

Verizon response to the Guidelines for CLI Facilities consultation

Introduction

1. Verizon Enterprise Solutions (“Verizon”) welcomes the opportunity to respond to Ofcom’s consultation on the Guidelines for CLI Facilities (the “Guidelines”).
2. Verizon is the global IT solutions partner to business and government. As part of Verizon Communications – a company with nearly \$108 billion in annual revenue – Verizon serves 98 per cent of the Fortune 500. Verizon caters to large and medium business and government agencies and is connecting systems, machines, ideas and people around the world for altogether better outcomes.
3. Please note the views expressed in this response are specific to the UK market environment and regulatory regime and should not be taken as expressing Verizon’s views in other jurisdictions where the regulatory and market environments could differ from that in the UK.
4. Verizon considers that the new requirements and obligations outlined in the Guidelines will, at least for some providers, significantly increase the complexity, cost and overall burden associated with providing voice services in the UK. [REDACTED].
5. While the aspirations in the guidelines are laudable, and Verizon fully supports the intention to make CLIs as reliable as possible, it must be done in a proportionate manner. Unfortunately Ofcom’s expectations as set out in the Guidelines seek to put a high and unclear burden onto providers to consider and pass judgments on the reliability and authenticity of traffic across its network, which is a retrograde step and one which we find deeply concerning. We also consider that there is a disconnect between the expectations that Ofcom has of providers, and the limitations relating to “technical feasibility” in the relevant General Condition C6. These proposals cause the potential for damaging regulatory uncertainty in the voice market, which could act to harm competition and innovation.
6. As a further general comment, we do not consider that the changes proposed have been set out in a particularly clear and understandable manner. The document is confusing in describing what Ofcom is trying to achieve. Some of the text is duplicative and does not help to explain the rationale for the changes. It would have been helpful if a list was provided detailing the specific changes that are proposed beyond the current requirements, rather than embedding them in the text. We would urge Ofcom to think carefully about how it presents information to make it user friendly and easy to understand for stakeholders with many competing priorities and multiple demands on their time.

Cost implications

7. Ofcom appears to have no interest at all on the costs that its proposals (both current and future) will generate for providers. It suggests that it expects these proposals to be implemented

whatever the cost.¹ Yet it has not apparently conducted any meaningful cost/benefit analysis of this to back up this suggestion. This is baffling and incomprehensible when one considers that there is no absolute requirement to implement perfect solutions for emergency calls, which can have life or death consequences. We do not see how the presentation of an imperfect CLI, and the relative level of harm caused to a recipient justify an approach where cost is not a factor. This is a highly dis-proportionate means to set policy.

8. The Guidelines further state that STIR technical standards are expected to be implemented in provider networks², yet the solution is not yet ready and we have no idea how much it might cost. Such an expectation by Ofcom seems highly premature and again very concerning. Frankly, Ofcom's approach to this guidance gives the impression that it has been created outside its normal framework and has not gone through the normal checks and balances that industry would expect to see. If cost is not an issue, it seems to suggest that Ofcom might in fact expect all providers to replace current network equipment and implement STIR when it is ready.

Provider responsibilities

9. It seems clear that the responsibility for ensuring the CLI is valid rests with the originating provider (OCP). If the OCP complies with its responsibilities in this regard then it should not be necessary to layer any further regulatory obligations on any transit and terminating providers in the chain. Transit providers in particular should not have obligations in this regard and should be treated merely as "dumb pipes" through which traffic flows. From a principle point of view, it would be highly disproportionate if Ofcom were to enforce against a transit operator for making a poor decision and/or for the bad practice of an OCP.
10. Ofcom also requires providers to take "reasonable steps" to check the caller has given permission to use the CLI.³ Ofcom does not explain what these steps are, and we consider that it is not fair or reasonable to require providers to make unspecified judgments about what is acceptable and what is not in relation to traffic passing across their networks. As above, without clear criteria, it does not seem proportionate to hold a transit provider responsible for very subjective decisions.
11. Ofcom goes on to state its expectation that providers adopt a "technical solution" to verify CLI validity when it "becomes available" – with no reference to cost or the possible implementation issues this may cause. The approach is highly concerning, as (as set out above) Ofcom seems completely oblivious or indifferent to the competition and consumer impact of such statements or expectations. A responsible regulator should not make such sweeping statements about possible future requirements on providers without any understanding of the implications for the industry and customers. As a broader related point, it does not appear to have done any meaningful cost/ benefit analysis in relation to these proposals. See comment above in relation to costs and Ofcom's approach, which we find to be strongly at odds with other regulatory requirements and associated guidance.

¹ Para 4.19

² Para 3.11

³ Para 4.14

12. Until this technical solution is implemented, Ofcom expects providers to judge whether numbers presented are “sufficiently authentic”, which would apparently depend on a “number of factors” and may require providers to take further steps if they “reasonably suspect” nuisance traffic. This approach fuels regulatory uncertainty, and puts providers in a very difficult position of having to act as judge and arbiter about different types of traffic in a near real-time environment. Again this is strongly at odds with the approach we would hope and expect to see from the regulator. It is also likely to mean inconsistency and lack of harmonisation across the industry as it introduces subjectivity into the call handling process.
13. Further it is likely to have a highly detrimental effect on wholesale relationships between carriers, if providers themselves are put in a position where they have to make decisions on the quality and veracity of the traffic they handle, and potentially discriminate in their treatment of the traffic based on unclear parameters. For example, a large well-regarded provider overseas may choose to send their traffic to various onward providers to take advantage of optimum routing depending on a number of factors. So the CLI added by the originating provider may be perfectly valid, but difficult to authenticate if the onward provider does not have a similar reputation. We can foresee this potentially leading to difficult contractual negotiations with wholesale carriers, especially if the UK is creating a bespoke approach which is not followed or recognised in other countries.
14. Ofcom has also not considered the impact on originating customers who have little or no control over the network information that is sent by their OCP.
15. Again, Ofcom seeks to put an unacceptable burden of judgment onto providers by stating that CLI data should only be passed on to a provider outside the scope of the guidelines where they “reasonably trust that [privacy] will be respected by [onward CPs]”.⁴ This is simply absurd. Providers may not even know all of the onward CPs, so this is an impossible judgment to make.
16. We expect the Guidelines to have a particularly onerous impact on international providers that take traffic into or out of the UK. The global telecommunications industry around voice is structured in a way that the obligation to authenticate the caller and the validation of telephone number lies with the originating network of a call.
17. Especially where calls come in from outside the UK, no other provider beyond the OCP will be able to authenticate the calling number for any other purpose than a valid international format (even this only within the limits of the E.164 for standards, but those are not mandatory in all networks and therefore even this becomes a challenge). A mechanism to query a global central database for authentication of a caller is not available, nor any international cross network standard that would be mandatory.

Use of user’s CLI information

18. Paragraph 4.28 is simply unclear. We do not understand what Ofcom is seeking to achieve here. In any event it would appear to be covered by existing CLI regulations, the e-Privacy regulations and data protection legislation.

⁴ Para 12

Technical implementation

19. We further note that there are a number of technical challenges that we face with implementing the proposals, including the following:

- [REDACTED];
- We cannot verify the “authenticity” of CLIs from other countries such as whether they are allocated and to whom;
- Issues of standards across different regions/countries leading to incompatibility and lost fields;
- Even in UK, it is hard to authenticate CLIs as the Ofcom spreadsheets only show Rangeholders and do not account for ported numbers; and
- Network numbers are not always a good solution as a fall-back e.g. third party call centre dialling on behalf of multiple clients with multiple presentation CLIs but same network number.

New number range

20. Ofcom does not explain how accelerating the tracing process improves the chances of identifying the originator. Reasons should be explained clearly in order to comment.
21. Verizon simply does not have the ability with its existing equipment and network set-up to be able to meet the requirements Ofcom expects.
22. While we recognise that the relevant General Condition C6 includes a technical feasibility condition, set against the expectations in the Guidelines it generates uncertainty both now and for future solutions. Finally, the proposed number range for insertion as a presentation to consumers where a call is deemed to be unauthentic, 08979, bears resemblance to 089x numbers which used to be premium-rate numbers. This range will therefore not address the issue of informing consumers and/or preventing harm from such calls, as they will be unlikely to call such a number back. Therefore, the result will only be a negative on the originating caller, whose call will not be terminated, potentially for an error caused by their OCP or another provider.

Verizon Enterprise Solutions

November 2017