



Internet Telephony Services Providers' Association

15th August 2006

End-to-End Connectivity

ITSPA welcomes the opportunity to comment on Ofcom's proposals for end-to-end connectivity. ITSPA strongly believes that the interests of consumers are best served if end users of all services are able to call any other end user or service provider they choose. The alternative, i.e. requiring providers to inform customers in marketing or contractual documents of any restrictions placed on calling certain numbers or services, runs the risk that customers could fail to appreciate the nature or existence of such restrictions.

Section 74(3) of the Communications Act 2003 defines end-to-end connectivity as "the facility –

- (a) for different end-users of the same **public electronic communications service** to be able to communicate with each other; and
- (b) for the end-users of **different such services** to be able, each using the service of which he is the end-user, to communicate with each other."

Ofcom is proposing to require BT to purchase wholesale narrowband call termination services in reasonable terms and conditions from **any PECN** who wishes to supply termination to BT.

Irrespective of whether or not an obligation should be applied to *all* providers, rather than just BT, we do not agree with this proposal, for the following reasons:

(i) Wholesale Narrowband Call Termination

We believe that requiring BT or indeed other operators to purchase call termination (as a basic contractual package) would not achieve the desired result. ITSPA's members have already experienced problems with operators (with whom they already have an interconnect or for whom BT already acts as a transit operator) refusing to perform Data Management Amendments or agree termination rates for certain number ranges (for example, 056 numbers).

The reference to "fixed and mobile voice and narrowband data" suggests that this condition would be a universal service condition, whereas in fact it would be an access-related condition. We are not concerned here with the provision of a minimum set of services – we are concerned with the ability of end users to connect to **any user of public electronic communications services**.

In order to be effective, a requirement to purchase call termination would potentially have to be complemented by a requirement to purchase other services, such as number portability and interconnect links.



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(ii) PECN

We are also uncomfortable with the requirement to purchase call termination “*from any PECN*”. As we move towards NGNs and IP interconnection (and the separation of access from services¹), it is debateable whether calls are always terminated by the access provider, or whether they may sometimes be terminated by the service provider. It is important that any requirement not only covers networks formally designated as PECN but other ECNs used to terminate calls to subscribers.

Requirement on All Providers

Instead of a requirement to purchase call termination services, there should be an obligation on *all providers of electronic communications services* to provide access to all number ranges *offered to subscribers* in the Numbering Plan. Such numbers, directly linked to a Network Termination Point, would include geographic and mobile numbers, but would exclude Number Translation Services, Premium Rate Services and Directory Enquiry services.

This requirement would ensure that the users of all services could make calls to the users of all other services without obstruction or hindrance.

About ITSPA

The Internet Telephony Services Providers' Association was established in 2004 to represent the VoIP sector. ITSPA aims not only to encourage the innovation and development of the VoIP industry through the promotion of self-regulation and competition, but also to promote the benefits of the technology to consumers. ITSPA has the objective of ensuring consumers receive a first-class service and to reassure them that any product or service bought from a company displaying the ITSPA logo comes with a high standard of consumer protection, which is properly enforced and includes a dispute resolution procedure. Further information on ITSPA and its members, can be found on our website here: <http://www.itspa.org.uk>

¹ Commission Communication of 28 June 2006 on the Review of the EU Regulatory Framework for electronic communications networks and services, Staff Working Document (COM(2006) 334 final). See section 6.2, “Separation of access and provision of services”.