

Vienna, 16 November 2012

**Telekom Austria Group's Input to the BEREC Consultation Paper:  
Article 28 (2) Universal Service Directive: A harmonized BEREC cooperation  
process**

**Annex 1: List of questions**

**Question 1: Are there other incentives or issues that will impact end users and/or operators that should be considered by BEREC? If this is the case, please propose and explain such incentives or solutions.**

No further input by TAG.

**Question 2: Are there other issues related to the provision that are not discussed in this section that should be considered by BEREC? Please give details about your suggestions.**

No further input by TAG.

**Question 3: Do the responses received and presented by BEREC represent an accurate reflection of the situation as experienced by operators and end users across Europe? Are there further aspects that should be considered by BEREC?**

We believe that one of the shortcomings of the paper presented by BEREC is the lack of taking roaming of mobile subscription into consideration. This means, the roles and responsibilities of operators are not clearly defined. Roaming needs to be fully considered from the perspectives of incentives, process, and thresholds for intervention.

**Question 4: Do you consider the proposed process to constitute a practical and effective method for NRAs to cooperate with each other in order to implement the requirements of Article 28(2)? Please explain your view with any suggestions you may have.**

We think that the proposed process would rather be harmful to the telecommunications industry as it disrupts relationships between communications providers and undermines commercial confidence in the interconnect payment chain.

**Question 5: Are these initial thresholds for retail operators and transit operators set at a realistic and practical level? Should other issues affecting whether NRAs initiate a case under this process be considered on a systematic, rather than ad hoc, basis? Please provide details on any proposals made.**

No further input by TAG.

**Question 6: Are there other types of clauses found in typical commercial interconnection or other agreements that might influence the ability of operators to withhold interconnection revenues when required to do so by an NRA? Please provide details and examples of such agreements.**

No further input by TAG.

**Question 7: Are there other circumstances at which NRAs should consider intervention under Article 28(2)? Please give reasons for your response.**

Member State NRAs should look at the retail businesses and service providers linked to recurring fraud events in their countries and work with them to determine the cause of recurring frauds. The process proposed by BEREC could be selectively applied in such scenarios, in combination with other investigative support.

## **Annex 2 - Questionnaire on scope/scale of problem**

**Q1: Do you have automated systems for detecting fraud or misuse on your network?**

At Telekom Austria Group we use automated systems for detecting fraud or misuse - the so called "FMS".

**Q2. Do you have manual processes for detecting fraud or misuse on your network?**

At Telekom Austria Group, we have manual processes exist in addition to automated processes.

**Q3. On average, how often do you detect fraudulent calls or misuse on your network?**

At Wholesale level we detect fraudulent calls or misuse in our networks about twice a month.

At retail level we are faced with about 2500 - 3000 subscribers per month including HUM (High usage monitoring).

**Q4. What is the typical length of time before such fraud or misuse is detected on your network?**

Wholesale: 1 to 17 hours

Retail: 30 min to 24h

**Q5. Can you provide an estimate of the annual monetary value of fraudulent calls or misuse detected on your network?**

Wholesales issue

**Q6. Based on your experience, what do you estimate to be the overall monetary value of traffic resulting from fraud or misuse in your country?**

n.a.

**Q7. What percentage of detected fraud or misuse, at both retail and wholesale levels: - originates and terminates within your own country? - originates and terminates within the EU? - originates or terminates beyond EU countries?**

50% - 90% originates and/or terminates outside EU countries

**Q8. What sort of fraud or misuse are you able to detect? Examples are: - PBX hacking - Artificial inflation of traffic (AIT) to a number within your country - AIT to a number in another EU country - AIT to a number in a country outside of the EU - Short stopping of international calls destined for another EU country. - Short stopping of international calls destined for a country outside of the EU - Calls to an unallocated telephone number in your country - Calls to an unallocated telephone number in another EU country - Calls to an unallocated telephone number in a country outside of the EU - Call back scams (also called “missed call scam” or “pinging”) - SMS scams - other**

Call forward to international destinations, PBX hacking, and all business fraud (for example, subscription fraud, pre-paid fraud, shops fraud etc.)

**Q.9. What steps do you normally take when you have detected fraud or misuse (e.g. blocking access to a particular number, number range or country code; other action)?**

We normally apply the following measures: blocking access to a number range or country code as well as setting alerts for this type of fraud.

**Q.10. Do you normally charge your customers who have been the victim of fraudulent activity, such as a PBX hack, the full retail charge for the fraudulent calls? If not the full retail charge, what do you charge?**

This depends of the decision from the legal department.

**Q11. What standard of evidence do you expect? - The retail customer to provide? - The wholesale customer to provide?**

Reported to the police that the mobile is lost / stolen, required suspension for the lost / stolen number;

**Q12. What patterns have you detected in fraud or misuse, for example are there common destination countries?**

High usage, calls to some international PRS/special services ranges to certain counties.

**Q13. Do you have AIT (where AIT is artificially inflated traffic) clauses which enable you to withhold payments or block numbers: - in your national interconnect contracts? - in your international interconnect contracts?**

Wholesales:

in the national interconnect contracts Yes

in the international interconnect contracts No

**Q.14. What, if any, contractual arrangements do you have within your international interconnection agreements for the withholding of payments or blocking of numbers (for any reason)?**

We have wholesales arrangements in place.

**Q.15. How many network operators do you interconnect with for international transit and/or termination?**

Wholesales: ca. 170 active Carrier Voice

**Q.16. If more than one, are you able to track the precise routing of an individual international call originating on, or transiting across, your network?**

Wholesales: YES

**Q.17. Do you share information/intelligence on fraud or misuse with any other network operators in your country or abroad?**

No