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Question 1: Do stakeholders agree that the main tests of whether a PECN is provided are whether an ECN is provided and whether publicly available services are provided over that network?

A: Yes

Question 2: Do stakeholders agree with the Guidelines' understanding of what constitutes an ECN and in particular, with what is to be understood by providing a transmission system?

A: Yes - but the provision of a transmission system could be as simple as leasing interconnect circuits from BT under the NCC-SIA contract to link the PECN operator's own ECN to the ECN operated by BT.

Question 3: Do stakeholders agree with the guidelines' understanding of what constitutes an electronic communication service?

A: Yes

Question 4: Do stakeholders agree with the distinction the Guidelines draw between conveyance and the provision of contents?

A: Not completely. There are many models now in fixed and mobile networks where content providers and PECN operators collaborate closely to provide information, content and entertainment services and share the revenue. NTT DoCoMo's i-mode service is a case in point, first offered in Japan (now has almost 30 million subscribers) and which is now available in Europe via licensing arrangements through operators like KPN Royal Dutch Telecom and others.

Question 5: Do stakeholders agree with the guidelines' understanding of what constitutes a publicly available service.

A: Yes - understood.

Question 6: Do stakeholders agree that the maintenance of a list of PECNs is desirable?

A: Yes - primarily to distinguish between those PECNs deemed to have rights & obligations to interconnect their networks with other PECNs and other types of service providers that do not have (or are not worthy of) such rights.

Question 7: Do stakeholders agree with the suggestion that if a list were considered to be desirable, it should be developed on a voluntary basis

A: Yes - it is absolutely necessary to have a qualification process (similar to the current Annex II application process) to ensure that PECNs deemed to have rights & obligations to interconnect their networks with other PECNs are technically suitable and adhere to the appropriate international (i.e. ITU-T) standards and specifications.

Question 8: By whom should any list be maintained? Are stakeholders content with the idea of a list maintained by Ofcom?

A: The National Regulatory Authority.