Your response

Question	Your response
Question 1: Do you agree with our proposal that regulated providers should be required to either provide emergency video relay or contract for it to be provided?	No. As a company which prides itself on going the extra mile for our customers, we agree that BSL users should have access to video relay services for emergency calls. We disagree with the way Ofcom is considering going about this. We set out our reasoning below, and we remain willing to engage in more detailed conversations with Ofcom to define a more suitable way forward. First, we appreciate that Ofcom does not have the power to do direct how emergency services operate. However, this suggests that Ofcom should be working closely with those who do have the power to do that, to bring about a best in class solution, rather than pushing forward with an inferior proposal, simply because that inferior proposal is within its power. We instead recommend work on industry and international standards for IP-based PSAP access, allowing for devices like smart phones to have access as standard, irrespective of the underlying connectivity. This standard could be implemented in numerous different client devices, rather than entailing the use of, and reliance on, any specific app or service. We would see this as being a natural extension of the facilities afforded by the state's emergency services today, and it should be the state, and not private companies, making sure that people with disabilities have equivalent access. Alternatively, we encourage the emergency services to adopt services used by many people

	every day: for example, to be accessible via Signal, WhatsApp, FaceTime and so on. We support a “must carry” obligation, in the sense that ISPs should be required to carry packets to a service operated by a third party. This is, in our view, already enshrined in the net neutrality framework, and so does not require further legislation, but if Ofcom needs to “do something”, it should be to enshrine this obligation more robustly in law. Second, Ofcom appears to be proposing a solution which mirrors the approach currently taken for voice traffic destined for emergency services, simply because that is the approach currently taking, rather than aiming for the best solution for BSL users. It does not make sense because of the intrinsic differences in over-the-top communication services, and the voice traffic over the PSTN. We disagree that “equivalence” means doing something in the same way, despite differences in technology, user expectations, and the service being provided. “Equivalence” means ensuring that a user is not disadvantaged, and the best way of doing that in the situation at hand is by ensuring that emergency services operate IP endpoints, to which ISPs can carry traffic. We disagree with Ofcom’s conclusion in its consultation document that, in our original response, we did not propose a solution: we did, and that was to require ISPs to carry traffic, uninhibited, to an IP endpoint operated by the emergency services themselves. This remains the best possible solution to the problem, and we are surprised that Ofcom is not attempting to obtain the best result for users in need of video relay services. Third, it is left unclear how Ofcom’s proposals will ensure that the cost of what it is proposing is proportionate for, and accessible to, smaller providers, which typically generate a very small percentage of the overall traffic to emergency services.

	We note Ofcom's proposal that "For reasons of practicality, it would be open to the approved emergency video relay supplier (or a wholesaler if there were one) to agree contracts with very small regulated providers for a nominal value." However, this appears to indicate that Ofcom will leave it to the commercial whims of a wholesaler as to whether they wish to offer such nominal pricing or not. Unless there is a regulatory obligation to offer such nominal pricing, there is a very real risk that smaller providers will be "priced out". Alternatively, if we had to develop a solution, the cost would be disproportionate, and would result in the imposition of an obligation which we could not afford. In either case, the impact would be that Ofcom has imposed an obligation which smaller providers could not meet, and would thus be required to cease to operate. This would be damaging to competition / customer choice. Fourth, we disagree with the imposition of the obligation on Internet access providers. We carry our subscribers' packets to online services run by others. We do not provide those services. There is insufficient evidence to show that subscribers of Internet access services expect the provider of their Internet access service to provide infrastructure in support of emergency calling facilities. It is appropriate — to the extent not already required by the net neutrality framework – to require ISPs to convey their subscribers' packets to their chosen video relay provider, but not to require the ISP to become, or to fund, a video relay service provider.
Question 2: Do you agree that the Approval Criteria should contain a requirement obliging suppliers of approved emergency video relay services to include a clause about fair, reasonable and non-discriminatory terms in	No. The trouble with a "FRAND" obligation is the considerable scope for argument as to what constitutes a "fair, reasonable, and non-discriminatory" obligation.

any contract with any Regulated Provider or wholesaler?	Instead, the obligation must be more robust, to ensure that smaller providers are not faced with a cost burden they are unable to meet. The requirements should include that: - Pricing must be based on the number of emergency video relay calls a providers' subscribers generate or are expected to generate. We would expect to pay no more than a token sum. - Smaller providers must not pay more per call (if that is the pricing model) than larger providers. We are also concerned that we might face significant set-up costs, or even development costs, for a third party service to which we are unlikely to send much, if any, traffic.
Question 3: Do you agree with our proposal that data used for emergency video relay should be zero-rated?	We note that Ofcom is not proposing that regulated providers should be required to give access to emergency video relay where a data connection has been suspended for non-payment. We agree with this. We do not agree that providers that should be required to "zero rate" traffic. This is because it would require providers without the facility to zero rate traffic to build it for this purpose. This is counterintuitive: we do not have a mechanism for zero rating traffic, because, consistent with the principle of net neutrality, we treat all endpoints the same: we do not discriminate based on the destination of a user's traffic. We *may* be able to build a system to continue to provide access if a user has reached their quota, but this would be dependent on the operators of the relay services publishing their IP addresses, and keeping that list updated.
Question 4: Do you agree with our proposal that end-users should not be required to register to access or use emergency video relay?	We do not have a view on registration for the relay service itself, as we will not be involved in the provision of that service: we will be providing the connectivity over which a user accesses it.

	However, even if there a prohibition on requiring registration for the service itself, it is possible — and not addressed by the consultation — that someone will still need to go through a form of registration before they make their first emergency video relay call. Unlike voice 999 services where mobile handsets have regulatory requirements regarding the simplicity of calling 999/112, from a purely practically point of view most video "chat" services at present make use of a dedicated on-device application. This would require users to install the app in advance, to prevent the need to log in to their chosen app store's account, and download the app, at the point they required emergency assistance. If emergency services operated using existing common (usually pre-installed) video services (such as Signal, FaceTime, WhatsApp) then this would be a lot easier for users. Better still, if there was work on an international standard approach for IP based emergency service calls and videos, this could be built into operating systems.