

## Consultation response form

Please complete this form in full and return via email to [mct.2018@ofcom.org.uk](mailto:mct.2018@ofcom.org.uk) or by post to:

Lucy Reid  
Ofcom  
Fourth Floor, 125 Princes Street  
Edinburgh EH2 4AD

## Your response

|  |                    |
|--|--------------------|
| <p><b>Question 3.1: Do you agree with Ofcom's view of the relevant market and assessment of significant market power? If not, please explain why.</b></p>  | <p>Yes.</p>        |
| <p><b>Question 4.1: Do you agree with our assessment of the harm that could result from a lack of effective competition in MCT markets?</b></p>  | <p>Yes.</p>        |
| <p><b>Question 4.2: Do you agree with our assessment that ex post competition law alone would not be sufficient to address the competition problems we have identified, and that therefore ex ante regulation is required?</b></p> | <p>No comment.</p> |
| <p><b>Question 4.3: Do you agree with our proposal to impose an obligation to provide network access on reasonable request on all MCT providers with SMP? If not, please explain why.</b></p>                                      | <p>Yes.</p>        |
| <p><b>Question 4.4: Do you agree that our proposal to impose a charge control on all MCT providers with SMP is appropriate? If not, please explain why.</b></p>  | <p>Yes.</p>        |
| <p><b>Question 4.5: Do you agree with our proposal that LRIC should continue to be the appropriate cost standard? If not, please explain why.</b></p>  | <p>No comment.</p> |
| <p><b>Question 4.6: Do you agree with our proposal to apply the charge control to all calls,</b></p>   | <p>Yes.</p>        |

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| including those originated outside the EEA?  |  |
| <b>Question 4.7: Do you agree with our proposal to remove the non-discrimination obligation on the four largest mobile providers?</b>  | No comment.  |
| <b>Question 4.8: Do you agree with our proposal to remove the price transparency obligation on all MCT providers with SMP? If not, please explain why.</b>   | No comment.  |
| <b>Question 5.1: Do you agree with our proposed modelling approach as discussed in Section 5, the supporting annexes and the 2017 MCT model? If not, please discuss the specific proposals that you disagree with.</b> | No comment.  |
| <b>Question 6.1: Do you agree with our proposed approach to implementing the MCT charge control? If not, please discuss the specific proposals that you disagree with.</b>   | No comment.  |
| <b>Question 6.2: Do you have any other comments on the matters raised in this consultation?</b>  | See enclosed PDF, which can be published. <i>[Set out below]</i> |

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Edinburgh EH2 4AD

# Ofcom's MCT Market Review covering 2018 to 2021

This is sent in response to the "Mobile call termination market review 2018 to 2021" published at: <https://www.ofcom.org.uk/consultations-and-statements/category-1/mobile-call-termination-market-review>

## Para 3.48

*"To this end, we propose to make appropriate changes in the draft SMP condition (Annex 7) to make clear it applies to all calls made to numbers in the ranges 071 - 075 and 077 - 079."*

The list of number ranges perhaps also needs to include 07624 as this range is also used by mobile phones in the Isle of Man.

## Para 3.48

*"Separately, we are also intending to consult on amendments to the National Telephone Numbering Plan. These would be designed to make clear such numbers should not be used to identify immobile apparatus and for conveying signals to that apparatus."*

This change is very welcome. Additionally, for far too long, some mobile providers have used various mobile numbers for their own customer service callcentres, presumably to benefit from higher termination rates than if a geographic landline number had been employed.

When calling such mobile numbers about a problem with the mobile service, e.g. when losing signal, to report a fault, or being cut off, calls made from a landline or from a mobile number registered with a different provider can incur significant charges for some customers.

## Para 4.60

*"We also propose to monitor the charge control through a new condition which would require all MCT providers with SMP in their relevant market to notify Ofcom annually of the MTRs charged. MCT providers would be required to submit us with this information within a month of the charge control period finishing (i.e. by 30 April each year)."*

This is also a welcome change. The effect of high MTRs has been for those number ranges to be non-inclusive in call bundles when they are called from a mobile number registered with another provider - often leading to bill shock and consumer harm.

Even now (July 2017), most mobile providers still have long lists of excluded mobile number ranges, often running to more than a hundred entries. The usually provided excuse is that these are the ranges where they incur high termination rates. Publication of these rates will show whether this is true or not.

The day when all UK mobile numbers starting 071-075 and 077-079 are inclusive in call allowances cannot come soon enough.

## **Annex 7**

*"mobile number" means a UK telephone number that begins with 071, 072, 073, 074, 075, 077, 078 or 079;"*

Additionally, 07624 is used for mobile telephones in the Isle of Man.

## **Annex 13**

Sure (Guernsey) Ltd  
You may wish to add 78398 to the list.

Sure (Isle of Man) Ltd  
You may wish to add 76242 to the list.

Manx Telecom Trading Limited  
You may wish to add 7624(0-1) and 7624(3-9) to the list.

Manx Telecom Trading Limited  
You may wish to amend 7924 to instead say 7924(0-4) and 7924(6-9).  
The 79245 number range is already correctly listed as "Cloud9 Communications Limited".

## **Offshore numbers**

There are currently around 74 mobile number ranges allocated to providers based in the Channel Islands or Isle of Man, spread over a variety of prefixes. The list is:

074184, 074520, 074521, 074522, 074523, 074524, 074525, 074526, 074572, 074576, 074585, 075090, 075091, 075092, 075093, 075094, 075095, 075096, 075097, 076240, 076241, 076242, 076243, 076244, 076245, 076246, 076247, 076248, 076249, 077003, 077007, 077008, 077810, 077811, 077812, 077813, 077814, 077815, 077816, 077817, 077818, 077819, 077977, 077978, 077979, 078297, 078298, 078299, 078391, 078392, 078397, 078398, 079110, 079111, 079117, 079240, 079241, 079242, 079243, 079244, 079246, 079247, 079248, 079249, 079370, 079371, 079372, 079373, 079374, 079375, 079376, 079377, 079378, 079379.

Some UK landline and mobile providers detail them in their tariff lists, others do not. Irrespective, the list is far too long to commit to memory.

For the purposes of porting, charges when roaming, the home country when not roaming, and the addition of VAT, mobile phone numbers allocated in Jersey, Guernsey and Isle of Man are each administered separately from UK mainland numbers and are outside of the EEA.

Mainland UK landline and mobile providers also usually set call and charges to these "offshore" mobile numbers at a different rate to that set for calling mainland UK mobile numbers. Where charges differ or calls are non-inclusive this can lead to bill shock and consumer harm.

There is also some inconsistency. For example, Marathon Telecom, based in Jersey, has number ranges 074572, 074585 and 079110. Some of the other 07457x ranges are used in the Isle of Man. Some of the other 07911x ranges are used in Guernsey. Some UK providers charge one or two of the three Marathon number ranges as "non-mobile" numbers and the rest as UK numbers. Other UK providers charge some or all of the three Marathon number ranges as CI and IoM numbers.

For clarity on all of these matters, it may make more sense to migrate all of these "offshore" mobile numbers to the 0761xx (Guernsey), 0762xx (Isle of Man) and 0763xx (Jersey) ranges, leading to simplification of presentation in price lists and an easier to remember prefix list. It could also lead to simplicity in number porting within those markets and better clarity as to where the "home" territory is when roaming, especially where numbers are sold as so-called "Worldwide SIMs" such as those offering cheap roaming facilities worldwide.

## **The so-called "non-mobile" mobile numbers**

Most UK landline and mobile providers publish long lists of mobile prefixes which do not count towards inclusive call allowances or are charged at much higher rates than for calls to other UK mobile numbers. These lists may include prefixes such as:

074060, 074061, 074062, 074063, 074064, 074065, 074066, 074067, 074068, 074069, 074171, 074172, 074176, 074177, 074179, 074181, 074182, 074185, 074186, 074188, 074390, 074391, 074409, 074410, 074411, 074412, 074415, 074417, 074418, 074419, 074515, 074516, 074517, 074572, 074574, 074577, 074578, 074579, 074580, 074583, 074584, 074585, 074588, 074653, 074655, 075200, 075201, 075203, 075204, 075205, 075207, 075208, 075209, 075370, 075373, 075375, 075376, 075377, 075378, 075379, 075590, 075591, 075592, 075593, 075595, 075597, 075598, 075710, 075718, 075890, 075891, 075892, 075893, 075898, 075899, 077000, 077001, 077442, 077443, 077444, 077445, 077446, 077447, 077448, 077449, 077530, 077552, 077553, 077554, 077555, 075599, 078220, 078221, 078222, 078224, 078225, 078226, 078227, 078229, 078644, 078722, 078727, 078730, 078744, 078745, 078922, 078925, 078930, 078931, 078933, 078938, 078939, 079110, 079112, 079118, 079245, 079780, 079781, 079782, 079783, 079784, 079785, 079786, 079787, 079789 and others.

These numbers are used for a variety of services. Some are smaller mobile providers. Others are various automated or interactive services with the additional charges paying for provision of the service called. Pseudo-premium rate services such as this have no place in the mobile ranges.

For many years, Ofcom has capped the termination rates charged by the main mobile providers and reduced it on an annual basis, usually on 1 April of each such year. On 1 May 2015 Ofcom extended the termination rate cap to cover calls made to all UK mobile numbers operated by UK providers. In April 2017, Ofcom opened an investigation into providers charging rates above the current cap. The investigation closed in August 2017 with the conclusion that no non-compliance was found.

It is worrying to see that most landline and mobile providers still have very long lists of excluded number ranges for which their explanation is they have to pay out higher termination charges than for calls to other mobile numbers. Ofcom's recent investigation has shown this to be untrue. What steps will be taken to eliminate these inconsistent retail charges?

There is, however, some evidence that some phone providers are publishing out of date information. For example, the 075378 and 075379 ranges were previously allocated to TTNC. After several years of quarantine, they were reallocated to Three and have recently come into use and yet various providers (including Three themselves!) still list these two prefixes as "non-mobile" numbers.

## **Effect on retail call charges**

The end goal of capping mobile termination rates has to be better outcomes for consumers including larger inclusive call and message allowances and/or cheaper calls and messaging.

The lowering of mobile termination rates before and around the turn of the century initially led to the introduction of "cross-network" call and message allowances from one mobile provider to another. Since that time, the ongoing reduction in mobile termination rates has led to ever larger call and message allowances and this welcome trend looks set to continue. Callers are, however, still caught out by the large number of "exceptions" to standard pricing within the 07 range. This includes personal numbers starting 070, "offshore" mobile numbers, pager numbers starting 076, and the "non-mobile" numbers.

Once the mobile termination rate for calls to ordinary mobile numbers had fallen to a level similar to that charged for calls to 03 numbers a number of landline providers started to offer inclusive calls to mobile numbers, initially in their anytime inclusive call plans, latterly in some of their other call plans.

As mobile termination rates have continued to fall, more and more landline providers have started to offer inclusive calls to mobile numbers. It is very noticeable that BT is now the only major landline provider to not offer this. BT instead continues to offer inclusive calls to premium rate 0845 and 0870 numbers, presumably in an attempt to prop up this rapidly dwindling market.

## Published retail tariffs

Mobile numbers with higher than usual termination rates have remained non-inclusive in allowances but it is clear from changes made in recent years that Ofcom is working hard to remove the various anomalies. Other number ranges (such as 080, 084, 087 and 09) have also benefitted from various reforms over the last few years allowing massive simplification of provider retail price lists.

When looking at retail tariff details, the 07 range is still by far the most complicated. Ofcom's extension of the mobile termination rate cap to cover all UK mobile numbers should have eliminated the "non-mobile" numbers category but many landline and mobile providers still have this erroneous category in their price lists. Addition of the long list of prefixes allocated in CI and IoM adds further complexity. A typical example is shown in the left column of the table below.

Removal of the unofficial "non-mobile numbers" category and migration of CI and IoM numbers to a simplified allocation such as, for example, 0761, 0762 and 0763 could bring much needed clarity to provider's tariffs, perhaps something similar to that shown in the right hand column of the table below.

| Current typical retail charge groups...   |       | Possible simplifications...   |   |  |
|---|-------|---|---|--|
| Prefix  | Price | Prefix  | Price   |  |
| <b>UK geographic numbers</b> starting 01, 02 (except 01481, 01534, 01624)   |       | <b>UK geographic numbers</b> starting 01, 02 (except 01481, 01534, 01624)       |   |  |
| <b>Geographic numbers in Channel Islands, Isle of Man</b> (01481, 01534, 01624)   |       | <b>Geographic numbers in Channel Islands, Isle of Man</b> (01481, 01534, 01624) |   |  |
|   |       |   |   |  |
| <b>UK mobile numbers</b> starting <b>071, 072, 073, 074</b> (except 074060, 074061, 074062, 074063, 074064, 074065, 074066, 074067, 074068, 074069, 074171, 074172, 074176, 074177, 074179, 074181, 074182, 074184, 074185, 074186, 074188, 074390, 074391, 074410, 074411, 074412, 074414, 074415, 074417, 074418, 074419, 074515, 074516, 074517, 074520, 074521, 074522, 074523, 074524, 074525, 074526, 074572, 074574, 074576, 074577, 074578, 074579, 074582, 074583, 074584, 074585, 074588, 074653, 074655), <b>075</b> (except 075090, 075091, 075092, 075093, 075094, 075095, 075096, 075097, 075200, 075201, 075203, 075204, 075205, 075207, 075208, 075209, 075370, 075373, 075375, 075376, 075377, 075378, 075379, 075590, 075591, 075592, 075593, 075595, 075597, 075598, 075599, 075710, 075718, 075890, 075891, 075892, 075893, 075898, 075899), <b>077</b> (except 077000, 077001, 077003, 077007, 077008, 077442, 077443, 077444, 077445, 077446, 077447, 077448, 077449, 077530, 077552, 077553, 077554, 077555, 077810, 077811, 077812, 077813, 077814, 077815, 077816, 077817, 077818, 077819, 077977, 077978, 077979), <b>078</b> (except 078220, 078221, 078222, 078224, 078225, 078226, 078227, 078229, 078297, 078298, 078299, 078391, 078392, 078397, 078398, 078644, 078722, 078727, 078730, 078744, 078745, |       | <b>UK mobile numbers</b> starting 071 to 075, 077 to 079                        |   |  |
|   |       |   | <b>Mobile numbers in Channel Islands, Isle of Man</b> (0761x, 0762x, 0763x) |  |
|   |       |   |   |  |
|   |       |   | Non-geographic numbers starting 03  |  |
|   |       |   | Non-geographic numbers starting 080   |  |
|   |       |   | Non-geographic numbers starting 084, 087, 09                                |  |
|   |       |   |   |  |
|   |       |   | Corporate numbers starting 055  |  |
|   |       |   | VoIP numbers starting 056   |  |
|   |       |   |   |  |
|   |       |   | <b>Personal numbers</b> starting 070  |  |
|   |       |   | <b>Pager numbers</b> starting 0764x to 0769x                                |  |
|   |       |   |   |  |
|   |       |   | Police non-emergency 101  |  |
|   |       | Power cuts and blackouts 105  |   |  |
|   |       | NHS 111   |   |  |

|   |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
|---|--|--|----------------------------|--|------------------------|--|----------------------------------|--|--|--|-------------------|--|--|
| <p>078922, 078925, 078930, 078931, 078933, 078938, 078939), <b>079</b> (except 079110, 079111, 079112, 079117, 079118, 079240, 079241, 079242, 079243, 079244, 079245, 079246, 079247, 079248, 079249, 079370, 079371, 079372, 079373, 079374, 079375, 079376, 079377, 079378, 079379, 079780, 079781, 079782, 079783, 079784, 079785, 079786, 079787, 079789)</p>  |  | <table border="1"> <tr> <td data-bbox="790 190 1270 241">Emergency services 112/999</td> <td data-bbox="1270 190 1385 241"></td> </tr> <tr> <td data-bbox="790 241 1270 293">Helplines starting 116</td> <td data-bbox="1270 241 1385 293"></td> </tr> <tr> <td data-bbox="790 293 1270 344">Directory enquiries starting 118</td> <td data-bbox="1270 293 1385 344"></td> </tr> <tr> <td data-bbox="790 344 1270 396"></td> <td data-bbox="1270 344 1385 396"></td> </tr> <tr> <td data-bbox="790 396 1270 448">Mobile shortcodes</td> <td data-bbox="1270 396 1385 448"></td> </tr> </table> | Emergency services 112/999 |  | Helplines starting 116 |  | Directory enquiries starting 118 |  |  |  | Mobile shortcodes |  |  |
| Emergency services 112/999  |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
| Helplines starting 116  |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
| Directory enquiries starting 118  |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
|   |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
| Mobile shortcodes   |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
| <p><b>Mobile numbers in Channel Islands, Isle of Man</b> (074184, 074520, 074521, 074522, 074523, 074524, 074525, 074526, 074572, 074576, 074585, 075090, 075091, 075092, 075093, 075094, 075095, 075096, 075097, 076240, 076241, 076242, 076243, 076244, 076245, 076246, 076247, 076248, 076249, 077003, 077007, 077008, 077810, 077811, 077812, 077813, 077814, 077815, 077816, 077817, 077818, 077819, 077977, 077978, 077979, 078297, 078298, 078299, 078391, 078392, 078397, 078398, 079110, 079111, 079117, 079240, 079241, 079242, 079243, 079244, 079246, 079247, 079248, 079249, 079370, 079371, 079372, 079373, 079374, 079375, 079376, 079377, 079378, 079379)</p>   |  | <p>A future review of corporate numbers starting 055, VoIP numbers starting 056, personal numbers starting 070 and pager numbers starting 076 may offer opportunities for further simplicity.</p>  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
| <p><b>Non-mobile numbers</b> (074060, 074061, 074062, 074063, 074064, 074065, 074066, 074067, 074068, 074069, 074171, 074172, 074176, 074177, 074179, 074181, 074182, 074185, 074186, 074188, 074390, 074391, 074410, 074411, 074412, 074414, 074415, 074417, 074418, 074419, 074515, 074516, 074517, 074572, 074574, 074577, 074578, 074579, 074582, 074583, 074584, 074585, 074588, 074653, 074655, 075200, 075201, 075203, 075204, 075205, 075207, 075208, 075209, 075370, 075373, 075375, 075376, 075377, 075378, 075379, 075590, 075591, 075592, 075593, 075595, 075597, 075598, 075599, 075710, 075718, 075890, 075891, 075892, 075893, 075898, 075899, 077000, 077001, 077442, 077443, 077444, 077445, 077446, 077447, 077448, 077449, 077530, 077552, 077553, 077554, 077555, 078220, 078221, 078222, 078224, 078225, 078226, 078227, 078229, 078644, 078722, 078727, 078730, 078744, 078745, 078922, 078925, 078930, 078931, 078933, 078938, 078939, 079110, 079112, 079118, 079245, 079780, 079781, 079782, 079783, 079784, 079785, 079786, 079787, 079789)</p> |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
|   |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
| <p>Non-geographic numbers starting 03</p>   |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
| <p>Non-geographic numbers starting 080</p>  |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |
| <p>Non-geographic numbers starting 084, 087, 09</p>   |  |  |                            |  |                        |  |                                  |  |  |  |                   |  |  |

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|  |  |
| Corporate numbers starting 055                   |  |
| VoIP numbers starting 056                        |  |
|  |  |
| <b>Personal numbers</b> starting 070             |  |
| <b>Pager numbers</b> starting 076 (except 07624) |  |
|  |  |
| Police non-emergency 101                         |  |
| Power cuts and blackouts 105                     |  |
| NHS 111  |  |
| Emergency services 112/999                       |  |
| Helplines starting 116                           |  |
| Directory enquiries starting 118                 |  |
|  |  |
| Mobile shortcodes                                |  |