Agenda:

- Welcome & Intros
- Feedback on Ofcom call with INCA
- INCA response to Ofcom WFTMR re Wholesale Aggregation
- DCMS Head of S&E intro call with INCA re Wholesale Aggregation
- Specification & Roadmap subgroup – supplier update
- Governance & Funding subgroup – Feasibility Study funding request
- OTA2 Option Y – response has gone in
- Timeline / Dates
- AOB
- Date of Next Zoom: 14:00 – 15:30 9 Jul 20 registration link here.

Share link for Zoom recording (video, audio and chat):
https://us02web.zoom.us/rec/share/9NV8EKCz6kNLE4nBsE6DW_UvB7zceaa81igb-_EPmh6xwuJTOxoCg2naKz812AhO You will need the Password: 0j&?93&%

INCA: Lloyd Felton (Chair INCA SWSIG, County Broadband), Ron Leenderts (Chair INCA, NGIS), Mike Locke (INCA Team), Gita Sorensen (INCA SWSIG, GOS Consulting), Gill Williams (INCA Team)

Attendees: Shaun Fensom (CNI), Jo Fereday (LINX), Ben Ferriman (Lightning Fibre), Richard Flint (Swish Fibre), Niall Halpenny (Sonalake), Oliver Helm (Full Fibre), Steve Holford (Airband), Philip Lawrence (Airband), Rod Lawrence (ITS), Nic McCormick (Lothian Broadband), JD Olliero (Axione), Aidan Paul (Dolomite Solutions), Red Peel (Airband), Ilan Scorah (Voneus), Michael Slevin (Sonalake), Stuart Smith (Zayo), Mark Stansfeld (Airband), Tim Stranack (Community Fibre), Barry Weaver (Broadway Partners), Henry West (Truespeed),

Call Notes:

Lloyd - Welcome and Intros

Lloyd - 15 operators on the call. Important to realise this is our audience. There are imminent regulations and remedies being put in place which will impact our industry.

Gita - Protecting consumer interests is Ofcom's primary brief.

Slide – Feedback on Ofcom call with INCA

- All based on consumer choice and expectation of consumers on what they can get.
- Ofcom is not in the business of depriving consumers of current level of service.
- Retailers will expect products similar to and on similar terms as OR/BT
- Cu will not be allowed to be switched off in areas where the local Monopoly Provider doesn't offer the same level of services as on Superfast.
- Policy is increasingly Sole Supply Position must offer Wholesale Access.

Mike – DCMS already consulted on EECC to see how to transpose into UK law. Broadly can be done with existing regulation, not much primary legislation needed. Ofcom view is that if industry followed the EEC (which it is supposed to) then they wouldn't have to take action. They will monitor what the industry does and put remedies in place if EECC not followed. A network which offers good fibre but not voice, TV such as available on the superfast, will not count for Ofcom. We need to make our networks relevant to

Ofcom's view of the market otherwise they will continue to incentivise the incumbent to build fibre in those areas.

Lloyd – some operators have said wholesale is great idea. Is it the case that is national CPs could offer their services over our networks, that would tick Ofcom's box? Mike – yes. Lloyd – some operators recognise that. Retailers must be able to offer national products, terms SLA. INOs can choose to offer wholesale access for their choice of products (option 1) and also a set of products for the national retailers (option 2). The 2nd is very critical to how Ofcom see your network. Mike – yes.

Lloyd – this is critical for the industry. Ofcom will view networks differently depending on if they are Option 1 only or Option 2 as well. Plus this is with GPL Switching so this is an opportunity to do both together.

Question – do we think Ofcom has view on standard set of services for national retailers or whatever services you want and get some smaller ISPs. Mike – Ofcom say they are not in the business of depriving customers of their current level of service. If networks want to offer better / other products, fine. But unless the major retailers can use your network, Ofcom will continue to incentivise the incumbent to build in your area.

Gita – has had a number of conversations with Ofcom over the past months and this is their strong message. Ofcom looking for comparable consumer choice to what they already have. Absolutely key for Ofcom.

Lloyd – one of the fears is we present a reasonable and workable wholesale and major retailers just don't want to engage. We need to challenge Ofcom should this happen.

But is this view still relevant? There are many OTT services which are available, the market doesn't look like that anymore. Mike – difference between early adopters, no issue with e.g. Netflix but Ofcom care about mass market where most users get most of their services from mostly the big 4.

Shaun – what happens if the retailer chooses not to offer the same products over our networks? Gita – if our networks enable retailers to offer what they already offer, nearly 100% certain Ofcom would find that acceptable. And they understand the large retailers may need a bit of a push to engage. DCMS also willing to help that. We should get a lot of support of we can offer something real and offer comparable base services as Openreach. This is basic requirement – to replicate what they get from Openreach.

Mike – Ofcom expect major retailers to want to consumer similar products on similar terms. Not 100% exactly the same. May be still some room for regional variation on pricing.

Slide- INCA response to Ofcom WFTMR

- Specific section 4.1 on Wholesale Aggregation
    - consumers must have choice
    - single-network fibre needs to become open to wholesale access (some gov't funded ones already have that obligation)
    - incentive to attract retail ISPs to altnet networks, offer standardised services
    - feasibility study underway, engaged with Ofcom, ISPs, altnets
    - exploring alignment with GPL

- common wholesale access presents numerous small networks as one to retail market
- wholesale aggregation platform will help future consolidation

[The intro to the Ofcom WFTMR is here, the Exec summary and links to download the whole response are here.]

Gita – this is a section in INCA response to Ofcom specifically on wholesale. We acknowledge that consumer choice and competition is Ofcom's primary duty. If something doesn't support that, they don't care. Despite Cu being available until 2026, the earlier we engage with retailers, the more influence this will have with Ofcom and their regulation for the incumbent in Area 3. This incentivises incumbent to build and will act as dis-incentive to altnets to invest. Standard services which are easy to consume by major retailers.

Can't have too much difference as this would make it difficult for large ISPs. We need to make it possible / easy for large ISPs to consume comparable services.
Need to engage with all the significant stakeholders – customers, suppliers, influencers. Would be useful if aligned to GPL also makes it easy for ISPs to consume. And GPL is something we have to do anyway.

We are trying to change Ofcom's mind on how they regulate in Area 3 so don't really want to wait until Cu switch-off in 2026, this may be too late. They won't allow Cu to be switched off until comparable services are available on fibre network in that area.

Aidan – must be in INCA's interest to allow Cu to stay for as long as possible. Should magnify difference between Cu and Fibre. Mike – if the local fibre doesn't offer comparable, Ofcom will enable BT to be your competition in your area.

Gita – they will reduce Cu prices and they expect main ISPs to retain higher margin. So less incentive to move to more expensive fibre platform e.g. altnets. This means they can stay with Openreach until OR fibre is available. This makes it harder for altnets to get market share.

Lloyd – separate workstream to look at requirements. Gita – Ofcom have requested follow-up to WFTMR on 29 Jun. Really important we show tangible commitment.

Lloyd – has the feeling from engagement with DCMS that access to altnets wholesale will help their plans.

Slide – DCMS intro call with INCA

- Colum McGuire: new Head of Strategy & Engagement, Digital Infrastructure, DCMS. Karl Talbot, DCMS. Robert Burles: interim Deputy Director. Rob L, Lloyd F, Tim S, James S, Mike L for INCA
- INCA Introduction & Background (Rob)
- Wholesale & Switching
    - Introduction & Background, GPL, USO, WFTMR (Mike), INCA's Plan & Strategy (Lloyd)
- Full Fibre & 5G Barrier Busting (Tim)
- DCMS Introduction & Outside-In (Colum)
- INCA & DCMS Collaboration (All)
    - Scale Retailers, Ofcom definition of Areas
- Follow up: Briefing doc and call on 25 June

Rob – this was a really good and positive meeting. They seemed very interested to follow up. While they can't force large ISPs to come to the table but they can encourage them and seem keen to do so.

Slide – Specification & Roadmap

- Hubory Hub – response promised this week
- Netadmin – concentrating on OSS/BSS, will continue to contribute
- Sonalake / Bridge / 11 Pipers – potential timing, list of areas which need further definition – further response promised this week
- Strategic Imperatives – conf call held with Wail Sabbagh, Tim Sayer COO, Matt Brewer CTO.
- work on EMP, LLU, Fibre WLR. Around 250 CPs (inc Voda) interfaced with EMP. Provider-managed Availability checker by UPRN (the wholesale bit) would need to be created
- Union Street – initial comments received
- Wallet Services – comments on GPL Hub to which Wholesale can be added
- BT – contacted, awaiting response, needs more follow-up

Mike – Hubory response will be circulated on arrival. Sonalake working on proof of concept doc. Note Strategic Imperatives already work with EMP / 250 CPs. Major difference between GPL Hub and Wholesale is availability checker of potential services. This is the bit that will need creating. If this is done, could also do consumer portal to check services in their areas.

Slide – Governance & Funding

- Lloyd
    - Feasibility study Founder Member funding request
    - Positive responses (all subject to terms)

Lloyd – critical to get finding for feasibility study. We have committed to Ofcom to give them info on level of engagement with industry, the solution, when it will be available and how many THP will the platform cover now / in future. First point addressed is feasibility funding. 4 out of the 5 have agreed to contribute £10,000 subject to terms. Anyone in this call who would also like to contribute, please contact me. Founder Members will have some involvement in governance. This is incentive to contribute.

Rob – the more that participate, the less from each is required.

Lloyd – will be able to give positive info to Ofcom. At last meeting with Jonathan Oxley of Ofcom, he said they had been telling the industry for some time it needed to get organised. Next point is to gauge level of interest with evidence. We have developed a survey which is going out very soon to ask and very important for everyone to respond so we have evidence for Ofcom meeting on 29th.

Rob – would evidence need to be focussed on operators? Lloyd – effectively, yes?

Richard Flint – what is overall timing given meeting on 29th?

Lloyd – slide is coming up but timing is driven by GPL solution and by WFTMR. Gita – timing is driven by Ofcom changing mind on Mar 21 regulation hence something tangible is needed within 2- 3 months. Feasibility funding, project plan, survey results from operators – this may give us fighting chance to change Ofcom proposals. Need to work with DCMS, Ofcom, large ISPs.

Shaun – operators at both active and passive layers? Lloyd / Gita – yes.

Slide – OTA2 Option Y – Ofcom asks

- Identification & Verification reliability?
    - IDing the customer and service
    - what happens when issues?
- How does expedite work?
- Full match needs to include type, infrastructure, ref (ALID, ONT)
- Cost estimate impacts?
    - none
- Implementation timelines?
    - 18 or 24 months from statement depending on governance
- Question raised on UPRN matching.
    - so – how many operators use UPRN in customer addressing / records?
        - relevant to Option Y GPL
        - relevant to Wholesale "what product is available at this UPRN"

Mike – if the industry could agree and offer GPL scheme compliant with EECC, Ofcom would agree and say "do that, then". Unfortunately we ended up with 2 views X and Y. Tried to hand decision to Ofcom, they came back with wanting more info. Option X requires customer to get code from LP. More info was supplied, Openreach assessment etc. Then Ofcom came back with more questions needing answers by 8th June. Has been submitted and is on our website.

We should decide our governance quickly so we can feed this into the GPL work. The timing doesn't match Ofcom's current thinking. It will be interesting to see what the fall-out of this. The suppliers we have been talking to could do it a lot quicker.

Specific question on UPRN. Matching is essential for GPL. Do operators currently use UPRN in lookup, records?

Lloyd – hands up from operators on call?

Shaun – if you're a spine wholesaler, it's your customers who will be looking at UPRN. Lloyd – yes, this is a different sector.

Aidan – Ofcom requests but doesn't mandate UPRNS in some coverage returns.

Lloyd – on a show of hands 9 do 3 don't.

Rob – Ofcom are interested in consumers and they don't consumer dark fibre.

Mike – operators who engage with GPL (and that's all of them) you will have to use UPRN. OS are making access to UPRN easier in July. A supplier has said this is practical and they've put one in place in another country.

Aidan – OS Address Base / PAF will match UPRN to address and physical location – even down to individual flats in a block.

Oliver – 15% properties missing UPRN on their database.

Slides – Regulatory & Timing

- revised Ofcom Plan of Work for 20/21 – end April
    - GPL Switching Statement expected Sept 20

- Ofcom internal review of OTA2 ECWB Option X & Y
    - new asks for response by 8th June - done
- INCA response to Ofcom WTMR by 22 May 20
    - done
- Ministerial statement "by summer"
- INCA Board 16 June 20
- INCA Feasibility Study May / June
- Ofcom statement on GPL Switching Sept 20
- Ofcom WFTMR planned publication March 21
- Implementation of GPL Switching by Sept 21 latest

Mike – Gita and other have given the dates for next DCMS and Ofcom meetings. Sept may look long time away but there are some important things need to be done so please respond to surveys and engage with process.

Lloyd – AOB

Nic – do we know how many operators would use each others' networks? Could we design this to engage CPs but also enable us to wholesale to each other. Lloyd – yes.

Gita – DCMS is launching consultation on Access to Infrastructure regulations. Network operators are also covered by this so you could be asked for access to your passive infrastructure.

Richard – is OTA GPL workstream done? Mike – OTA's workstream is paused unless Ofcom come back with more questions. Not sure why Option Y group asked Ofcom about governance as surely that's something we could just have got on with. Opportunity for INCA to get act together and give input to Option Y group on this. Ofcom are looking for industry to take initiative on this.

Lloyd – is this governance for OTA or INCA? Mike – a bit of both.

Lloyd – thanks and closing remarks. We need to focus on fresh action, what's changed for our next meeting. Focus is getting evidence for Ofcom.

Gill – 9th July is provisional date.

Chat from the call follows:

00:36:19 Aidan Paul: But I think it is interesting that Ofcom would delay Cu retirement if national service providers were not on the local fibre network
00:37:29 Tim Stranack: Did Mike say that the network provider would have to provide Sky TV over their network in order for OFCOM to accept it as a suitable substitute network? As far as I understand it BT only provide SKY Now TV ver their network which we all make available over our networks.
00:38:17 Lloyd Felton: Will address momentarily Tim
00:38:36 Aidan Paul: Yes, Tim. What constitute "service" if most content is now "over the top".
00:43:15 Oliver: Retail operators at scale are focused on standardising their offering nationally which should mitigate that risk
00:45:55 Tim Stranack: So symmetrical in place of asymmetrical would be OK

00:56:37 Barry Weaver: Any indication from DCMS that the Outside In might have wholesale as a prerequisite for bidding?
00:57:56 Oliver: State aid projects currently do require that and I believe future procurements will have to be the same - but pricing just has to be benchmarked, not necessarily at OR price point.
01:01:00 Oliver: Is the issue not that if we don't attract the large ISPs then there will likely still be sufficient market for OR to justify commercial overbuild?
01:01:49 Gill Williams: Yes 25th June is correct.
01:31:52 Aidan Paul: UPRN is suggested but not mandated by Ofcom in coverage returns for Connected Britain.
01:33:57 Aidan Paul: Truespeed doesn't use it internally, but has used it for Ofcom returns.
01:43:20 Stuart Smith: Sorry guys have another call, most interesting!
01:43:37 Barry Weaver: Thanks all, must dash for another call. Gill I noticed the meeting is being recorded, would be handy to review later.
01:44:03 Aidan Paul: That regulation has existed since 2016.
01:45:13 Aidan Paul: This is a link to the regulations for infrastructure access - http://www.legislation.gov.uk/uksi/2016/700/made
01:45:54 Gita Sorensen: yes, this is an effort to improve it