

**Question 1.1**

Indirect Access should not be mandated only for Cable and Wireless or ICT Service providers with fixed line access network arrangements. Indirect access should be allowed for all licensed ICT providers. Indirect access allows smaller providers to service niche markets for various types of services and in a competition friendly environment this allows these providers to offer competing services to traditional costly services with less incurred costs benefiting the end user and the provider. Indirect Access services allow fixed access providers to offer complimenting services to their end users; this will also allow indirect providers and traditional providers to work together, as the indirect providers will offer services that compliment the direct providers.

**Question 1.2**

Indirect access should be allowed with minimum limitations if the service conforms to the ICTA ethical standards and are within the scope of those services currently allowed by the law. It is important however to ensure that the regulations in place guarantee that the service quality will be acceptable, this can be controlled by initiating controls on the number of providers allowed to offer indirect access, and by keeping tight control over bandwidth usage and availability. Fixed access providers must be made to understand that there is high demand for indirect services, but the quality of these services will rely on the quality of the fixed services they offer.

Indirect access relies upon the existing infrastructure, and should be allowed as early as Jan 1st 2004.

**Question 1.3**

Indirect Access should also be mandated for mobile carriers at this time.

**Question 1.4**

NA

**Question 2.1**

The proposed qualification criteria for Indirect Access operators are appropriate, however each licensee should be required to demonstrate to the authority that they are capable and trained in areas relevant to their specific services. For example, VOIP providers should have a sound networking background, and be prepared to demonstrate competence in Internet technologies and services. This can be accomplished by initiating minimum requirements such as the MCSE, CCNA or other relevant qualifications. Most importantly, indirect providers should also be in a position to demonstrate that they are capable of offering the service from the point of view that their business will be able to sustain itself and that customers are not inconvenienced by providers going out of business, or delaying service installations due to poor management. Providers should also be required to demonstrate a very effective method of supporting their services, and be prepared to demonstrate that their support/customer service staff is competent.

The authority should inspect service providers regularly, and complaints made against providers by end users should be investigated. Providers should also be required to keep records of all faults reported, showing the complaint, the cause of the problem and the length of time it took to resolve it. Because, Indirect access depends heavily upon fixed providers, this will also allow the authority to investigate failure on the part of the direct provider to provide a reliable service.

**Question 3.1**

The costs and benefits stated in this question are in our opinion realistic. In addition the following benefits should also be taken into consideration:

Indirect access stimulates the demand for direct access, as consumers become interested in indirect services, they will need to acquire direct access connections, this is a benefit not only to the indirect access providers, but also to the direct access providers.

Indirect access services will also dictate that the direct access providers constantly seek to improve their services. The quality of an indirect service such as VOIP depends almost completely upon the established direct service it uses for transmission.

Both Indirect and Direct providers will have to work together to ensure that their services operate in tandem. Higher levels of co-operation will therefore be required in order to ensure that faults are resolved, new applications can be deployed and overall reliability and quality is of a high standard. This will be a huge benefit to the end user in that the necessary checks and balances will be in place and both categories of providers will in effect regulate the other to a certain degree.

Indirect services provide a cost-saving benefit to end-users. Many companies will be in a position to reduce their overheads significantly due mainly to the low cost of indirect access services.

A wider range of services will be available to the end users, in particular, VOIP can be delivered in different configurations that can be tailored to the individual end user. For example, small businesses can compliment their already existing International long distance calls with an integrated VOIP solution using a VOIP gateway, and individual end users may choose to implement simple stand alone IP Phones or simply decide to make use of a VOIP calling card service.

In realistic terms, there should not be a great concern for unfair burden. Indirect services such as VOIP are not bandwidth intensive and if direct providers are willing to co-operate with indirect providers and vice-versa, a customers indirect services can be tailored to ensure that there is no unfair burden experienced by direct access providers. Indirect access providers should however be expected to demonstrate their willingness to cooperate by devising methods to keep direct access providers informed of new implementations or bandwidth intensive implementations.

**Question 4.1**

The proposed Indirect Access regime would be acceptable to indirect access providers, however many types of indirect access were not designed to integrate so tightly with 'traditional' service and there maybe a few difficulties encountered when attempting to implement a solution which allows call-by-call override as most VOIP implementations utilize Quality of Service and Least cost routing in providing a transparent and seamless integrated VOIP solution.

**Question 4.2**

Some modification will be required to allow end users to take full advantage of call-by-call override in a user friendly and efficient manner.

**Question 4.3**

CPS with call-by-call selection will be moderately difficult to implement in most standard implementations, however not every scenario will be the same and some implementations may quite possibly be adversely affected.

**Question 4.4**

VOIP services are prepaid by the end user in this particular service area, call records can be produced after calls are made, however billing occurs before the fact. We do not believe that there is sufficient demand at the present time for a single bill, and billing records produced by each service provider should be adequate.

**Question 4.5**

There are technical constraints that may prevent the production of a single bill. Each service provider will in most likelihood utilize different billing and reporting systems, and there would have to be a unified effort to share call data, audit information, collect payments, split revenue etc. This effort would require a significant undertaking on the part of all providers to share the development of such a system and we feel that it is an unnecessary development for the present time.

**Question 5.1**

A code of practise is definitely required; this code should outline the method licensees can use to offer services to clients, cooperate with each other, assist each other in maintaining high quality and standards and avoid conflicts among licensees. Indirect Access providers and Indirect Access operators should both be required to adopt the code of practise.

The code should be developed as a joint effort between the authority, service providers, service operators and customers.

**Question 5.2**

No, additional consumer protection measures outside of a Code of Practise and the ICTA Law and any other relevant laws, are not required.

**Question 6.1**

There will be technical impediments in implementing the proposed format of CAC and CIC codes. VOIP providers have not designed their services around this format and considerable changes to the functionality of the systems would be required. VOIP is a new technology and is not designed to conform to older more traditional formats and implementations. If the CAC and CIC formats are mandated, it will delay the introduction of VOIP as an indirect service.

**Question 7.1**

Agreed

**Question 8.1**

There is not a requirement for the establishment of an industry committee to implement indirect access.

**Question 8.2**

Indirect access deviates from the traditional methods of providing international access. VOIP in many implementations will be set-up independently of the traditional service and only in mid to large sized implementations will there be an integration with traditional service. It is our view that VOIP should be recognized as a service that is cost effective and flexible but the regulations governing the acceptable methods of implementation should also be flexible. There are many different forms of VOIP available and each service should be evaluated independently of the others and they all have varying strengths and weaknesses, and the regulations and guidelines that compliment one particular service may be a deterrent to another. As an example a home user may choose to implement a single IP Phone service independent of his PSTN service, and a small business may want to implement a service that is integrated with their PSTN service. In this scenario the CAC code will not be relevant to the home user and if required it may actually act as a deterrent.