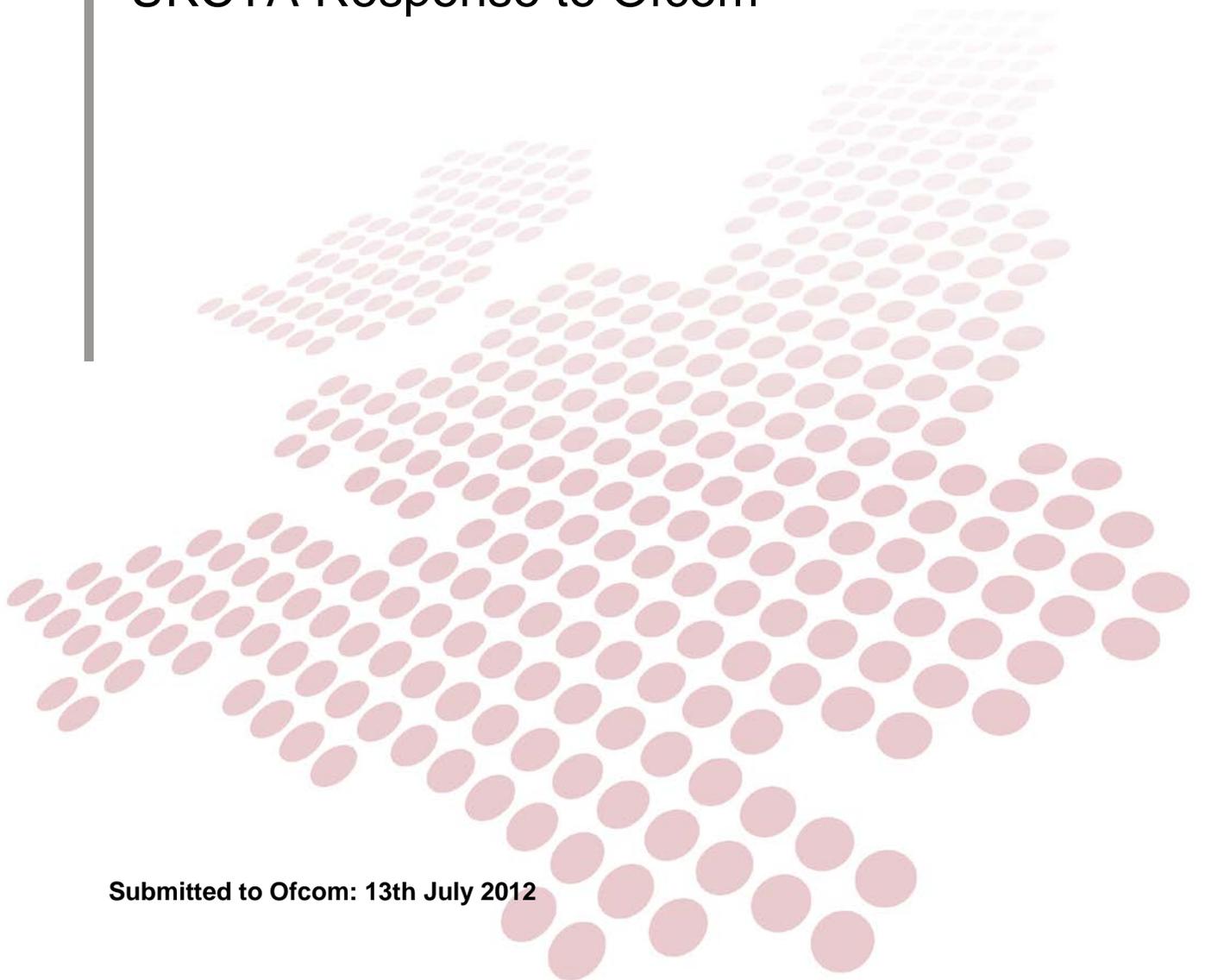


Review of Relay Services – further
consultation

UKCTA Response to Ofcom



Submitted to Ofcom: 13th July 2012

Introduction

UKCTA is a trade association promoting the interests of competitive fixed-line telecommunications companies competing against BT, as well as each other, in the residential and business markets. Its role is to develop and promote the interests of its members to Ofcom and the Government. Details of membership of UKCTA can be found at www.ukcta.com.

UKCTA welcomes the opportunity to respond to the further consultation by Ofcom on the review of relay services. UKCTA members remain committed to ensuring that advances in communications technology benefits all users, including those with disabilities, and we have assigned significant resources to doing so. We have also been fully engaged in Ofcom's review of the legacy text relay platform and were pleased that Ofcom recently organised a technical workshop to help us better understand how NGTR might work. However, we remain concerned that Ofcom is failing to recognise the need to ensure that the costs of providing any enhanced service are proportionate.

- UKCTA notes that Ofcom stands by its estimated implementation capital costs for a Next Generation Text Relay (NGTR) service of £348,000 despite the fact that BT claims that these costs could be as high as £1.9million. Ofcom appears to attribute the reason for this discrepancy in cost estimates to the fact that BT intends to include non-mandatory functionality in the NGTR service that it is developing. UKCTA has little or no means to question any of these figures. The fact remains that it is likely to be only BT who develops an NGTR service on a wholesale basis which means that other CPs will effectively be required to purchase a service that goes above and beyond what is required to comply with the revised GC15. We find this situation unsatisfactory and would reiterate our position that a wholesale charge cap should be a fundamental requirement of being an approved provider of NGTR to avoid unnecessary and disproportionate costs being forced upon CPs. As a practical illustration of this concern, it is worth noting that BT has just increased its call charges for the existing Text Relay service by some 30% from 1 June 2012 with CPs having no practical choice but to continue buying the service. Not only are the wholesale costs volatile (while retail charges are capped under GC15.3), but, as Ofcom also acknowledges, demand levels for the service cannot be modelled with any certainty at this stage. This means that the cost burden for the provision of the service is impossible to predict on an operator by operator basis (3.34). A separate concern is that we do not have any indication from BT as to the cost impact of the revised KPIs proposed by Ofcom. We therefore do not believe that Ofcom can conclude that this is a proportionate and non-discriminatory intervention without any charge caps at the wholesale level.
- The Ofcom consultation suggests that some CPs may look to develop their own "in-house" options for providing a NGTR service. Our view is that we would not consider this as being a realistic option – CPs currently take a "managed service" from a supplier to discharge their Text Relay obligations and it is unlikely that CPs would look to take this "in-house" as the functions that they would need to support

this are not core to their businesses. We note that BT has made a commitment to provide a wholesale offering NGTR for CPs to purchase and we believe that this is a much more attractive option to CPs (in that it is the least disruptive and does not require new functional areas to be established). We are also of the view that BT's proposed NGTR service (presented to industry on 21st June) is a more efficient solution, provided suitable wholesale charging caps are in place.

We note that Interconnect Communications has done an analysis on the likely costs incurred by a CP who is establishing an NGTR service for the first time. We are unable to comment on the accuracy of these costs on the basis that in order to validate these we would need to employ significant (scarce) resources to produce a draft service design and estimate a number of costs (which we do not currently have experience of).

- UKCTA remains concerned about the fact that an end-user would require a broadband connection in order to be able to use the NGTR service. We do not share Ofcom's approach to dismissing this concern by simply concluding that "*the disabled end-user would need to make their own arrangements to subscribe for an internet package.*" Ofcom needs to explain very clearly this potential shortcoming of the NGTR in its final statement such that disabled end-users fully understand this fact to avoid CPs being blamed unfairly for not implementing the requirement to access the new NGTR service.
- We welcome the revised proposal from Ofcom to maintain the requirement on the relay user to dial a prefix before accessing the service. With regard to the proposed solution of using 03 (or 07) numbers for incoming calls to relay users, we continue to have some reservations as to the practicality of this solution from a customer perspective. It would seemingly require the relay user (and their friends and family) to recognise and understand that there is a telephone number (from the 03 or 07 range) that effectively operates in parallel to their own geographic landline number. We would urge Ofcom to consult in detail on this proposal with representatives of relay users to ensure this feature of the NGTR is well understood and accepted.
- Finally, we note that Ofcom intends to issue a separate consultation concerning video relay services later this year. We do not in this response make any comments on this matter but refer to our position set out in our consultation response dated 28 October 2011.

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