



**Internet Telephony Services
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Alastair Hogg
Consumer Policy
Ofcom
Riverside House
2A Southwark Bridge Road,
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Accreditation Scheme for Price Calculators

Dear Alastair,

I am writing to you on behalf of the Internet Telephony Providers' Association ("ITSPA") in response to the Accreditation Scheme for Price Calculators: A review of the Scheme consultation (the "Consultation") published on 29th May 2013.

ITSPA is the UK voice over IP ("VoIP") industry's trade body, representing over 60 UK businesses involved with the supply of VoIP and Unified Communication services to industry and residential customers within the UK. Members include large Tier 1 operators to small start-up companies as well as industry software and hardware suppliers. Officially launched in December 2004, ITSPA aims to promote competition and self-regulation in order to encourage the development of a flourishing and innovative VoIP industry. The body helps drive up standards within the industry, engages with your colleagues on regulatory matters and promotes events and initiatives to build a support structure within this developing industry.

Ofcom will be well aware of ITSPA's long standing support for the principle of an Open Internet (also referred to as "Net Neutrality"). Our membership fundamentally believes that such a principle is required to promote innovation and competition in the telecommunications market and that anything else will result in unintended consequences for consumers and businesses alike.

Whilst the definition of what Open Internet actually means is open to some debate, to ITSPA and its members it means that there should be no blocking of specific Internet services (such as VoIP) for purely commercial reasons. Prioritisation of a service, such as emergency calls, or business critical applications or prioritisation to ensure a quality service does not constitute a departure from this principle, providing that such activities are transparent at the point of sale and during the life time of the supply contract in question. The key point is that best endeavours traffic is not blocked or degraded for commercial reasons.

We therefore fully support the inclusion of traffic shaping policies in websites accredited by this scheme. We believe this should include whether or not any particular service is blocked (either in practice or by terms and conditions) or subject to any shaping remedies. One option would be for price calculators to report back on five criteria:

Does data package allow unrestricted access to:

- 3rd party voice services (such as Skype) ? Yes / No
- 3rd party messaging services (such as WhatsApp) ? Yes / No
- 3rd party video streaming services (such as iPlayer) ? Yes / No
- Peer to peer file sharing ? Yes / May be limited / No
- Have you signed the Broadband Stakeholders Group industry code on the Open Internet?
Yes/No

Whilst ITSPA would argue that more direct intervention in this issue is required, such an action would support Ofcom's ongoing view that transparency and competition are a remedy for the commercial blocking of certain services¹ and are also fitting with the Hon Ed Vaizey MP's view as the Minister for Culture, Communications and Creative Industries that a light touch regulatory regime is preferred², such as in his speech on 17th November 2010.

Given the requirements of General Condition of Entitlement 9 with reference to making such information available on request to a Public Electronic Communications Service's ("PECS") Subscribers on demand, we do not believe it should be at all difficult for the PECS to provide this information to the members of the Scheme.

We fear that some entities may object to the greater public exposure of their traffic management policies (perhaps for the same reasons that have led to the Broadband Stakeholder Group's Code of Conduct stalling) and therefore urge Ofcom to remain true to its current position that transparency will help competition in the market and ensure that this requirement is included in the Scheme.

The ITSPA Secretariat is, of course, at your disposal to answer any questions via the contact details on the letterhead.

Yours sincerely,



Eli Katz, ITSPA Chair

Cc Hon Ed Vaizey MP, Minister for Culture, Communications and Creative Industries

¹ <http://stakeholders.ofcom.org.uk/consultations/net-neutrality/statement/>

² <https://www.gov.uk/government/speeches/the-open-internet>