Internet Telephony Services Providers' Association

ITSPA Response to the draft Common Position Paper on VoIP by the ERG High Level Policy Task Force.

This response is on behalf of the Internet Telephony Services Providers' Association (ITSPA) and takes a general overview of the position paper produced by the ERG Task Force. Detailed responses from member companies take precedence over this group response.

ITSPA welcomes the draft ERG position paper on VoIP and supports a number of the proposals set out within the document. ITSPA members believe a number of these proposals would help the VoIP industry grow, as well as eliminate various regulatory barriers, hampering VoIP providers at present. A number of the proposals have been advocated by ITSPA for the past few years. We welcome most of the suggestions put forward in this document and hope it will have some influence in any future regulation.

Within this response ITSPA has highlighted specific areas of the Paper's conclusions to comment on:

Emergency Services

All telephony service providers should be obliged to provide access to emergency services.

ITSPA agrees that all telephony service providers (which break out onto the PSTN) should be obliged to provide access to the emergency services. This is a fundamental right for consumers, which ITSPA has always believed to be necessary for general public safety.

We do, however, believe that there are two exceptions to this position. The first is for bespoke corporate VoIP products, which are designed as an overlay to an existing network. For some of these products emergency call access is provided through the host PBX via PSTN and is not provided through the additional IP overlay. There is no need for an additional VoIP 999/112 gateway and in many cases NRAs will already have codes of practice (dealing with emergency call access) for private networks.

The second exception is for "click to call" type applications. There are many companies and organisations who provide a "click to call" button on their websites, software and other applications. This is designed to link the user to one or more contact points to provide personal assistance with the application. The call set up could be classified as a Type 2 if the party being called is terminating their calls on the PSTN. Normally the end user does not enter a number but there are variations where the call is made from the third party back to the end user. We believe to mandate 999 access for this kind of service would also be inappropriate.

Whilst we agree that all telephony service providers (which break out onto the PSTN) should be obliged to provide access to the emergency services, service providers may need to be given a relatively long window of compliance (for example 12 months) within which to comply with other

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obligations in terms of network integrity and providing caller location information to emergency call centres.

The ability to provide access to the emergency services should be removed as a factor in the definition of PATS in the Universal Service Directive

ITSPA is extremely supportive of the proposal to remove the provision of 112/999 in the definition of PATS within the Universal Service Directive (USD). ITSPA has advocated for over two years the importance of de-coupling 112/999 from the PATS obligations. Whilst some VoIP operators wish to offer access to the emergency services, making 112/999 access a PATS obligation, means compliance with all the other extensive PATS regulations. ITSPA feels that 112/999 access should be a basic right and other PATS regulations should not impede certain VoIP providers from offering the service. We hope that the rewording of the PATS definitions and obligations is part of the USD review.

Information about the caller's location should be provided to the extent allowed by the technology.

We also welcome the sensible position on the routeing of emergency calls. The position paper suggests that this should be provided to the locally responsible PSAP (Public Safety Answering Point) to the extent allowed by the technology. ITSPA is glad that the Task Force understands the complications surrounding VoIP and location information. We believe that solutions are obtainable and it will require industry cooperation to resolve the specific problems. This will take time as it did with other technologies and so it is right that a realistic approach is adopted at present.

We agree with the ERG that a "VoIP Flag" should be applied to alert the call handler that a caller's location information is not to be trusted. In the UK this Flag is applied to all VoIP calls.

The ERG also mentions the possibility that users could update their current location as they move around. ITSPA does not support this idea for the following reasons. Firstly, providers are unlikely to have the systems in place to pass on updated location information to the PSAP database either at all, or with the frequency required. Many providers only have processes in place to take location information at the point of sign-up. Secondly, it is often impractical for users to provide constant updates, particularly in a business environment when users may be logging into IP phones in different locations several times in one day. Thirdly, it could pose a risk to health and safety if, for example, a user were to input location data when they used their service overseas, but then failed to update the original address when they returned to their country of origin.

Emergency calls should be set up with priority to the extent allowed by the technology.

The ability to prioritise emergency calls may vary between providers, depending on how their networks are configured and depending on the equipment and the manufacturers they utilise. Bottlenecks/ under capacity could occur both between the end user and the provider's network

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(in which case a provider's soft switch might be programmed to prioritise emergency calls) and at the interconnect between the VoIP provider and terminating or transit networks.

Emergency calls should be set up with the best quality available to both the originator and the recipient.

Whilst we agree with this, we would point out that most (if not all) VoIP providers would be unable to differentiate between types of call, i.e to apply a different QoS to emergency calls than to other calls. We would likely be unable to set up emergency calls with a *better* QoS than other calls.

Numbering

Numbering plans should be technologically neutral, based on the service descriptions and the same number ranges should be available within those service description.

The harmonisation of numbering policies is supported by ITSPA and there should be no reason why the same number ranges that are available to traditional voice services should not be available to VoIP services.

Number Portability

Number portability is important from a user and competition point of view.
There should be an obligation to port numbers to any service provider which satisfies the conditions of use of the appropriate number ranges.

ITSPA agrees with the position put forward by the Task Force on number portability. Number portability should be a right for consumers of all types of voice service.

Consumer Rights

ITSPA would be concerned about any regulatory obligations, which might differ from the current Ofcom rules on VoIP customer information as contained in their Statement of March 29th 2007 on the Regulation of VoIP. There are already numerous requirements to give warnings to consumer and small business customers about limitations to their VoIP service and it is a significant and costly exercise to introduce or change them.

Unless harmonisation brings a quicker order journey due to a reduction in customer information, our members would not support changes, which did not have a clear and additional benefit over those already achieved by the Ofcom Regulation of VoIP statement.

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About ITSPA:

The Internet Telephony Services Providers' Association (ITSPA) is the UK VoIP industry's trade body, representing over 60 UK businesses involved with the supply of VoIP services to industry and residential customers within the UK. ITSPA pays close attention to the development of VoIP regulatory frameworks on a worldwide basis in order to ensure that the UK internet telephony industry is as competitive as it can be within international markets.

A full list of ITSPA members can be found at http://www.itspa.org.uk/

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