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By email

Dear Ms Faure

**A consultation on revising the guidance for the provision of Calling Line Identification (CLI) information, including the relevant proposals to amend the General Conditions of Entitlement relating to CLI**

This response focuses on the CLI proposals which have been set out by Ofcom in the revised General Conditions of Entitlement together with the updated guidance.

It is appropriate to review the guidelines as these are now 10 years old and as a result these are outdated. Moving forward, Ofcom should take the opportunity to review the appropriateness of the guidelines on a more frequent basis.

We support Ofcom's intentions to minimise nuisance calls, however, some of Ofcom's proposals are extensive and are likely to lead to disproportionate impacts, particularly for those Communication Providers (CPs) who operate exclusively in the B2B market. B2B wholesale and enterprise customers normally have significant international operations and therefore have quite different needs when compared to residential end-users. Consequently, a one size fits all approach is incommensurate.

Below we set out our specific thoughts on the key Ofcom proposals, firstly focusing on those that are material in nature:

1. Validation of all CLIs – Ofcom is seeking that all CPs in the value chain validate the CLI, although only the originating CP is in fact assigned the CLI from Ofcom (and therefore responsible for its use), under the national number plan. Such a proposal is likely to require significant system changes for CPs, for which Ofcom has not set out its cost/benefit analysis. Significantly, this proposal is also contrary to the global

telecommunications practice, in that the obligation to authenticate the CLI lies with the originating CP. This principle should remain unchanged.

2. Blocking of CLIs – as a principle, we recognise the potential benefit of blocking CLIs in relation to repeated misuse and / or fraud, although this is not the panacea as it does not always address the root cause as perpetrators can and do adapt their misuse and / or fraud strategy. However, Ofcom’s proposal to require CPs to additionally “block calls on which invalid or non-diallable calling line identification is provided ... where technically feasible” is a significant step change from the current regime. Blocking international numbers, for example, may result in genuine calls being blocked. The outcome in the B2B sector, is it will cause unnecessary customer disruption and may trigger a CP’s service level agreement commitment to the customer. Further, a non-standard approach by CPs to blocking of CLIs, could lead to an uneven playing field if some CPs block CLIs and others do not. There is therefore revenue at risk for the CPs that do conform versus those that do not. Some CPs may not have technical capabilities to block calls so again the issue of disparity arises.

The feasibility of blocking versus the benefit must be known before Ofcom proceeds with such a broad proposal.

To conclude, our view remains that, the originating CP has and should retain the responsibility for ensuring there is a valid, diallable CLI. If subsequently there is evidence that the CLI was invalid / non-diallable, it is Ofcom who should address this through its enforcement powers directly with the originating CP in question.

We note that DCMS published a consultation relating to the contact centre industry in January 2016 relating to “Requiring direct marketing callers to provide Calling Line Identification”<sup>1</sup>, although as yet no decisions have been published. Setting out clear obligations in this regard would also go some way to addressing the concerns raised by Ofcom.

Our remaining comments are as follows:

3. CLI presentation –
  - in the B2B sector, customers themselves have the ability to set the presentation CLI, therefore additional implications will arise for such customers which may require process, system and / or contractual changes. No consideration of this has been set out in the Ofcom consultation.
  - the guidelines do not set out the precise circumstances under which network and presentation CLIs should be used for the respective number ranges. As a result, ambiguity can and does arise due to the disparate treatment across CPs. Setting out a clear position, will ensure that both CPs as well as customers know what to

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<sup>1</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/491199/CLI\\_consultation\\_version\\_\\_PDF\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/491199/CLI_consultation_version__PDF_.pdf)

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expect and therefore adopt a common industry wide practice in terms of the way in which network and presentation CLIs are utilised.

4. Tracing - there is currently a disparate approach, in that Colt participates willingly in tracing requests (although these instances are rare), whereas other CPs do not. An industry wide approach is required to ensure a level playing field for all CPs in order to achieve Ofcom's goal of minimising nuisance calls.
5. International calls - Ofcom sets out its intention to reactivate the number range 08979, with the underlying numbers being allocated in blocks across CPs. This number range would be used in the scenario when an international call is received and the CLI is absent or unreliable. For B2B customers, who frequently receive international calls into the UK, the majority of which are genuine, the merit of this proposal is undefined although it will introduce system changes for B2B CPs.
6. Setting out obligations on CPs - in principle we support any requirements which ensure a level playing field and a consistent approach where there are common issues. However, regarding the specific proposals by Ofcom relating to the transiting and terminating CPs, the overall assumption and operating mode internationally, is that responsibility for the correct CLI lies with the originating CP. For the reasons outlined earlier, we do not support the additional responsibilities set out for transiting and terminating CPs in this regard.
7. Withdrawal of numbers for continuous breaches - we agree with the Ofcom proposal, that numbers should be withdrawn for continuous breaches by a CP.
8. Use of "unavailable" relating to the privacy settings - it is unclear as to precisely which circumstances under which the CP would apply this setting. We therefore support Ofcom's intentions to clarify this.
9. Ofcom refers to various initiatives being undertaken by other bodies eg. the Internet Engineering Task Force and their work on the Secure Telephone Identity Revisited (STIR) standard which could result in the use of a certificate for VOIP. We would expect Ofcom to keep a watching brief on these, however any further proposals which Ofcom propose arising from work undertaken by other bodies, must be proportionate and balance the costs against the perceived benefit.

Please do not hesitate to contact me if you would like to discuss the above further.

Yours sincerely



Ceri Owen

Regulatory Specialist

