



FREE TO PERFORM

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Protecting Access to Emergency Organisations

This brief response has been prepared on behalf of 9 Group. 9 provides a wide range of fixed and mobile communications services to business customers in the UK. 9 Group offers its services directly to end user customers through its Retail division and via resellers through the partner operation.

You can find out more about Nine Group at our website www.9group.co.uk

We welcome the opportunity to respond to this consultation on an issue which is important to 9 and its partners. 9 Group is also a member of FCS and we support the FCS response which sets out in more detail concerns on various wider technical and cost issues, which we share.

As high-level obligations, the proposed guidelines seem sensible. However, in our view there is insufficient detail about exactly what Ofcom will expect from CPs to ensure compliance with the relevant General Conditions, particularly with regard to business customers. We are, therefore, suggesting that a more detailed version of the guidelines should be published which makes obligations for all CPs clear.

Specifically, we would welcome clarification of the extent that the obligation to provide a free solution will apply to business customers, i.e. where the employer provides a telephony solution for an employee working at home. We recognise that such workers may meet the “at risk” definition set out in the consultation but would question whether the obligation and cost of providing protection in this area should sit with communications providers. We feel strongly that this is part of the duty of care owed by the employer to the employee.

We also believe that it is important to be clear about what equipment should be in scope of these obligations. In the new post WLR world, the connectivity provider may differ from the IP voice provider. It is important to be clear about who provides the solution, bearing in mind for example that on FTTP the battery backup only powers the ONT and not the router and IP telephony device which are integral to the solution to make a call.

Openreach has announced that it will discontinue provision of automatic supply of battery backup for new FTTP provisions from April 2019. However, it has indicated a willingness to provide solutions on demand. We feel that provision of solutions at wholesale level is the most practical and appropriate way forward and we will support industry engagement to define what is required in this area. We trust that Ofcom will monitor these discussions closely.

Finally, we feel that the current version of the General Conditions (and the new version which will come into force on 1st October this year) is ambiguous in this area. GC A3.2(b) requires that CPs must ensure “uninterrupted access to Emergency Organisations as part of any Publicly Available Telephone Services offered”, GC A3.3 states that CPs must inform (customers) that access to Emergency Organisations using VoIP Outbound Call Services may cease if there is a power cut or power failure ...”

We would welcome clarification of under what circumstances A3.3 is applicable, since VoIP Outbound Call Services can also be PATS and it is unclear which obligation takes precedence in this case.

We trust that the above response is helpful and would be happy to discuss any of the issues raised with the Ofcom team in further detail.

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