

BT Response Ofcom's Consultation on the Calling Line Identification guidelines

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Non-confidential version

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1. Executive Summary

We support Ofcom's moves to provide further clarity on Calling Line Identity (CLI)

- 1.1. We welcome this consultation and the changes that Ofcom is proposing. It is essential that Calling Line Identity (CLI) Guidelines are unambiguous in order to prevent misinterpretation (accidental or otherwise) of the rules, that can lead to consumer harm.
- 1.2. The distinction between a Network Number and a Presentation Number can be an area that causes confusion particularly in cases where only a Network Number is provided which de facto becomes a Presentation Number.
- 1.3. As such, Ofcom's suggestion of restricting which numbers can be used as Network Numbers on the basis that they may end up functioning as Presentation Numbers is sensible.
- 1.4. However, although this is a simple change, we have some comments on the proposed wording of the guidance, which is important to get right in order to ensure that further clarifications are not necessary in the future.

2. Detailed comments on Ofcom's suggested changes

Chargeable numbers should not be used as CLIs

Question 1 – Do you agree with our proposal to add the clarification paragraph, at paragraph 3.7 of this consultation, to the CLI guidelines? If you do not agree with this proposal, what are your reasons for this view?

- 2.1. We agree with Ofcom's intention to restrict the forms of numbers that can be used as Network Numbers. In addition to the guidance already in place for Presentation Numbers, this should ensure that consumers never see chargeable numbers listed as CLIs. This would prevent consumer harm and unexpected charges in cases where consumers return such calls without understanding the rate at which the call would be charged.

We suggest that the proposed wording is amended

- 2.2. Ofcom suggests inserting the following paragraph into the CLI guidelines¹.

5.2A For calls originating from fixed networks, any Public Communications Network Number (as defined in the National Telephone Numbering Plan) may be used as the Network Number provided that:

- the use of that number is not in breach of any restriction or requirement set out in the National Telephone Numbering Plan (e.g. a number designated for a paging service or a mobile service should not be used for a fixed line);
- it is not a number that connects to a Premium Rate Service (e.g. prefixed 09) or to a revenue sharing number that generates an excessive or unexpected call charge;
- the relevant CP complies with its obligations under General Condition A3 in relation to the provision of accurate caller location information to the emergency services for calls to "112" and "999".

- 2.3. We suggest amending this in three ways.
- 2.4. Firstly, in order to avoid a potential loophole, paragraph 5.2A of the Guidance should not be limited in scope to "*calls originating from fixed networks*".
- 2.5. It is possible for a fixed number to be used as a CLI for a call originating from a mobile network (as we discuss in paragraphs 2.8-2.9). If Ofcom only applies this guidance to calls originating from fixed networks, then it is easy to see how it could be circumvented, particularly with the emergence of converged networks.
- 2.6. The current guidance makes no distinction in either paragraph 5.2 or 5.5 on which network's calls it applies to and we see no reason why 5.2A should. Applying this new guidance to calls from mobile networks would cause no issues.

¹ https://www.ofcom.org.uk/_data/assets/pdf_file/0021/116670/cli-guidance.pdf

- 2.7. We therefore suggest that the application to "calls originating from fixed networks" is removed, making the guidance applicable to calls originating on both fixed and mobile networks.
- 2.8. Secondly, we agree that a Network Number should not be in breach of any of the restrictions or requirements set out in the National Telephone Numbering Plan. However the example Ofcom gives does not accurately reflect the restrictions within the Numbering Plan.
- 2.9. Although the Numbering Plan designates specific numbers (071 to 075 inclusive and 077 to 079 inclusive) for mobile services, the definition of mobile services within the plan doesn't reflect the reality of modern technologies and networks. The Numbering Plan does not explicitly state that a number designated for a mobile service cannot be used for a fixed line, and given the expected proliferation of converged services in the near future, nor should it.
- 2.10. Ofcom has clarified this previously, as far back as 2006 in its statement on Number portability and technology neutrality:² *"Ofcom's number allocation policy has evolved to promote inter-platform competition. For instance, geographic numbers have been allocated to certain geographic services which are delivered via wireless networks, while mobile numbers have been allocated to certain mobile services which are delivered via hybrid fixed-mobile networks."* This suggests that the numbers designated for mobile services could be used in conjunction with fixed lines (and vice-versa).
- 2.11. Given the potential for the Numbering Plan to continue to change and adapt to reflect new technologies and consumer behaviours, we suggest that Ofcom removes this example from the wording and instead refer to adhering with the Numbering Plan.
- 2.12. Finally, Ofcom proposes to include a reference to: *"a revenue sharing number that generates an excessive or unexpected call charge"*. This is an imprecise definition. Different people will have different views as to whether a call charge is excessive or unexpected. We believe that it would be clearer and indeed stronger for Ofcom to state that it cannot be a revenue sharing number at all.
- 2.13. Bringing all of our suggestions together, we propose that paragraph 5.2A should be amended to read:

5.2A Any Public Communications Network Number (as defined in the National Telephone Numbering Plan) may be used as the Network Number provided that:

- the use of that number is not in breach of any restriction or requirement set out in the National Telephone Numbering Plan;
- it is not a number that connects to a Premium Rate Service (e.g. prefixed 09) or to a revenue sharing number;
- the relevant CP complies with its obligations under General Condition A3 in relation to the provision of accurate caller location information to the emergency services for calls to "112" and "999".

² https://www.ofcom.org.uk/_data/assets/pdf_file/0027/45693/mod_statement.pdf

2.14. The requirements for Presentation Numbers and Network Numbers need to remain aligned. Therefore if Ofcom adopts BT's suggestions above it should also remove the phrase "*that generates an excessive or unexpected call charge*" from the Presentation Number requirements in the CLI guidance (paragraph 5.5).

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