



Wholesale mobile voice call
termination
Statement

Annex 12

Publication date: 15 March 2011

Annex 12

Sources of evidence

Introduction

A12.1 We have noted throughout the Statement the evidence we have relied upon in relation to our findings and how we have relied upon that evidence. This Annex lists the main sources of that evidence. We also list all responses to our various consultations and to our various section 135 requests.

A12.2 Whilst the Annex lists the main evidence we have relied upon, the list is for convenience only and is not intended to be exhaustive.

Ofcom documents

- A12.3 Notice of determinations that Vodafone and BT Cellnet have Market Influence under Condition 56 of their respective licences - December 2000 (Ofcom)
<http://www.ofcom.org.uk/static/archive/oftel/publications/mobile/mid1200.htm>
- A12.4 Wholesale Mobile Voice Call Termination Statement - 1 June 2004
http://stakeholders.ofcom.org.uk/binaries/consultations/mobile_call_termination/statement/Statement_on_Wholesale_Mobi1.pdf
- A12.5 1781 award – Auction of spectrum 1781.7-1785 MHz paired with 1876.7-1880 MHz (Information Memorandum) - 24 November 2005
http://stakeholders.ofcom.org.uk/binaries/spectrum/spectrum-awards/completed-awards/award-1781/Auction_of_spectrum_178171.pdf
- A12.6 End-to-End Connectivity Statement - 13 September 2006
http://stakeholders.ofcom.org.uk/binaries/consultations/end_to_end/statement/statement.pdf
- A12.7 Mobile Call Termination Statement - 27 March 2007
http://www.ofcom.org.uk/consult/condocs/mobile_call_term/statement/statement.pdf
- A12.8 Mobile citizens, mobile consumers: Adapting regulation for a mobile, wireless world consultation – 28 April 2008
<http://stakeholders.ofcom.org.uk/binaries/consultations/msa08/summary/msa.pdf>
- A12.9 The Ofcom Metering and Billing Scheme Statement - 15 July 2008
http://stakeholders.ofcom.org.uk/binaries/consultations/metering_billing/statement/mbstatement.pdf
- A12.10 Joint UK Department for Business, Enterprise and OFCOM response to Draft European Commission Recommendation on the Regulatory Treatment of Fixed and Mobile Termination Rates in the EU 2009 – 11 September 2008
<http://stakeholders.ofcom.org.uk/binaries/telecoms/inter/response1.pdf>
- A12.11 Mobile call termination, Adoption of Revised SMP Services Conditions following the Competition Appeal Tribunal's Directions - 2 April 2009
http://stakeholders.ofcom.org.uk/binaries/consultations/mobile_call_term/statement/CTMAAmendment2009final.pdf

- A12.12 Wholesale mobile voice call termination - Preliminary consultation on future regulation - 20 May 2009
http://stakeholders.ofcom.org.uk/binaries/consultations/mobilecallterm/summary/mobile_call_term.pdf
- A12.13 Leased Lines Charge Control Statement: A new charge control framework for wholesale traditional interface and alternative interface products and services, statement - 2 July 2009
<http://stakeholders.ofcom.org.uk/binaries/consultations/llcc/statement/llccstatement.pdf>
- A12.14 Review of BT's Network Charge Controls, Explanatory Statement and Notification of decisions on charge controls in wholesale narrowband markets - 15 September 2009
http://stakeholders.ofcom.org.uk/binaries/consultations/review_bt_ncc/statement/nccstatement.pdf
- A12.15 Fixed Narrowband Retail Services Markets: Identification of markets and determination of market power - 15 September 2009
http://stakeholders.ofcom.org.uk/binaries/consultations/retail_markets/statement/statement.pdf
- A12.16 Review of the fixed narrowband services wholesale markets, Statement on the markets, market power determinations and remedies including further consultation - 15 September 2009
http://stakeholders.ofcom.org.uk/binaries/consultations/wnmr_statement_consultation/summary/main.pdf
- A12.17 Mobile Evolution: Ofcom's mobile sector assessment statement - 17 December 2009
http://www.ofcom.org.uk/consult/condocs/msa/statement/MSA_statement.pdf
- A12.18 Wholesale Mobile Call Termination Review (second Consultation) - 1 April 2010
http://stakeholders.ofcom.org.uk/binaries/consultations/wmctr/summary/wmvct_consultation.pdf
- A12.19 Mobile call termination supplemental consultation: A simpler pricing rule - 16 November 2010
<http://stakeholders.ofcom.org.uk/binaries/consultations/mtr/summary/mtr.pdf>
- A12.20 Mobile call termination supplemental consultation: the relationship between mobile termination rates, market share and competition. An additional consultation and spreadsheet model on mobile termination rates which considers whether MTRs set above pure LRIC affect competition between small and large mobile communications providers - 29 November 2010
<http://stakeholders.ofcom.org.uk/binaries/consultations/mct-large-small/summary/mct-large-small.pdf>
- A12.21 Consultation on Simplifying Non-Geographic Numbers: Improving consumer confidence in 03, 08, 09, 118 and other non-geographic numbers - 16 December 2010
<http://stakeholders.ofcom.org.uk/binaries/consultations/nongeo/summary/non-geo.pdf>

- A12.22 National Telephone Numbering plan - 20 December 2010
<http://stakeholders.ofcom.org.uk/binaries/telecoms/numbering/numplan201210.pdf>
- A12.23 Mobile call termination: Consultation on proposed guidance on dispute resolution - 7 January 2011
<http://stakeholders.ofcom.org.uk/binaries/consultations/mct-fair-reasonable/summary/mct-fair-reasonable.pdf>
- A12.24 Proposals for WBA charge control - Consultation document and draft notification of decisions on charge control in WBA Market 1 – 20 January 2011.
<http://stakeholders.ofcom.org.uk/binaries/consultations/823069/summary/condoc.pdf>

Ofcom determinations of MTR disputes

- A12.25 Determination and Statement in relation to dispute between Mapesbury Communications and T-Mobile about mobile termination rates - 20 March 2009
http://stakeholders.ofcom.org.uk/binaries/consultations/mapesbury_tmobile/statement/mcom_deter.pdf
- A12.26 Determination and Statement in relation to dispute between Cable & Wireless and T-Mobile about mobile termination rates - 20 May 2009
http://stakeholders.ofcom.org.uk/binaries/enforcement/competition-bulletins/closed-cases/all-closed-cases/cw_01004/cwdispute.pdf

Competition Commission documents

- A12.27 Cellnet and Vodafone: Reports on references under section 13 of the Telecommunications Act 1984 on the charges made by Cellnet and Vodafone for terminating calls from fixed-line networks - December 1998
http://www.competition-commission.org.uk/rep_pub/reports/1999/421cellnet.htm#full
- A12.28 Vodafone, O2, Orange and T-Mobile - reports on references under section 13 of the Telecommunications Act 1984 on the charges made by Vodafone, O2, Orange and T-Mobile for terminating calls from fixed and mobile networks Volume 1: Summary and Conclusions - December 2002 http://www.competition-commission.org.uk/rep_pub/reports/2003/fulltext/475c2.pdf
- A12.29 Reports on references under section 13 of the Telecommunications Act 1984 on the charges made by Vodafone, O2, Orange and T-Mobile for terminating calls from fixed and mobile networks, pp. 244-245, http://www.competition-commission.org.uk/rep_pub/reports/2003/475mobilephones.htm
- A12.30 Reference under section 193 of the Communications Act 2003 Hutchison 3G UK Limited v Office of Communications (Case 1083/3/3/07), British Telecommunications plc v Office of Communications (Case 1085/3/3/07) Mobile phone wholesale voice termination charges. Competition Commission Determination 16 January 2009. http://www.competition-commission.org.uk/appeals/communications_act/mobile_phones_determination.pdf
- A12.31 Mobile call termination appeals - price control issues: submission to Competition Commission – 29 January 2008

Competition Appeal Tribunal documents

- A12.32 Hutchison 3G UK Limited v Office of Communications (Mobile Call Termination) case no. 1083/3/3/07 – 16 July 2009 <http://www.catribunal.org.uk/238-645/1083-3-3-07-Hutchison-3G-UK-Limited.html>

Domestic judgements

- A12.33 Court of Appeal judgement on appeal from the Competition Appeals Tribunal between Vodafone, Orange, T-Mobile and O2 and BT and Ofcom – 20 April 2010 http://www.catribunal.org.uk/files/1083_1085_MCT_Court_Appeal_Order_20.04.10.pdf

EC documents

- A12.34 Commission guidelines on market analysis and the assessment of significant market power under the Community regulatory framework for electronic communications networks and services, Official Journal of the European Communities, C165, - 11 July 2002 http://ec.europa.eu/information_society/topics/telecoms/regulatory/new_rf/documents/smp_guidelines/c_16520020711en00060031.pdf
- A12.35 Revised ERG Working paper on the SMP concept for the new regulatory framework, ERG (03) 09rev3, - September 2005 http://www.erg.eu.int/doc/publications/public_hearing_concept_smp/erg_03_09rev3_smp_common_concept.pdf
- A12.36 Commission Recommendation on relevant product and service markets within the electronic communications sector susceptible to ex ante regulation in accordance with Directive 2002/21/EC of the European Parliament and of the Council on a common regulatory framework for electronic communications networks and services (Second edition) C(2007) 5406 rev 1 http://ec.europa.eu/information_society/policy/ecomms/doc/library/proposals/rec_markets_en.pdf
- A12.37 Commission Recommendation of 7 May 2009 on the Regulatory Treatment of Fixed and Mobile Termination Rates in the EU (2009/396/EC) L 124/67 <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:124:0067:0074:EN:PDF>
- A12.38 Explanatory note accompanying the EC Recommendation on the Regulatory Treatment of Fixed and Mobile Termination Rates in the EU - SEC(2009) 600 http://ec.europa.eu/information_society/policy/ecomms/doc/implementation_enforcement/eu_consultation_procedures/explanatory_note.pdf
- A12.39 Commission Staff Working Document accompanying the EC Recommendation on the regulatory treatment of Fixed and Mobile Termination Rates in the EU: *Implications for Industry, Competition and Consumers*, http://ec.europa.eu/governance/impact/ia_carried_out/docs/ia_2009/sec_2009_0599_en.pdf.
- A12.40 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the interim report on the state of development of roaming services within the European Union

http://ec.europa.eu/information_society/activities/roaming/docs/interim_report2010.pdf

- A12.41 T-Mobile/Orange: Notification of 11/01/2010 pursuant to Article 4 of Council Regulation No 139/2004, Case No COMP/M.5650, 1 March 2010
http://ec.europa.eu/competition/mergers/cases/decisions/M5650_20100301_2012_247214_EN.pdf

Response to EC documents

- A12.42 Vodafone response to the Review of the functioning of the Roaming Regulation - 26 January 2011.
http://www.vodafone.com/content/dam/vodafone/about/public_policy/position_papers/vodafone_roaming_jan10.pdf

Academic literature

- A12.43 DeGraba (2000), Bill and keep at the Central Office as the efficient interconnection regime, OPP Working Paper No.33, available at
http://www.fcc.gov/Bureaus/OPP/working_papers/oppwp33.pdf
- A12.44 Armstrong (2002), "The Theory of Access Pricing and Interconnection", in *Handbook of Telecommunications Economics*, eds. Cave, M., Majumdar, S. and Vogelsang, I., North-Holland
- A12.45 Johnson and Goldstein (2003), Do defaults save lives? Columbia University – Columbia Business School Science, Vol. 302, p.1338-1339
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1324774
- A12.46 Choi, Laibson, Madrian, and Metrick, (2004), For better or for worse: Default effects and 401(k) savings behaviour, in *Perspectives in the Economics of Aging*, ed. David Wise, 81–121. University of Chicago Press
http://books.google.co.uk/books?hl=en&lr=&id=2iBspNX-sSIC&oi=fnd&pg=PA81&ots=UuplvAFZxe&sig=4G8tiXK3h6ACm6GsVZHKWEa_0Ol#v=onepage&q&f=false
- A12.47 Schiff, (2008), The "Waterbed" effect and Price Regulation, *Review of Network Economics*, Vol. 7, Issue 3
- A12.48 Armstrong & Wright (2009), Mobile Call Termination, *Economic Journal*, Royal Economic Society, vol. 119(538)
- A12.49 Genakos, and Valletti, Testing the 'waterbed' effect in mobile telecommunications, *Journal of the European Economic Association* (forthcoming)
<http://www.sel.cam.ac.uk/Genakos/Genakos%20Valletti-Testing%20Waterbed%20Effect.pdf>
- A12.50 Wernick, Growitsch, and Marcus, The effects of lower Mobile Termination rates (MTRs) on Retail Price and Demand. 8 April 2010
<http://ssrn.com/abstract=1586464>
- A12.51 Genakos and Valletti, Seesaw in the Air: Interconnection Regulation and the Structure of Mobile Tariffs, *Information Economics and Policy* (forthcoming)
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1687814

- A12.52 Hoernig, Inderst, and Valletti, Calling Circles: Network competition with Non-uniform calling patterns. November 2010, CEPR Discussion Paper No. DP8114 http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1714886
- A12.53 Kahneman, Knetsch and Thaler, Anomalies: The Endowment Effect, Loss Aversion, and Status Quo Bias The Journal of Economic Perspectives, 5(1), pp. 193-206. Winter 1991
http://www.princeton.edu/~kahneman/docs/Publications/Anomalies_DK_JLK_RHT_1991.pdf
- A12.54 Lo, Market shares, consumer ignorance and the reciprocal termination charges, Discussion Paper 09/19, Department of Economics, University of York. July 2009
<http://www.york.ac.uk/media/economics/documents/discussionpapers/2009/0919.pdf>
- A12.55 Vogelsang, The relationship between mobile and fixed-line communications: A survey, Information Economics and Policy Vol. 22, Issue. 1, p.4-17. 2010
http://www.sciencedirect.com/science?_ob=ArticleURL&_udi=B6V8J-4XY5DTR-1&_user=10&_coverDate=03%2F31%2F2010&_rdoc=1&_fmt=high&_orig=search&_origin=search&_sort=d&_docanchor=&_view=c&_rerunOrigin=scholar.google&_acct=C000050221&_version=1&_urlVersion=0&_userid=10&md5=91a68bb8a16eba8f74e2b8e8f9d969d0&searchtype=a
- A12.56 Grzybowski, L. and Pereira, P. 'The Complementarity between calls and messages in mobile telephony', *Information Economics and Policy*, Volume 20, Part 3, pp. 279-287. 2008
http://www.sciencedirect.com/science?_ob=ArticleURL&_udi=B6V8J-4SXYFVV-1&_user=10&_coverDate=09%2F30%2F2008&_rdoc=1&_fmt=high&_orig=gateway&_origin=gateway&_sort=d&_docanchor=&_view=c&_rerunOrigin=scholar.google&_acct=C000050221&_version=1&_urlVersion=0&_userid=10&md5=4c309d4223a70f4da00cf7be2b85d68d&searchtype=a
- A12.57 Laffont, Jean-Jacques and Tirole, Jean. *A Theory of Incentives in Procurement and Regulation*, vol. 1, 1 ed., The MIT Press. 1993

Ofcom research

- A12.58 *Communications Market Report 2008* – August 2008
<http://stakeholders.ofcom.org.uk/market-data-research/market-data/communications-market-reports/cmr08/>
- A12.59 Research undertaken for consultation on wholesale mobile voice call termination (Jigsaw, on behalf of Ofcom) - May 2009
http://stakeholders.ofcom.org.uk/binaries/consultations/mobilecallterm/annexes/annex10_1.pdf and
http://stakeholders.ofcom.org.uk/binaries/consultations/mobilecallterm/annexes/annex10_2.pdf
- A12.60 *Communications Market Report 2009* - August 2009
<http://stakeholders.ofcom.org.uk/binaries/research/cmr/cmr09.pdf>
- A12.61 *Consumer Experience Report 2010* – August 2010
<http://stakeholders.ofcom.org.uk/binaries/research/consumer-experience/tce-10/consumer-esperience-10.pdf>

- A12.62 *Communications Market Report 2010 – August 2010*
<http://stakeholders.ofcom.org.uk/binaries/research/cmr/753567/UK-telecoms.pdf>
- A12.63 *International Communications Market Report 2010– December 2010*
http://stakeholders.ofcom.org.uk/binaries/research/cmr/753567/icmr/ICMR_2010.pdf
- A12.64 *Consumer Switching and Bundling (Saville Rossiter-Base, commissioned by Ofcom) - September 2010*
<http://stakeholders.ofcom.org.uk/binaries/consultations/consumer-switching/annexes/switching-bundling.pdf>
- A12.65 *Technology Tracker Survey - 2010*
http://stakeholders.ofcom.org.uk/binaries/research/statistics/tech_Tracker_Q4_2010.pdf
- A12.66 *Wholesale termination regime, termination charge levels and mobile industry performance: A study undertaken for Ofcom (CEG) – 20 April 2009*
<http://stakeholders.ofcom.org.uk/binaries/consultations/mobilecallterm/annexes/annex7.pdf>
- A12.67 *Telecoms Market Data Update - Q2 2010* http://stakeholders.ofcom.org.uk/market-data-research/market-data/communications-market-reports/tables/q2_2010/
- A12.68 *Low income consumers and the communications market: An attitudinal study into people living on a low income and their experience of communications services - November 2007*
<http://stakeholders.ofcom.org.uk/binaries/research/consumer-experience/annex4.pdf>

Other research

- A12.69 Enders Analysis, *UK mobile termination rates: terminated*. 6 April 2010
- A12.70 Enders Analysis, *Mobile user survey 2010: The rise and rise of smartphones*. July 2010
- A12.71 Enders Analysis, *French fixed line retail upheaval*. 24 January 2011
- A12.72 Enders Analysis, *Mobile data economics: the limit of unlimited*. 7 September 2010
- A12.73 Morgan Stanley, Telecommunications Services, *Continuing Regulatory Pressure*. 3 October 2007
- A12.74 Société General, Cross Asset Research, *Vodafone: Mind the Pricing*. 20 July 2010
- A12.75 Nomura, European Telecom Services, *Vodafone note*. 14 May 2010.
- A12.76 Credit Suisse, *Mobile pricing: Price cuts to lag MTRs*. 29 June 2010
- A12.77 Berenberg, *Greater confidence in revenue inflection, secular (not cyclical)*. 15 July 2010
- A12.78 Berenberg, *Vodafone Group plc: Mobile Skype hype does not add up*. 12 October 2010

- A12.79 Bank of America Merrill Lynch, *F2M is a hidden cash cow – and a hidden risk*. 8 November 2010
- A12.80 Credit Suisse *First.Tel European Telecom Daily*. 30 September 2010
- A12.81 J.P. Morgan Cazenove, *Is fixed-mobile substitution slowing? Some early thoughts*. 18 February 2011
- A12.82 J.P. Morgan Cazenove Europe Equity Research, *Deutsche Telekom*". 13 October 2010.
- A12.83 Barclays Capital Equity Research, *UK Spectrum – more to come*. pages 28-38. 15 October 2010
- A12.84 Barclays Capital Equity Research, *UK Spectrum – Auction to proceed with Everything Everywhere's blessing*, Intraday Commentary. 3 November 2010
- A12.85 Execution Noble *Telecoms Research*. 5 July 2010
- A12.86 Case Associates (2003) *Market definition by survey: Approaches, acceptability and pitfalls*. <http://www.casecon.com/data/pdfs/casenote35.pdf>
- A12.87 Mail on Sunday article, *BT to include mobile calls in its price plan*. 12 February 2011 <http://www.dailymail.co.uk/money/article-1356327/BT-include-mobile-calls-price-plans.html>
- A12.88 Analysys Mason, *Regulating on-net discounts in emerging countries to limit the 'club effect'*. 18 October 2010 <http://www.analysismason.com/About-Us/News/Newsletter/Regulating-on-net-discounts-in-emerging-countries-to-limit-the-club-effect/>
- A12.89 National Economic Research Associates, *Switching costs: A report prepared for the Office of Fair Trading and the Department of Trade and Industry, Economic Discussion Paper 5 Annexe C*. April 2003
http://www.of.gov.uk/shared_of/reports/comp_policy/oft655aannexec.pdf

Stakeholder responses

- A12.90 Stakeholder responses are published on the Ofcom website, grouped together by consultation. Due to the large number of responses links to the responses landing page are provided only.
- A12.91 Responses to the Wholesale mobile voice call termination preliminary consultation on future regulation - May 2009
<http://stakeholders.ofcom.org.uk/consultations/mobilecallterm/?showResponses=true>
- 12.91.1 Response from BB Britain to the May 2009 consultation dated 3 August 2009
- 12.91.2 Response from Asda to the May 2009 consultation dated 5 June 2009
- 12.91.3 Response from BT to the May 2009 consultation dated 30 July 2009

- 12.91.4 Response from Cable and Wireless to the May 2009 consultation dated 31 July 2009
- 12.91.5 Response from CMA to the May 2009 consultation dated 10 August 2009
- 12.91.6 Response from Colt to the May 2009 consultation dated 11 August 2009
- 12.91.7 Response from Consumer Focus to the May 2009 consultation dated 31 July 2009
- 12.91.8 Response from FCS to the May 2009 consultation dated 30 July 2009
- 12.91.9 Response from Flextel to the May 2009 consultation dated 4 August 2009
- 12.91.10 Response from H3G to the May 2009 consultation dated 4 August 2009 (Confidential and non-confidential versions received)
- 12.91.11 Response from Telefonica O2 to the May 2009 consultation dated 11 August 2009 (Confidential and non-confidential versions received)
- 12.91.12 Response from Orange to the May 2009 consultation dated 30 July 2009 (Confidential and non-confidential versions received)
- 12.91.13 Response from SSE to the May 2009 consultation dated 21 July 2009
- 12.91.14 Response from T-Mobile to the May 2009 consultation dated 11 August 2009 (Confidential and non-confidential versions received)
- 12.91.15 Response from Tesco Mobile to the May 2009 consultation dated 11 August 2009 (Confidential and non-confidential versions received)
- 12.91.16 Response from Virgin Mobile to the May 2009 consultation dated 11 August 2009 (Confidential and non-confidential versions received)
- 12.91.17 Response from Vodafone to the May 2009 consultation dated 4 August 2009 (Confidential and non-confidential versions received)
- 12.91.18 Response from Talk Talk to the May 2009 consultation dated 5 June 2009 (Confidential version received)
- 12.91.19 We also received responses to the May 2009 consultation from the following individuals: David Taylor MP on behalf of Louise Moorcroft-Charlton; N Hill; M Kelly; S Townsley; R Van der Berg.
- 12.91.20 We also received responses to the May 2009 consultation on behalf of 'Terminate the Rate' from: Borough of Maidenhead and Windsor; Carers UK; The Dementia Association; The Federation of Small Businesses; GMB Union; Moneysupermarket.com; National Union of Students.

A12.92 Responses to Wholesale mobile voice call termination Market Review - April 2010: <http://stakeholders.ofcom.org.uk/consultations/wmctr/?showResponses=true>

- 12.92.1 Response from Asda to the April 2010 consultation dated 25 June 2010
- 12.92.2 Response from BT Group to the April 2010 consultation dated 23 June 2010 (Confidential and non-confidential versions received)
- 12.92.3 Response from Cable & Wireless to the April 2010 consultation dated 28 June 2010
- 12.92.4 Response from CMA to the April 2010 consultation dated 21 June 2010
- 12.92.5 Response from Colt to the April 2010 consultation dated 29 June 2010
- 12.92.6 Response from Consumer Focus to the April 2010 consultation dated 22 June 2010
- 12.92.7 Response from Dementia UK to the April 2010 consultation dated 1 June 2010
- 12.92.8 Response from European Commission to the April 2010 consultation dated 24 June 2010
- 12.92.9 Response from Everything Everywhere to the April 2010 consultation dated 23 June 2010 (Confidential and non-confidential versions received)
- 12.92.10 Response from Federation of Communications Services to the April 2010 consultation dated 23 June 2010
- 12.92.11 Response from Federation of Small Businesses (FSB) to the April 2010 consultation dated 23 June 2010
- 12.92.12 Response from FlexTel to the April 2010 consultation dated 23 June 2010
- 12.92.13 Response from Gammato to the April 2010 consultation dated 23 June 2010
- 12.92.14 Response from H3G to the April 2010 consultation dated 23 June 2010 (Confidential and non-confidential versions received)
- 12.92.15 Response from Institute of Money Advisers (IMA) to the April 2010 consultation dated 23 June 2010
- 12.92.16 Response from Lycamobile to the April 2010 consultation dated 23 June 2010 (Confidential version only)
- 12.92.17 Response from Mundio Mobile Ltd to the April 2010 consultation dated 23 June 2010 (Confidential and non-confidential versions received)
- 12.92.18 Response from Telefonica O2 Ltd to the April 2010 consultation dated 23 June 2010 ((Confidential and non-confidential versions received)

- 12.92.19 Response from Plain English Campaign to the April 2010 consultation dated 18 June 2010
- 12.92.20 Response from PlusNet to the April 2010 consultation dated 23 June 2010
- 12.92.21 Response from Post Office Ltd to the April 2010 consultation dated 18 June 2010
- 12.92.22 Response from Scottish and Southern Energy (SSE) to the April 2010 consultation dated 23 June 2010
- 12.92.23 Response from Swiftnet to the April 2010 consultation dated 13 May 2010
- 12.92.24 Response from TalkTalk Group to the April 2010 consultation dated 23 June 2010 (Confidential and non-confidential versions received)
- 12.92.25 Response from Telephony Services Ltd (TSL) to the April 2010 consultation dated 9 June 2010 (Confidential and non-confidential versions received)
- 12.92.26 Response from Tesco Mobile to the April 2010 consultation dated 23 June 2010
- 12.92.27 Response from UKCTA to the April 2010 consultation dated 28 June 2010
- 12.92.28 Response from Virgin Mobile to the April 2010 consultation dated 12 July 2010 (Confidential and non-confidential versions received)
- 12.92.29 Response from Vodafone to the April 2010 consultation dated 29 June 2010 (Confidential and non-confidential versions received)
- 12.92.30 Response from XLN Telecom to the April 2010 consultation dated 24 June 2010 (Confidential and non-confidential versions received)
- 12.92.31 We also received responses from the following individuals: Dick Bain; Mark Simmons; Martin Sach; Simon Barry (non confidential responses). Anonymous; Brian Barbour; Daniel Van de Bulk; Ed Brown; Felix Wade; Mark Parsons; Paul Winter; Stephen Sheppard (confidential responses).
- 12.92.32 We also received letters from the following MPs in support of the 'Terminate the Rate' campaign: Phil Wilson MP; Mark Hunter MP; John Leech MP; Tom Watson MP; Lee Scott MP; Adrian Sanders MP; Albert Owen MP; Alistair Carmichael MP ; Andrew Stephenson MP ; Ann Clwyd MP; Anne Main MP ; Bob Russell MP; Clive Betts MP; David Amess MP ; Emily Thornberry MP; George Howarth MP; Gerry Sutcliffe MP ; Hugh Bayley MP ; Ian Davidson MP; James Cunningham MP; John Baron MP ; John Pugh MP; John Thurso MP; Julian Huppert MP; Kate Hoey MP; Katy Clark MP; Lorely Burt MP; Luciana Berger MP; Mark Durkan MP; Mark Lazarowicz MP; Mark Williams MP; Martin Caton MP; Mary Glendon MP; Michael Connarty MP; Michael Gapes MP; Paul Flynn MP; Paul Murphy MP; Lyn Brown MP; Roger Williams MP; Ben Bradshaw MP; John Bercow MP; Dave Watts MP; Frank Doran MP; Anne Begg MP; Lisa Nandy MP.

12.92.33 We also received 43,000 emails from individuals as part of the 'Terminate the Rate' email campaign.

A12.93 Responses to Mobile call termination: A simpler pricing rule, Supplemental consultation - 16 November 2010

<http://stakeholders.ofcom.org.uk/consultations/mtr/?showResponses=true>

12.93.1 Response from BSkyB to the November 2010 consultation dated 14 December 2010

12.93.2 Response from BT to the November 2010 consultation dated 14 December 2010

12.93.3 Response from Cable & Wireless to the November 2010 consultation dated 14 December 2010

12.93.4 Response from Everything Everywhere to the November 2010 consultation dated 14 December 2010 (Confidential and non-confidential versions received)

12.93.5 Response from Loho Ltd to the November 2010 consultation dated 2 December 2010

12.93.6 Response from Magrathea Telecom Ltd to the November 2010 consultation dated 10 December 2010 (Confidential response only)

12.93.7 Response from Syntec Ltd to the November 2010 consultation dated 17 November 2010

12.93.8 Response from Talk Talk Group Plc to the November 2010 consultation dated 13 December 2010

12.93.9 Response from TelXL Ltd to the November 2010 consultation dated 14 December 2010 (Confidential response only)

12.93.10 Response from UKCTA to the November 2010 consultation dated 14 December 2010

12.93.11 Response from Vodafone Ltd to the November 2010 consultation dated 13 December 2010 (Confidential and non-confidential versions received)

12.93.12 Response from Gamma Telecom Ltd to the November 2010 consultation dated 23 December 2010 (Confidential response only)

12.93.13 Response from H3G to the November 2010 consultation dated 15 December 2010 (Confidential and non-confidential versions received)

A12.94 Responses to Mobile call termination: the relationship between mobile termination rates, market share and competition. An additional consultation and spreadsheet model on mobile termination rates which considers whether MTRs set above pure LRIC affect competition between small and large mobile communications providers. Supplemental consultation published - 29 November 2010

<http://stakeholders.ofcom.org.uk/consultations/mct-large-small/?showResponses=true>

- 12.94.1 Response from Everything Everywhere Ltd to the December 2010 consultation dated 4 January 2011 (Confidential and non-confidential versions received)
- 12.94.2 Response from H3G Ltd to the December 2010 consultation dated 4 January 2011 (Confidential and non-confidential versions received)
- 12.94.3 Response from H3G Ltd to the December 2010 consultation dated 7 January 2011 (Confidential and non-confidential versions received)
- 12.94.4 Response from Telefonica O2 Ltd to the December 2010 consultation dated 4 January 2011 (Confidential and non-confidential versions received)
- 12.94.5 Response from Virgin Media Ltd to the December 2010 consultation dated 4 January 2011 (Confidential version received)
- 12.94.6 Response from Cable and Wireless Ltd to the December 2010 consultation dated 4 January 2011
- 12.94.7 Response from Vodafone Ltd to the December 2010 consultation dated 4 January 2011 (Confidential and non-confidential versions received)
- A12.95 Responses to Mobile call termination: Consultation on proposed guidance on dispute resolution – 7 January 2011
<http://stakeholders.ofcom.org.uk/consultations/mct-fair-reasonable/?showResponses=true>
- 12.95.1 Response from Vodafone Ltd to the January 2011 consultation dated 21 February 2011
- 12.95.2 Response from Stour Marine Ltd to the January 2011 consultation dated 8 February 2011
- 12.95.3 Response from Telefonica O2 Ltd to the January 2011 consultation dated 21 February 2011
- 12.95.4 Response from Lebera Ltd to the January 2011 consultation dated 21 February 2011
- 12.95.5 Response from H3Gtd to the January 2011 consultation dated 21 February 2011 (Confidential version received)
- 12.95.6 Response from Everything Everywhere Ltd to the January 2011 consultation dated 16 February 2011
- 12.95.7 Response from Cable and Wireless Worldwide Ltd to the January 2011 consultation dated 21 February 2011
- A12.96 Supplementary submission to Ofcom by Everything Everywhere - Analysis of the impact of excluding recovery of fixed common cost from termination rates for low income and vulnerable PAYG consumers, 12 October 2010. (Confidential)
- A12.97 Supplementary submission to Ofcom by H3G to the April 2010 consultation.
<http://stakeholders.ofcom.org.uk/binaries/consultations/wmctr/responses/three.pdf>

- A12.98 Supplementary submission to Ofcom by Vodafone 'Discussion with Ofcom', 10 August 2010 (Confidential)
- A12.99 Supplementary submission to Ofcom by Vodafone, 11 March 2011 (Confidential)
- A12.100 Supplementary submission to Ofcom by Telefonica O2 Ltd, 19 July 2010 (Confidential)
- A12.101 Supplementary submission to Ofcom by H3G, 8 November 2010 (Confidential)
- A12.102 Supplementary submission to Ofcom by H3G, 17 January 2011 (Confidential)
- A12.103 Supplementary submission to Ofcom by H3G, 15 October 2010 (Confidential)
- A12.104 Supplementary submission to Ofcom by H3G 'modelling issues', 18 November 2010 (Confidential)
- A12.105 Supplementary submission to Ofcom by H3G, 24 May 2010 (Confidential)
- A12.106 Supplementary submission to Ofcom by Everything Everywhere 'WACC', 17 November 2010 (Confidential)
- A12.107 Supplementary submission to Ofcom by Everything Everywhere 'Market research tables', 21 July 2010 (Confidential)
- A12.108 Supplementary submission to Ofcom by Everything Everywhere 'Pricing guides', 6 September 2010 (Confidential)
- A12.109 Supplementary submission to Ofcom by Everything Everywhere, 10 August 2010 (Confidential)
- A12.110 Supplementary submission to Ofcom by Everything Everywhere 'Legal Points', 20 July 2010 (Confidential)
- A12.111 Supplementary submission to Ofcom by Everything Everywhere, 8 June 2010 (Confidential)
- A12.112 Supplementary submission to Ofcom by Everything Everywhere, 28 October 2010 (Confidential)
- A12.113 Supplementary submission to Ofcom by Everything Everywhere, 20 July 2010 (Confidential)
- A12.114 Supplementary submission to Ofcom by Everything Everywhere, 28 October 2010 (Confidential)
- A12.115 Supplementary submission to Ofcom by Everything Everywhere, 11 October 2010 (Confidential)
- A12.116 Supplementary submission to Ofcom by Everything Everywhere, 25 August 2010 (Confidential)
- A12.117 Supplementary submission to Ofcom by Everything Everywhere, 9 July 2010 (Confidential)
- A12.118 Supplementary submission to Ofcom by BT, 1 December 2010 (Confidential)

A12.119 Response to Consumer Focus consultation by H3G, June 2009
<http://www.consumerfocus.org.uk/assets/1/files/2009/11/H3Gconsultationresponse.pdf>

Information requests

A12.120 We issued a series of notices under section 135 of the Communications Act 2003, requiring various MCPs to provide specified information as set out in the Notice. These information requests and the responses received are listed below.

A12.121 Information request of 3 August 2009 covering accurate and detailed information about call traffic flows, customer volumes and the charges being levied by the various parties to mobile call termination agreements. Information received from:¹

- 12.121.1 Response from Vodafone Group Plc;
- 12.121.2 Response from Telefonica O2 UK Ltd,
- 12.121.3 Response from T-Mobile (UK) Ltd;
- 12.121.4 Response from Orange Personal Communications Services Limited;
- 12.121.5 Response from Hutchison 3G UK Limited.

A12.122 Information request of 5 November 2009 covering detailed information about call traffic flows, customer volumes and the charges being levied by the various parties to mobile call termination agreements. Information received from:²

- 12.122.1 Response from Vodafone Group Plc;
- 12.122.2 Response from Telefonica O2 UK Ltd;
- 12.122.3 Response from Everything Everywhere Ltd (T-Mobile (UK) Ltd; Orange Personal Communications Services Limited);
- 12.122.4 Response from Hutchison 3G UK Limited.

A12.123 Information request of 30 July 2010 covering detailed information about call traffic flows, customer volumes, network configuration and the charges being levied by the various parties to mobile call termination agreements. Information received from:

- 12.123.1 Responses from Vodafone Group Plc to information request and follow-up questions received 19 and 26 August 2010, 7, 22 and 29 October 2010.
- 12.123.2 Response from Telefonica O2 UK Ltd to information request and follow-up questions received 20 August 2010, 24 August 2010, 3 and 10 September 2010, 21 October 2010 and 9 November 2010

^{1 2} The data obtained from these information requests was used to construct the April 2010 cost model, which formed part of our April 2010 consultation. This data has, however, been superseded by that obtained pursuant to our July 2010 information request and supplementary questions.

12.123.3 Response from Everything Everywhere Ltd (T-Mobile (UK) Ltd; Orange Personal Communications Services Limited) to information request and follow-up questions received 1 and 7 September 2010, 26 October 2010, 1 November 2010 and 10 December 2010

12.123.4 Response from Hutchison 3G UK Limited to information request and follow-up questions received 19 August 2010 and 13 October 2010.

A12.124 Information request of 8 August 2010 for the purpose of enabling Ofcom to identify markets and to carry out market analysis, including consideration of any remedies. Information received from:

12.124.1 Response from 24seven Communications Ltd; 23 August 2010

12.124.2 Response from BT plc; 19 August 2010

12.124.3 Response from Callax Ltd; 18 August 2010

12.124.4 Response from CFL Communications Ltd; 13 September 2010

12.124.5 Response from Citrus Communications Ltd; 26 July 2010

12.124.6 Response from Cloud 9 Communications Ltd; 8 August 2010

12.124.7 Response from Cheers International Sales Ltd; 18 August 2010

12.124.8 Response from Coralbridge Ltd to information request and follow up questions; 16 August 2010, 3 December 2010, 1 March 2011

12.124.9 Response from Core Communications Ltd; 17 August 2010

12.124.10 Response from Core Telecom Ltd; 28 July 2010

12.124.11 Response from Cable & Wireless Communications Ltd; 13 August 2010

12.124.12 Response from Edge Telecom Ltd; 5 August 2010

12.124.13 Response from FlexTel Ltd; 19 August 2010

12.124.14 Response from Invomo Ltd; 20 August 2010

12.124.15 Response from IV Response Ltd; 10 August 2010

12.124.16 Response from Lleida.net Serveis Telematics Ltd; 11 August 2010

12.124.17 Response from Lycamobile Ltd; 19 August 2010

12.124.18 Response from Magrathea Communications Ltd; 19 August 2010

12.124.19 Response from Mars Communications Ltd³; 26 August 2010

12.124.20 Response from Mundio Mobile Ltd; 19 August 2010

³ Note: this was not a formal response to the questions within the information request, and therefore was not considered as such.

- 12.124.21 Response from Nationwide Telephone Assistance Ltd; 31 August 2010
 - 12.124.22 Response from Nodemax Ltd; 26 August 2010
 - 12.124.23 Response from Onephone UK Ltd; 10 August 2010
 - 12.124.24 Response from Opal Telecom Ltd; 13 August 2010
 - 12.124.25 Response from Oxygen8 Ltd; 26 August 2010
 - 12.124.26 Response from QX Telecom Ltd; 16 August 2010
 - 12.124.27 Response from Resilient Networks Ltd; 9 August 2010
 - 12.124.28 Response from Stour Marine Ltd; 9 September 2010
 - 12.124.29 Response from Subhan Universal Ltd; 19 August 2010
 - 12.124.30 Response from Swiftnet Ltd; 24 August 2010
 - 12.124.31 Response from Switch Services Ltd; 6 September 2010
 - 12.124.32 Response from Teledesign Ltd; 16 August 2010
 - 12.124.33 Responses from Telephony Services Ltd to information request and follow up questions; 18 August 2010, 3 December 2010, 1 March 2011
 - 12.124.34 Response from Teleware Ltd; 3 September 2010
 - 12.124.35 Response from TG Support Ltd; 2 September 2010
 - 12.124.36 Response from Titanium Ltd; 19 August 2010
 - 12.124.37 Response from Truphone Ltd; 9 August 2010
 - 12.124.38 Response from Vectone Ltd; 20 August 2010
 - 12.124.39 Response from Wavecrest Ltd; 12 August 2010
 - 12.124.40 Response from Yim Siam Ltd; 19 August 2010
- A12.125 Information request of 17 September 2010 covering detailed information in relation to the distributional impact of our proposals on consumers and data required to confirm the validity of the cost model outputs. We also sent supplementary questions to this request in October, November and December 2010. Information received from:
- 12.125.1 Responses from Telefonica O2 UK Limited to our information request and supplementary questions, (October - November 2010)
 - 12.125.2 Responses from Vodafone Group Plc to our information request and supplementary questions, (October - December 2010)
 - 12.125.3 Responses from Everything Everywhere Ltd to our information request and supplementary questions, (October - December 2010)

- 12.125.4 Responses from Hutchinson 3G UK Ltd to our information request and supplementary questions, (October - November 2010)
- 12.125.5 Responses from Lycamobile Ltd to our information request and supplementary questions, (October - November 2010)
- 12.125.6 Responses from Virgin Media Ltd to our information request and supplementary questions, (October - November 2010)
- 12.125.7 Responses from Tesco Mobile Ltd to our information request and supplementary questions, (October - November 2010)
- 12.125.8 Responses from Asda Financial Services Ltd to our information request and supplementary questions, (October - December 2010)