

██████████  
October 30, 2013

Customer Services  
EE plc  
6 Camberwell Way  
Sunderland  
Tyne and Wear  
SR3 3XN

Dear Sir or Madam,

**My Orange number:** ██████████  
**IMEI number:** ██████████  
**Phone: Samsung S3 (white), supplied by Orange**  
**SBE reference:** ██████████  
**T-Mobile/Orange reference:** ██████████  
**Account number:** ██████████

I have just received a disgracefully inaccurate and ignorant letter from Orange/EE after Orange or SBE damaged and then lost my telephone. This dispute has continued for eleven months. The text of your letter is placed at the end of this document, for your reference.

In summary:

- the telephone would not switch on; (*November 2012, last year*)
- the telephone's screen was broken in transit to SBE, for which Orange took responsibility **and paid for in my bill of 17 June 2013**;
- the telephone **has been lost by Orange/EE or SBE** after being handed personally by me to an EE shop, following Orange Customer Services' instructions to do exactly this. (*May 2013, five months ago*)

Your letter to me, received today (30th October 2013), yet dated a week ago (23rd October 2013) is insulting and full of errors, and only adds to the colossal menu of complaints Orange/EE is now bringing upon itself.

1. Your letter addresses me as "Mrs ██████████". **My name is Mr ██████████**. Please refer to my name if my gender is unclear.
2. You thank me for my recent email. **I have sent no emails. I sent a recorded-delivery letter because you have lost an item of value.**
3. Your letter refers to my telephone being out of its warranty period. When SBE was assigned my telephone for a warranty repair in December 2012 (last year) due to its failure to switch on, **my telephone was well within its warranty period of twelve months.**
4. Your letter makes **no mention whatsoever** of my telephone's **loss** in the hands of Orange/EE or SBE. **You still cannot locate my telephone.**

5. Your letter tells me to call Apple to purchase a replacement telephone. **At the head of each and every piece of communication with Orange/EE, I clearly state, usually in bold type, that my telephone is a Samsung Galaxy S3.** Is this impossible to read?
6. My letter was sent on 25th September 2013. Orange/EE waited a whole month to reply; another month I have paid Orange for a **non-functional, now lost by Orange/SBE, telephone.**
7. Your letter refers to attempts to contact my by phone but that the writer had “not had the pleasure in speaking” to me. I received **one** telephone call on 23rd October at 1715, from a person who seemed to know little of my complaint; and who, upon being asked if he had read my letter, promised to telephone me again “in five minutes”. **No further call was received;** no message was left. Orange/EE **has** spoken to me, but not for long.

The latest communication from Orange/EE appears to have written by someone (named as “██████████, Customer Relations Specialist”) who has read neither my name, nor my letter, nor any previous correspondence, nor the warranty agreement; he has also made no reference to Orange/SBE returning the telephone lost in their hands. You may recall, from my previous letters, that Orange/EE instructed me to hand the telephone personally to an EE shop employee in an EE shop. The loss is clearly in EE’s hands, not mine.

It is a disgraceful letter that your company has sent to me, and I am on the brink of (as promised in my previous letter) invoking the Small Claims Court and writing an article for the national press—I am a journalist, but have attempted not to use this route in my complaint.

For your assistance, my most recent letter follows. Once again, I require that Orange/EE sort this out within two weeks, and give me the working telephone which I have faithfully paid for **for eleven months since its failure to switch on;** and compensate me for my loss.

**LETTER OF 25 SEPTEMBER 2013:**

My telephone has been lost either by EE or SBE, after ten months of dispute and poor communication, but I am still paying the bills. Please refer to the notes on my account, and to earlier correspondence, for the background to this letter. Here is a brief timeline:

**June 2012** My contract with EE/Orange for a Samsung S3 on number ██████████ begins.

**8th December 2012** My telephone will not switch on—EE/Orange accept it for warranty repair—SBE send a padded envelope and return label.

**10th December 2012** The telephone arrives at SBE with a broken screen.

**January 2013** The telephone is returned to me, unrepaired and with further damage—this is the first I know of the broken screen.

**February–May 2013** SBE will not take responsibility for the failure of the packing they supplied.

**20th May 2013** EE finally agree to pay for the screen repair so that SBE can repair the telephone under warranty to make it switch on properly.

**22nd May 2013** At EE's request, I deliver the telephone by hand to my local EE shop (77 George Street, Hove, BN3 3YE) to enable safe carriage to SBE.

**September 2013** On my return to the UK after [REDACTED], my telephone has still not been returned to me.

For many months, I have heard nothing about the whereabouts of my telephone, nor information about the success of any repair. From my earlier correspondence, you will see that I have been without the use of this telephone for nearly a year, and yet am still being billed for it, each month. I am paying this so as not to damage my relationship with EE's accounts department, even though the telephone I use on a daily basis is a much older handset used on a previous contract.

Because EE or SBE has kept the telephone I am paying for, without any reference to me, I now require:

1. the recovery as soon as possible of my handset repaired under warranty as agreed in telephone calls of November 2012 and May 2013 — or a new, working Samsung Galaxy S3 handset;
2. a refund of all handset hire charges between December 2012, when this dispute began, and November 2013.

Because I have been without the handset I am paying for, due entirely to EE and SBE not communicating properly with each other, or with me, *it is clear that EE are in breach of contract.*

If EE does not resolve this issue as outlined above, and if an appointed mediator cannot resolve this issue, I will present all the evidence to the Small Claims Court, which will rule on the matter.

Another issue, regarding billing and on-line control of my account, was successfully resolved, and no further action is required.

I request EE's resolution to be enacted by Thursday 14th November, ten working days from today.

yours faithfully,

[REDACTED]

**LETTER RECEIVED FROM EE/ORANGE (errors underlined)**  
**ALL GRAMMAR AND SPELLING AS RECEIVED**

Dear Mrs [REDACTED]

Account number: [REDACTED]

Thank you for your recent email received into our office. I have tried contacting you by phone but unfortunately I have not had the pleasure in speaking to you.

I apologise if you feel you have been given incorrect information regarding the process. Due to there being no insurance on your account and the you are out of the 12 month warranty I am unable to replace your phone. I would advise that you contact Apple and request to obtain a replacement at a reduced cost.

The number to call Apple is 0844 209 0611. Lines are open Monday-Friday 08:00-21:00, and Saturday-Sunday 09:00-20:00

Whilst this is not the response you had hoped for I trust my response is of assistance.

Yours sincerely,  
(digitally-printed signature)

[REDACTED]  
Customer Relations Specialist