



June 5th, 2019

Adrian Ball
Office of Communications
Riverside House
2A Southwark Bridge Road
London
SE1 9HA
UNITED KINGDOM

**Subject : Promoting Trust in Telephone Numbers – First Consultation
NON-CONFIDENTIAL**

Dear Adrian,

Exonia Consulting Inc is a group of companies that provide consultancy services to the telecommunications industry. Whilst not exclusively operating in the UK, much of the experience of the consultants working with our clients around the world is derived from the UK market.

Many of our clients will submit their own response to the Consultation (which in some cases may have been prepared with our assistance) and we have received no instruction to speak for them separately¹; however, given our experience in the field of Number Portability in the UK², we thought it would be useful to highlight a point derived from our own experience advising various service providers and networks.

In the last 12 months, the work for our clients with respect to UK number portability has involved;

- Arguments about so-called porting differentials (and whether inefficiently incurred costs for calls arriving at the Donor Communications Provider's network and then onwardly routed are recoverable);

¹ [REDACTED]

² Short biographies for the entire practice are available here <https://www.exoniaconsulting.com/bios/>

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- Whether IP or TDM direct or BT transit is the reasonable form of interconnection for providing number portability;
- Advising on whether the intransience (or deliberate slow pace) of a party in progressing negotiations for a porting agreement is a breach of the General Condition of Entitlement (“GC”) B3;
- The form and content of a Letter of Authority (“LOA”) [REDACTED];
- The compatibility of the Pre-order Validation process with data protection legislation;
- The regulation (or specifically lack thereof) regarding so-called wholesale porting (often also referred to as “reseller rights”);
- Whether the user of a service where a number to contact a called party is asserted (e.g. in advertising as a way of tracking the efficacy of an advert) has a right to port that asserted number;
- So-called “split blocks” and the inability of some operators to port numbers from within an arbitrary allocation they made, potentially decades ago;
- The address that is the basis for validation and whether emergency services location information is an acceptable one to use or whether billing address or installation address are correct;
- Whether the charges for number port order processing are required to be orientated to Long Run Incremental Cost along with the porting conveyance charge;
- The appropriate cost orientation measure for the process when 1,000 or 10,000 numbers (i.e. an Ofcom allocated block) are ported by way of a BT Data Management Amendment as opposed to onward routeing;
- The acceptability of charges for portability that are levied on the Donor Communications Provider on the Losing Communications Provider (i.e. the network executing the portability and the Public Electronic Communications Service procuring it on behalf of their Subscriber) also known as “wholesale port out charges”;
- The lawfulness of direct charges for portability to a Subscriber and what level constitutes “a disincentive to switch” for GC B3.7(e);
- Whether it is acceptable in regulation for resellers to hold up a non-geographic number port because the out-dated manual requires the entire value chain to provide an LOA;

This is not an exhaustive list; however, what is clear is that these are not simple questions, and neither would a central database (or distributed ledger technology) address them on its own.

These are questions regarding the regulation or the interpretation of the regulation.

There are clear benefits for a central authority of information; efficiency, call quality and integrity of traffic arising from direct routeing over onward routeing, a clearer identification of where a number is allocated and sub-allocated and assigned, potential increased efficiency in the allocation of numbers, especially in areas where there is scarcity and the potential to


reduce the lead time for simple (mainly residential) porting, although we note a truck roll may still be required for some switching scenarios. We would not want to see the “baby thrown out with the bath water”, so to speak.

However, great care should be taken in articulating precisely what problems will be addressed. Such a central authority is no panacea for all the problems involved in number portability. Of the harm we are aware that has been communicated to Ofcom, we would respectfully suggest that much of it can be addressed through regulatory intervention – a modification to GC B3 that sets specific timescales and reduces the language that can be interpreted to suit vested interests is a significantly less expensive approach, for example.

With the greatest of respect to Ofcom, and whilst we praise the radical thought and experimentation with disruptive new technologies to ascertain their potential, true progress will only be made if both the process and outcomes are properly defined prior to a technology being debated to address them.

We are more than happy to discuss with Ofcom the cases beneath each of our bullets if it would assist.

Yours sincerely,



Peter J Farmer, MA MSc MBA
Managing Director - Telecommunications