

ARTIFICIAL INFLATION OF TRAFFIC (ANNEX E) OF THE STANDARD INTERCONNECT AGREEMENT

Briefing Audience:

Public Electronic Communication
Network Providers

Interconnect Notification (Ref: 121/08)

Interconnect Notification 077/08 dated 1 February 2008 announced an industry consultation exercise by BT concerning proposed changes to the existing provisions relating to the Artificial Inflation of Traffic under the Standard Interconnect Agreement, following the extensive detailed negotiations with an industry group. The briefing pointed to the associated documentation:

- a briefing on the proposals
- indicative flow charts of the new process
- updated draft of Annex E
- summary of the impact for Annex D

at website:

[http://www.btwholesale.com/pages/static/Pricing_and_Contracts/Contract_Reviews/Artificial Inflation of Traffic AIT Review.html](http://www.btwholesale.com/pages/static/Pricing_and_Contracts/Contract_Reviews/Artificial_Inflation_of_Traffic_AIT_Review.html)

Following that notification, the parallel e-mail to the Standard Contract Forum contacts list, and an open discussion at a special AIT session at the Standard Contract Forum on 20 February 2008, BT received responses to the consultation from seven CPs by the 28th February closure date.

BT carefully considered the responses received, and has responded to each of the CPs involved. In light of those responses, and also the discussion at the SCF session, BT has refined the Annex E proposals in several areas – and talked those changes through with the industry group, and then also at the Standard Contract Forum on 24 April 2008. An updated draft Annex E with the changes highlighted and appropriately annotated can now be found on the website flagged above – along with a copy of the Supplemental Agreement intended to implement the new proposals.

The main Annex E changes relate to:

- requirement for a working facsimile – paragraph 2.4 (f)
- confirm option to use e-mail if facsimile not functioning – paragraph 2.5 (a)
- facility to update notice forms in consultation with CPs

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- Transit Operator (BT) has until 5pm on the Working Day following the 14th AIT calendar day to re-issue the A1 Retention Notice on the Terminating Network Operator (the previous 16th AIT calendar day proposal fails at long holiday weekends)
 - Transit: Transit Operator (BT) to remain active in disputes if unreasonable not to do so – paragraph 4.2
 - Assignment of rights in transit cases – confirm only with authority of authorised signatories – paragraph 7.4

but there are also a number of less significant changes highlighted in the text.

In accordance with the process described in Interconnect Notification 077/08 - though some weeks later than indicated in that briefing (because of the need for BT to consider the responses appropriately) - BT will shortly proceed with the issue of Supplemental Agreements to all affected CPs, calling for signature within four weeks of issue. If BT and individual CPs are unable to agree, then BT will be forced to pursue the non-agreement as a Dispute under the respective interconnect agreement.

You will therefore shortly be receiving a paperless Supplemental Agreement for signature, and I would be grateful if you will sign and return in the usual way. Because of the need for the entire industry to cooperate, the new process will not actually become effective until BT gives written notice (not less than six months) of the Effective Date.

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