

Cover sheet for response to an Ofcom consultation

BASIC DETAILS

Consultation title: Regulation of VoIP Services
To (Ofcom contact): Robindhra Mangtani
Name of respondent: John Bangs
Representing (self or organisation/s): News Optimus Ltd
Address (if not received by email):

CONFIDENTIALITY

What do you want Ofcom to keep confidential?

Nothing	<input checked="" type="checkbox"/>	Name/contact details/job title	<input type="checkbox"/>
Whole response	<input type="checkbox"/>	Organisation	<input type="checkbox"/>
Part of the response	<input type="checkbox"/>	If there is no separate annex, which parts?	

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DECLARATION

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Name John Bangs Signed (if hard copy)

Response to Ofcom consultation on Regulation of VoIP services

Question 1: Given recent developments, do you agree that Ofcom's focus should be on the following three objectives in developing our policy for VoIP services, namely (in so far as is possible) (i) enabling innovation in a technological neutral way, (ii) ensuring consumers are well informed, and (iii) ensuring maximum availability of 999 services?

Agree, however "availability of 999 services" should not be confused with 999 services functionality (ie location data) as this will lead to distrust by consumers who will think they cannot dial 999 on ANY VoIP type service. Also, the penetration of mobile phones means that fixed line 999 services are not as necessary as they once were.

Ofcom Focus group research was formulated in November 2004 and it can be expected that consumers will now be much more amenable to using mobiles for 999 calls.

Consumers should be reminded that mobile phones are a suitable back-up 999 mechanism and that they DO provide location data, as well as the ability to move around whilst an emergency is in progress (unlike land lines).

Question 2: Do respondents agree with this approach for the interaction between network providers and PATS providers?

Agree subject to Network providers being expected to enter SLA discussions in good faith and that potential VoIP providers can raise a dispute with Ofcom should this fail to occur.

Question 3: Do you agree that the limitation of GC 3 obligation to providers of service at a 'fixed location' is not sustainable in the long term? What views do you have on how this may be addressed?

Agree with the literal interpretation of the current GC3, however upon removing the phrase "fixed location" this GC would then be equally applicable to always nomadic (ie mobile phones) and always fixed (ie landlines). New technologies such as Wi-Fi and VoIP should be allowed forebearance pending the development of location finding 999 services.

Question 4: In light of the other measures proposed in this document, are there particular issues in relation to VoIP services that should be addressed in this review?

No comment

Question 5: Are there particular issues in relation to VoIP services that should be addressed in this review?

No comment

Question 6: Do you have any comments on Ofcom's proposed modification to the PATS definition in GC 18?

No comment

Question 7: Do you agree with the proposed application of the code?

Agree

Question 8: Do you agree with the proposed approach for informing consumers that services may cease to function if the broadband connection fails or there is a power cut or failure?

Whilst it is necessary to inform customers that a failure of their broadband will result in a failure of their voice service we do not agree that this should be any more explicit or permanent than the advisory notices currently supplied with DECT phones. Overly prominent or forceful statements will result in damage to a new technology. Most household equipment comes with a warning of some kind and it is deemed that the average household is more than capable of ensuring basic precautions are taken into account on a long term basis.

Question 9: Do you agree with the proposed approach for informing customers where access to emergency calls is not available?

Agree whilst referring Ofcom to our response to questions 8

Question 10: Do you agree with the proposed approach for informing consumers that access to emergency calls may cease to function if the Data Network fails or there is a power cut/failure?

See response to question 8

Question 11: Should the code be extended to point of signature acknowledgement in respect of reliability of access to emergency calls?

No, this would be a barrier to switching, would be unenforceable (many services can use POTS handsets) and overly onerous. A written notice at the beginning of the cooling off period as triggered by a sale of the service will be sufficient.

Question 12: Do you agree with the proposed approach to location information providers where the service does provide access to emergency calls? In particular, do you believe that subscribers should be required to register their main location prior to activation of the service?

Agree to all

Question 13: Do you agree with the proposed approach to informing consumers where services do not provide emergency location information?

Agree

Question 14: Do you agree with the proposed approach to informing customers where services do not provide number portability?

Agree

Question 15: Do you agree with the proposed approach to informing consumers about the types of facilities that might not be available, but which they have come to expect from a telephone service?

Agree, however believe that market pressure will result in most of these facilities being provided.

Question 16: Do you agree with Ofcom's view that all aspects of the code of practice should be mandatory?

Agree

Question 17: Do you consider that the overall programme of activities is appropriate?

Agree

Question 18: In light of Ofcom's Consumer Policy Review, are there other consumer education measures that Ofcom should consider?

No comment

Question 19: Do you have comments on this proposed enforcement approach?
Agree, care should be taken to ensure that new entrants are aware of the requirements on them and that their activities are visible to Ofcom. Regulation should not just be applicable those who are already complying with it.

Question 20: Are there other areas of research activity that Ofcom should consider to ensure it understands market developments?
Ofcom should ensure it engages early with relevant trade bodies rather than just the big providers.

Question 21: In relation to ensuring high availability of 999 access, are there other measures that Ofcom could consider?
Whilst we agree with the thrust of Ofcom's measures, there is an assumption that the provider has an awareness of the customer's PSTN line – with the advent of WiMax, WiFi, etc this may not be the case and therefore may not be possible.

Question 22: Do you agree with Ofcom's approach to naked DSL?
No comment

Question 23: Do you agree a cross industry meeting would be a useful approach to move this issue forward? What other steps could be taken to provide support for 056 numbers?
No comment

Question 24: How can a VoIP call be traced for detection and prevention of malicious and nuisance calls? How could a suitable call screening service work in a VoIP network?
No comment

Question 25: Do you agree that SPIT could be a potential problem and what techniques can be used to minimise the impact of SPIT on consumers of VoIP services.
No comment

Question 26: Have there been any instances of a VoIP service being compromised or used to deliver malware or a DoS attack?
No comment

Question 27: Are there any other considerations that need to be taken into account when a provider does not have a UK entity?
No comment

Question 28: Is it reasonable to ask VoIP service providers to participate in schemes designed for e-commerce?
No comment

Question 29: Do you have any other comments on the proposed approach to investigating the application of the GCs applicable to providers of PATS in the context of VoIP?
No comment

Question 30: Do you have any comments on Ofcom's views on the meaning of abovementioned terms and legal concepts?
No comment

Question 31: Are there any other steps that a VoIP service provider could consider in respect of the IP network layer and service application layers to ensure network integrity?

No comment

Question 32: Are there any other steps that a VoIP service provider could consider in respect of parts of the underlying network that they do not control?

No comment

Question 33: What additional steps could a VoIP service provider take to support nomadic users with regard to maintaining network integrity?

Assuming that VoIP providers supply the same level of control and security when roaming as WiFi users then this would appear to be adequate.

Question 34: Do respondents consider whether other options to ensure continuity in the case of a power outage are appropriate?

Whilst a power back-up would be beneficial, we believe this should be provided as a result of market pressure (and possibility/availability) rather than regulation.

Question 35: What other steps could be taken to provide reliable location to assist the emergency services in their work?

No comment

Question 36: What other steps could be taken to provide reliable location to assist the emergency services in their work in the case of nomadic users?

No comment

Question 37: In addition to participating in the NICC working group on providing location in IP networks and the 112 expert group, what other steps should Ofcom take?

Ofcom should be maintaining regular contact with other relevant trade and consumer groups to ensure overall awareness (both by providers and consumers) of the issues and possible solutions.