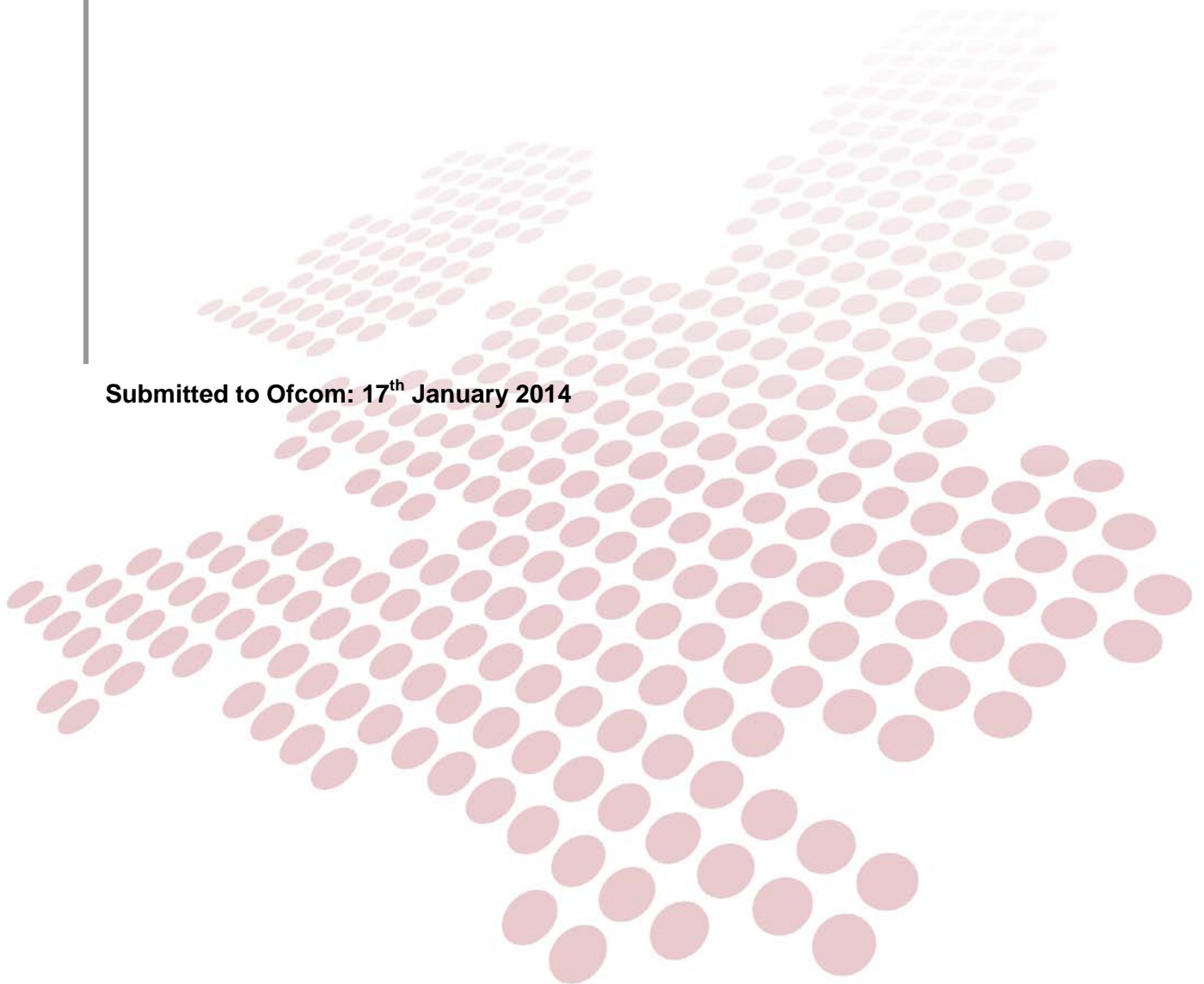


**Access to electronic communications  
services for disabled consumers**

UKCTA Response to Ofcom Consultation

Submitted to Ofcom: 17<sup>th</sup> January 2014



## 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](http://www.ukcta.com).

UKCTA welcomes the opportunity to respond to Ofcom's consultation concerning access to electronic communications services for disabled customers and in particular the proposed amendment to General Condition (GC) 15.3.

## Response to the consultation

We note Ofcom's position that GC15.3 does not currently make it explicitly clear that subscribers without a disability accessing a relay service in order to call a disabled user must be given this facility at an equivalent price as if they had not used a relay service for the call. Consequently, Ofcom proposed the following new wording of the provision:

*"The Communications Provider shall ensure that such of its Subscribers who, because of their disabilities, need to make or receive calls in which some or all of the call is made or received in text format, are able to access and use a Relay Service, including the receiving of calls made by End-Users irrespective of whether such End-Users have a disability. Such Subscribers and End-Users, as the case may be, shall be charged for the conveyance of messages to which a Relay Service applies at no more than the equivalent price as if that conveyance had been made directly between the caller and the called person without use of a Relay Service. In making such charges, the Communications Provider shall apply a special tariff scheme designed to compensate Subscribers who need to make calls to which a Relay Service applies for the additional time to make telephone calls using a Relay Service."*

We understand from separate conversations with Ofcom that the intention of this wording is to make clear that the communications provider cannot charge a caller to a text relay user for the additional wholesale costs incurred by the provider for routing calls to the text relay platform. In practice these are the wholesale charges levied by BT for use of their Text Relay service. UKCTA agrees with this objective.

Separately, however, the proposed provision requires the communications provider to offer a discount on call charges incurred by the disabled user of the text relay services (in much the same way as the current GC15.3 does). The purpose of the discount is to compensate the disabled user for the longer duration of calls using the text relay service compared to making a call without using the service (where text to speech to text conversion is not necessary). However, rather crucially, we understand that it is not Ofcom's intention to require a communications provider to offer any call discounts to able users who make calls to a text relay user. UKCTA fully agrees with this objective but we do not believe that the proposed wording of GC 15.3 makes this absolutely clear. We would therefore propose that the last sentence of the provision is amended to read as follows:

*"In making such charges, the Communications Provider shall also apply a special tariff scheme designed to compensate its disabled Subscribers who need to make outbound calls using ~~to which~~ a Relay Service ~~applies~~ for the additional time to make telephone calls using a Relay Service."*

We believe the above amendment is necessary to implement Ofcom's stated policy in a clear manner without imposing any unwarranted obligations on communications providers.

Finally, in relation to BT's Text Relay service, UKCTA would draw Ofcom's attention to the letter we sent to Ofcom in 12 August 2013 (confidential copy attached). UKCTA would reiterate its concerns about the lack of price regulation on BT for this service and urge Ofcom to investigate further.

End: