

Question 3.1: Do you agree with Ofcom's proposed revocation of USC7? If you disagree, what are your reasons for this view?:

NO

Lawyers are arguing that USC7 is NOT unlawful and appealing Ofcom's finding.

OSIS does need to be maintained by ONE organisation. We do NOT want to end up like Italy!

You need to regulate this industry to be fair, reasonable and COST-ORIENTATED.

MARKET FORCES will not be enough to ensure this - and are probably not enough to satisfy the european directive!

BT has a monopoly position - and the price needs to be regulated.

There is no realistic likelihood of anybody else being able to take over. The setup costs are too high.

In other countries the equivalent of Ofcom provides this service. Would you really want to take on this role?

You also need to regulate the SUPPLY of new phone number data from phone companies to BT (or whoever maintains OSIS) to ensure that it is (a) in the same format (ie not on faxes) and (b) all supplied at the same times (ie not out of sync with 2 suppliers containing records for the same person when people change supplier).

Question 3.2: Ofcom considers that the current directory services meet the criteria of comprehensiveness, affordability, quality and availability. Do you agree with this assessment? If not please provide a detailed response as to which criteria is not fulfilled and in what way.:

Without regulation this will not be guaranteed.

You also need to regulate the SUPPLY of new phone number data from phone companies to BT (or whoever maintains OSIS) to ensure that it is (a) in the same format (ie not on faxes) and (b) all supplied at the same times (ie not out of sync with 2 suppliers containing records for the same person when people change supplier).

Question 3.3: Do you agree with Ofcom's analysis [on the removal of the obligations to provide a printed directory]? If you do not agree please provide your reasons.:

Should not just rely on commercial market conditions - the obligation should remain.

Question 3.4: Ofcom considers that the DQ market is robust and delivering the level of service required by the Universal Service

Directive. It also considers that it is appropriate to maintain the condition on Communications Providers to ensure access to a DQ service to ensure that the universality of provision is maintained. If you do not agree please provide your reasons.:

Question 3.5: Do you agree with the redrafting of GC8 set out above [at the end of Section 3]? If you do not agree please provide your reasons.:

We believe that this redrafting is a missed opportunity - given that over half UK telephone numbers are now ex-directory, we believe that providers of mobile telephones should also be required to submit a list for inclusion in the directory. We also believe the fax numbers should be marked and included and that VoIP numbers should be included

Question 4.1: Do you agree with Ofcom's view that GC19 should be modified so as to clarify persons having 'rights of access' as set out above (a redrafted version of condition GC19 and related definitions is set out at the end of this section)? If you disagree, please provide detailed reasons for this view.:

Question 4.2: Do you have any other comments about 'rights of access'?:

Once data has been provided to DQ providers they should be unrestricted in their use of that data for the provision of information products and services (subject to data protection considerations).

Question 4.3: Do you agree with Ofcom's view that GC19 should be modified so that responsibility for the provision of information rests with the Communications Provider controlling the telephone number (a proposed redrafting of GC19 incorporating this change is set out at the end of this section)? If you disagree, please provide detailed reasons for this view.:

Question 4.4: Do you agree with Ofcom's view that GC19 should be modified so as to capture actual end-users of the relevant telephone numbers assigned by the relevant Communications Provider to its subscribers, where these users are not the same persons as the subscribers themselves (a proposed redrafting of the definition of directory information is set out at the end of this section)? If you disagree, please provide detailed reasons for this view.:

Question 4.5: Do you consider that Ofcom should consider modifying GC19 (and related definitions, such as 'Directory Information') to include non-geographic telephone numbers assigned for use in public Electronic Communications Service (including, but not limited to,

PATS)(a proposed redrafting of the condition and definition is set out at the end of this section)? If you disagree, please provide detailed reasons for this view. Or if you disagree in part only (e.g. a reference to public Electronic Communications Service being too wide), how do you suggest that Ofcom should address this matter?:

Question 4.6: Do you consider that Ofcom should modify GC19 (and related definitions, such as 'Directory Information') such that:

- **end-user name and address are also required to be provided, and**
- **business and non-geographic numbers to replace geographic information in the end-user address with more relevant data that would allow the identification of the number by a third party (a proposed redrafting of the condition and related definitions is set out at the end of this section)?**

If you disagree, please provide detailed reasons for this view. Or if you disagree in part, how do you suggest that Ofcom should address this matter?:

Question 4.7: Do you consider that there is a requirement for a wider mandated set of information beyond subscriber and end-user name and address under GC19? If so, what additional information do you think should be made available under GC19 ? please provide reasons and any evidence to support why you consider that users regard such additional information as necessary to find the persons they are looking for by indicating what specific circumstances exist in the UK?:

GC19 is not adequate to ensure that for example the current business/residential flags are maintained.

It does not go far enough to even maintain the information we currently get!

Please check this properly!

Question 4.8: Do you agree with our assessment of Communications Providers responsibilities with respect to the provision of GC19 data? If not, please provide details of your objection to this assessment and your proposed alternative.:

Question 4.9: Do you agree that it is appropriate for the Opt-in approach to assume that not opting-in is equivalent to selecting an unlisted option? If not, please provide your reasons and your proposed alternative.:

What is wrong with the current system whereby subscribers have to opt-out? The comprehensiveness of the data can be better maintained if subscribers are required to opt out rather than in.

Question 4.10: Do you consider whether there are any issues arising in respect of the DIPs collection of additional data? If so, please provide details of any such concerns.:

Question 4.11: Do you agree that there is no requirement for specific additional protection of end-user information? If not, please provide details of your objection to this assessment and any proposed alternative.:

Question 4.12: Do you have any comments about the operation of the requirements in Privacy Regulation 18(3) and 18(5)?:

Question 4.13: Do you have any comments about the operation of the requirement in Privacy Regulation 18(4) as it applies to GC19? We would also be interested to hear your views on whether Privacy Regulation 18(5) is sufficient to protect end-user data.:

Question 4.14: Do you agree that GC19 should be modified so as to referring also to the word 'objective' in the context of the terms on which GC19 data should be provided (a proposed redrafting of the condition and related definitions is set out at the end of this section)? If you disagree, please provide detailed reasons for maintaining this view.:

Question 4.15: Do you agree with the proposed redrafting of GC19 and related definitions as set out above [at the end of Section 4] and discussed through that section? If you disagree, please provide detailed reasons for this view.:

Question 5.1: Do you consider that BT will have sufficient commercial incentive to maintain the comprehensiveness of OSIS? Or do you consider that Ofcom should consider additional regulation to ensure that it will remain comprehensive?:

There is not sufficient commercial incentive for BT to maintain the comprehensiveness of OSIS. This is not a key part of BT's business and does not contribute significantly to its profitability, so if BT finds itself under commercial pressure it will focus on areas of its business which are more profitable or strategically important.

Ofcom should consider additional regulation.

Question 5.2: Do you consider that there is no need for further regulation on the maintenance and management of BT's OSIS database

and it is sufficient to rely on existing market incentives on BT and the option of drawing on ex post competition powers when competition issues are raised? Or do you consider that regulated access to BT's OSIS database is necessary in order to achieve Ofcom's policy objective? Or do you think that there are other options that Ofcom should consider? Please state your reasons.:

Regulated access is necessary, because competition law would not adequately address anti-competitive behaviour by BT - the law take too long and is too costly for most to use effectively.

Question 5.3: Do you have any other comments on assessments made or the matters affecting the issues discussed in this Section concerning access to a UK central database?:

As BT has a monopoly position in the supply of comprehensive directory information, it should not be allowed to arbitrarily increase pricing nor restrict access to OSIS data.

Additional comments:

Current directory services are far from universal, given the fact that UK DQ services contain almost no mobile numbers, increasingly fewer fixed numbers and no VoIP numbers.