliance becomes so complex or costly that some Altnets decide to simplify their offerings in a way that reduces options (for instance, maybe an Altnet stops offering a no-contract monthly option and only offers 12-month contracts because the transparency requirements for multiple options seem too much hassle), that would be an unfortunate unintended outcome. We doubt this will happen on a large scale, but it underlines the need for rules to be *practical*. Likewise, the guidance should be technology-neutral and not penalise any particular business model. For example, if a wireless broadband provider charges for equipment (router purchase) whereas a fixed one includes it “for free”, the rules should accommodate both models fairly (ensure the former discloses the cost, and the latter isn’t misrepresenting the equipment as truly “free” if it’s bundled). Fair competition means different models can coexist as long as each is transparent about its costs and terms.

We also want to stress the importance of continued engagement and iterative improvement. The CMA’s consultation process, including roundtables and webinars, has been very useful. We urge the CMA to maintain an open channel with industry associations like INCA and ISPA even after the guidance is published. The implementation phase (2025–2026) will surely raise new questions and edge cases. If, say, an Altnet encounters a scenario not clearly covered by the examples, it should feel able to seek clarification. The CMA might consider a living FAQ or issuing supplementary notes in response to common queries. By working with the industry, the CMA can ensure the guidance is interpreted consistently and tweak it if needed to address any shortcomings. This collaborative approach is particularly important in fast-moving sectors like digital communications, where market practices can evolve.

Another concrete suggestion is for the CMA to coordinate consumer education about the new price transparency standards. Regulators and industry could jointly communicate to the public that, for instance, *“from 2026, broadband ads will look a bit different – here’s what to expect, here’s how to read them.”* This can boost consumer trust as well, and ensure that when consumers see, for example, a prominent “total” or a new format, they understand it. Altnets can contribute by educating their customers, but a unified message would be powerful. When consumers know that a rule is in place to protect them, their confidence in shopping around increases. That directly benefits competition because more consumers will be willing to consider switching to a new provider if they trust the information presented.

To summarize this section: INCA believes that consumer protection and competition go hand in hand in the broadband market. Transparent pricing is a foundation for both – it protects consumers from being misled, and it forces providers to compete on genuine value. The CMA’s guidance

should thus strive to “level up” transparency in a balanced way. It should push any laggards (who might still hide fees or rely on inertia) to improve their practices to meet what the best performers (often Altnets) are already doing. And it should do so without imposing undue strain on those best performers. The result will be a more level competitive playing field where consumers can easily compare like-with-like.

INCA stands ready to help the CMA achieve these outcomes. We can, for example, share anonymised case studies from our members on how they present pricing or what compliance challenges they foresee, to inform any final tweaks. We also commit to disseminating the final guidance among Altnets and assisting them in implementation – our goal is for 100% of our members to be compliant and exemplars of transparency. We invite the CMA to continue this dialogue, perhaps through an industry working group post-consultation that monitors how implementation is going and addresses sector-specific issues.

Ultimately, success will be measured by consumer outcomes: after these rules kick in, do consumers feel more informed, and does competition remain robust or even intensify? INCA is confident that, with the adjustments and assurances we have outlined, the CMA’s Price Transparency Guidance can achieve those positive outcomes. By empowering consumers and ensuring fair competition, the guidance will support both better buying decisions and the UK’s strategic goal of a thriving, investment-rich digital communications sector.

1.8 Conclusion and Next Steps

INCA appreciates the CMA's receptive approach in this consultation and the careful consideration given to stakeholder input. **Altnets are a critical part of the UK's broadband future**, and it is encouraging that the CMA is seeking to understand the sector's nuances under the new consumer law. Getting the balance of this guidance right is essential: it should deliver **clearer pricing for consumers without impeding the competitive forces and innovation that ultimately lead to lower prices and better quality of service.**

We have provided detailed, technically-grounded feedback and examples to assist the CMA in refining the guidance. In summary, we urge the CMA to:

- **Align with Ofcom's existing broadband rules** to avoid duplicative regulation and confusion^[5].
- **Ensure dominant providers are kept in check** and cannot misuse the rules to stifle competition.
- **Allow flexibility in price presentations**, especially maintaining the legitimacy of transparent monthly pricing with separate disclosure of one-off fees^[13].
- **Apply the rules proportionately**, giving Altnets and other SMEs ample time and support to comply.
- **Foster a level playing field**, using the guidance to encourage best practices industry-wide and engaging with industry on implementation.

If these principles are followed, the final Price Transparency Guidance will be a win-win: consumers will find it easier to understand broadband offers and trust that "no nasty surprises" await, while Altnets and other providers will continue to compete and invest, confident that they can meet the rules without undue hindrance.

INCA looks forward to continued collaboration with the CMA. We are available for further discussions, to provide real-world data or examples, and to help disseminate the guidance within the broadband sector. Our goal, like the CMA's, is to ensure consumers are treated fairly and markets remain competitive. We believe this guidance, suitably calibrated, can become an exemplar of smart regulation that achieves strong consumer protection *alongside* thriving competition – not one at the expense of the other.

Thank you for considering our submission. We hope it constructively informs the CMA's next steps. We remain at your disposal for any clarification or additional input as the CMA finalises the guidance and moves toward implementation.

(Non-confidential version)

Submitted on behalf of INCA – September 2025

Sources:

- Osborne Clarke, *UK CMA provides further guidance on 'drip pricing' (Insight)*, 1 Aug 2025 [\[4\]](#)[\[5\]](#)[\[15\]](#) [\[17\]](#) [\[18\]](#)
- Reed Smith, *Price transparency under the DMCC – Key Takeaways*, 7 Aug 2025 [\[6\]](#)
- Ofcom via ISPreview, *“2025 Broadband Price Hikes and Ofcom’s New Policy”*, Dec 2024 – citing Ofcom rule on upfront disclosure of price rises [\[2\]](#).
- 20250612 INCA x TAR response (FINAL) (non-confidential).pdf [\[10\]](#) [\[11\]](#)