

Mr Stuart Borland  
3, Executive Office  
Hutchinson 3G UK Ltd  
123 St Vincent Street  
Glasgow G2 5EA

Ms Noëlle Rawé  
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(By 'Recorded Delivery')

Your ref : 6841205/E

20 February 2009

Dear Mr Borland

I acknowledge receipt of your letter dated 9 February 2009, in reply to mine of 25 January 2009.

Your letter demonstrates that you (and unnamed parties) continue to perceive me as an imbecile.

**Para 3** – *"I was not aware of any contact from Ofcom in regards to this issue until after my previous letter was issued to you. My response was based on your correspondence that was received at the Executive Office"*

Your previous letter was dated 22 January 2009. By the time you wrote it, my last correspondence (addressed to your CEO, Mr Kevin Russell), of 29 December 2008, had been delivered on 30 December 2008, (confirmation from the Royal Mail website) - hence, three weeks *prior* to your 22 January 2009 letter.

Considering this delay, added to the fact that:

(1) your company ignored my previous letter of 8 December 2008;

(2) your company's agent *never* contacted me - after promising, in his 10 November 2008 call, that he would do so *"within 48 hours"*,

the obvious conclusion is that the trigger to your finally supplying me the PAC number in your 22 January 2009 letter was the intervention by a member of the Ofcom's Telecoms Team who, in her letter to me of 21 January 2009, wrote *"Due to the difficulties you have recently experienced with 3... I have escalated a copy of your complaint to them for review"*

**Para 4** – *"To clarify, 3 were at the forefront of reducing times for number portability from five days to two days in the UK"*

As it took you nearly three months to supply me with the PAC number (in spite of two phone calls and four letters from me), you very clearly consider that the industry standard excludes 'people like me'.

Why was I earmarked for 'exclusion'? What 'special criteria' did your company use for the non-application - in my case - of the industry standard (resulting in a highly extended breach of this standard you claim to have been instrumental in setting it up)?

Which parties were involved in the decision? (For the third time): what is the name of the individual/s, their position / rank in their organisation, and their contact details? Are they that cowardly that they have not got the guts to reveal themselves?

**Para 5** – *"...It is the limitation of the systems at 3...I must reiterate that there was no intention by the agents at 3 to delay the issuing of the PAC to you"*

Your privilege to continue with this excuse – which, I reiterate, any reasonable, fair minded person would agree does not stack-up against the 'black on white' evidence.

**Para 6** – “...3 do not as a rule offer compensation for loss of income or earnings in regards to the service provided”

The time referred to in my 25 January 2009 letter is my *personal time*. For the purpose of fairness, I used the £9.25 hourly rate allowed by the courts – for personal time – to individuals who handle court actions themselves i.e. do not use a legal representative.

**Para 6** – “I would however like to offer you a cheque for the sum of £75.00. This sum incorporates your postage costs, the remaining credit on your account and a goodwill gesture for the level of service that you have received”

Considering that – at 25 January 2009: (1) my postage costs are £19.89; (2) the amount of outstanding credit is £41.25 – bringing the total to £61.14 – it means that the amount for “a goodwill gesture for the level of service [I] have received” is £13.86.

I do not consider this an acceptable offer as, not only have you messed me around, you have deprived me of the use of my mobile phone number for three months.

However, for the sake of bringing this matter to a close, I would accept £120.00 as a rounded down amount covering my £41.25 of outstanding credit, plus £19.89 postage costs, and half my personal time costs – at 25 January 2009 - i.e. £60.00. (This counter-offer is made without prejudice).

Yours sincerely,

Noëlle Rawé