



# Raising confidence in telephone numbers

Amending General Condition 17

Statement

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## Section 1

# Summary

### The purpose of this document

- 1.1 This document confirms one specific Ofcom decision on how telephone numbers will be regulated in the future. This decision concerns placing an obligation on originating communications providers ('OCPs') to follow the pricing-related requirements of the UK National Telephone Numbering Plan ('the Plan'), for calls to 03 numbers and to 070 Personal Numbers ('PNs'). This obligation affects how Ofcom can enforce those requirements.
- 1.2 Ofcom is responsible for managing telephone numbers effectively. This includes making sure that enough numbers continue to be available to consumers, so that they can benefit from the services which numbers support. We also aim to ensure continued trust in the meaning provided by numbers, so that consumers can use them with confidence.
- 1.3 The specific decision in this document directly concerns the second of those two objectives: consumer confidence. That confidence has been threatened by confusion about the prices and services associated with certain numbers, including services beginning with 08 numbers. Consumer confidence has also been threatened by the misuse by some communications providers ('CPs') of certain types of numbers, such as numbers beginning with '070', which tends to bring all services offered on such numbers into disrepute.
- 1.4 Having set out our general strategic framework and proposed changes to the Plan in July 2006 ('the July document')<sup>1</sup>, Ofcom published a further document in February 2007 ('the February document')<sup>2</sup>. The February document included two decisions and modifications to the Plan that are relevant to this document:
- the creation of a new range of numbers - beginning with '03' – which we think many customers will trust to a significant degree. Consumers will pay no more to call 03 numbers than they would to call a geographic number (beginning with '01' or '02'). We think that many businesses, public services and voluntary services will want to enable their customers to call them on 03 numbers rather than 08 numbers; and
  - increased consumer protection from abuses on some existing 070 PN services. For these numbers - which are often confused with mobile numbers – the Plan requires that (from 1 September 2007) callers get a free announcement about call costs, before the call begins, for any call costing over 20p (per minute or per call).
- 1.5 As well as making changes to the Plan, the February document consulted on one specific proposal in order to make those changes to 03 and 070 more effective, and

<sup>1</sup> Telephone Numbering – Safeguarding the future of numbers - <http://www.ofcom.org.uk/consult/condocs/numberingreview/statement/statement.pdf>. This followed a February 2006 consultation document -

<http://www.ofcom.org.uk/consult/condocs/numberingreview/numbering.pdf>

<sup>2</sup> Raising confidence in telephone numbers -

<http://www.ofcom.org.uk/consult/condocs/numbering03/03.pdf>

thereby support consumer confidence. That proposal was to require OCPs to follow the new pricing and pre-announcement requirements of the Plan for 03 and 070 numbers. Ofcom proposed that this obligation should be placed on all OCPs, through an amendment to General Condition 17 ('GC 17') of the Conditions of Entitlement. The GCs are a set of rules that apply to CPs, and GC 17 contains obligations relating to how telephone numbers are to be used.

## Policy decision

### **We are promoting consumer confidence about pricing arrangements for 03 numbers and 070 personal numbers by requiring all originating communications providers to follow the requirements of the Plan, through an amendment to General Condition 17**

- 1.6 Having considered the representations made in responses, Ofcom today amends GC 17 so that all OCPs are directly responsible for adhering to the Plan in respect of 03 and 070 numbers.
- 1.7 The final amendment is adjusted slightly from that which we consulted on, in terms of clarifying the wording and changing the placement of the obligation within GC 17. There is, however, no substantive change to the effect of the amendment.
- 1.8 Ofcom in due course plans to consider the case for a GC 17 amendment that would make all OCPs subject to the requirements of the Plan in the same way as for 03 and 070 numbers.

## Implementation of 03 and 070 obligations

- 1.9 Ofcom consulted in the July document on the relevant changes to the Plan for these number ranges, and made consequent changes to the Plan in the February document. Ofcom policy and the Plan in respect of these number ranges were not therefore subject to consultation in the February document.
- 1.10 The obligation in respect of 070 numbers therefore remains that tariff pre-announcements should be provided from 1 September 2007 for any call to PNs that exceed 20p (on a per minute or per call basis). The decision to require pre-call announcements above some price trigger was published in the July document. However, given some response comments on the February document, Ofcom has provided further clarification of what might constitute acceptable content for a generic 070 pre-call announcement message. Whilst any message needs at least to indicate the maximum charge that could be incurred for 070 calls, alternatives to the example message that Ofcom gave in the February document may be preferred from practicality, consumer or competitive perspectives.
- 1.11 On 03 numbers, the obligation implemented in the Plan through the February document also is unchanged. Ofcom developed simple tariff arrangements for 03 calls, which are supported strongly by consumer research and opinion. The GC 17 amendment requires all OCPs to follow those tariff arrangements. Ofcom believes that these simple tariff features should make 03 numbers a popular choice for many service providers ('SPs'), and make 03 numbers a relevant option for locally-based as well as nationally-based SPs. It should be noted that, in answer to comments in some consultation responses to the February document, Ofcom is not delaying or deferring its plans for 03 or 0870 calls. The two ranges involve different issues and Ofcom maintains that the policies are consistent.

## Implications for stakeholders

### Customers

- 1.12 For customers, the implementation of the GC 17 amendment underpins the introduction of 03 numbers and the extra protection provided on 070 PNs. It means that consumer benefits will be provided when calling from all providers on all lines – whether a BT line, any other fixed line, a mobile or a payphone.
- 1.13 The new 03 range is designed to provide consumer certainty and confidence to make calls. It will thereby address the key customer concerns about many 08 numbers, and should increase willingness to make calls. The 03 range will deliver benefits in that:
- call tariffs and call discounts will be the same as calls to geographic (01 or 02) numbers. This applies to all call minutes, including ones that are part of the customer's inclusive minutes;
  - revenue sharing is not permitted, so callers can know in advance that they are paying only for the call, not for contributions to the organisation being called; and
  - Ofcom has made available a dedicated part of the 03 number range for the exclusive use of public bodies and other not-for-profit organisations, to make it easier for them to offer 03 services using memorable numbers.
- 1.14 Ofcom hopes that the first 03 services will be launched within the next month or two. CPs are currently involved in technical preparations to offer 03 services, as well as discussions with other CPs and SPs about charges and other arrangements for offering 03 services.
- 1.15 For 070 PNs Ofcom has provided a degree of protection to consumers calling those numbers. If a call to a 070 number costs more than 20p (per minute or per call), customers will get a free-to-caller pre-call announcement about the charge involved. Such pre-announcements should be provided from 1 September 2007. Whilst the exact wording of the pre-call announcement may differ between CPs, we would expect all customers to be better protected by this measure.

### Service providers

- 1.16 For SPs, we anticipate that 03 numbers will involve similar services to 08 numbers, such as managing call volumes in a flexible way and collecting useful call data. We expect 03 numbers to be attractive to a variety of SPs, including public services. Since mid-March 2007 Ofcom already has allocated about nine million 03 numbers to about 60 CPs, many of which are the more memorable numbers. A variety of numbers is now available. We recommend that SPs who are interested in acquiring a 03 number should contact their CPs about the available numbers and the commercial issues involved.
- 1.17 SPs using 070 numbers are advised to note the changes being introduced and to consider their possible impact on the interconnection arrangements for 070 numbers.

### Communications providers

- 1.18 The GC 17 amendment means that all OCPs who have retail relationships with consumers have the following obligations deriving from the Plan amendments made in the February document, and the GC 17 amendment that takes effect today:

- For 03 calls, retail pricing must match that for calls to 01 and 02 numbers, with immediate effect. This includes a requirement to treat calls to 03 numbers like calls to standard 01 and 02 numbers in respect of their inclusion in bundled minutes and whether they qualify for discount packages; and
  - From 1 September 2007, for any calls to 070 numbers exceeding 20p (per minute or per call) OCPs must ensure that customers receive a pre-call announcement informing them of the price they might pay for the call.
- 1.19 OCPs that have a retail relationship with customers are responsible for ensuring that free-to-caller pre-call announcements are provided for 070 calls where appropriate. Resellers need to arrange for this commercially with the network OCP originating their calls. Ofcom has set out various acceptable forms for the content of a generic message that might be provided by a network OCP to cover 070 calls by customers from various resellers on its network<sup>3</sup>.
- 1.20 OCPs should note that Ofcom has stated that it will consider using its powers to place an obligation on all public electronic communications networks ('PECNs') if end-to-end-connectivity is not provided to customers (thereby enabling customers to call all number ranges)<sup>4</sup>. Also, whilst costs may be incurred by some OCPs to implement pre-call announcements, we expect those costs to be recoverable.

### Other progress on numbering

- 1.21 As described, the measures in this document are part of a long-term plan for telephone numbers. Several other strands of work are involved in implementing that plan. These include a review of the detailed service and tariff descriptions for each type of number (including 08 and 09 numbers), for which we expect to consult later in 2007 on detailed proposals.
- 1.22 Ofcom is making no changes to the geographic telephone numbers traditionally used by most households and businesses. We do not think that this is needed, mainly because of changes we have made to how we manage the allocation and use of telephone numbers, so that they can be used more efficiently by the growing number of CPs that want these numbers. Ofcom will also continue to monitor the availability of geographic numbers and take appropriate steps to minimise disruption to consumers and businesses.

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<sup>3</sup> See Paragraphs 3.23-3.29 of this document

<sup>4</sup> See [http://www.ofcom.org.uk/consult/condocs/end\\_to\\_end/statement/statement.pdf](http://www.ofcom.org.uk/consult/condocs/end_to_end/statement/statement.pdf), paragraphs 3.25 and 4.3

## Section 2

# Introduction

### The purpose and structure of this document

- 2.1 Telephone numbers are a critical national resource, for consumers, businesses and the delivery of key public services. Ofcom has the responsibility for deciding how this resource should be used, in a way that maximises benefits to citizens and consumers. In the past, the rapid growth in communications services has sometimes caused disruptive changes to how numbers are managed, and Ofcom wanted to avoid this in the future. So in 2006 we consulted on a strategic framework for future decisions on telephone numbering policy, and made specific proposals to address current concerns about the availability of, and trust in, different types of telephone number.
- 2.2 This document is part of the process to implement some key elements of that strategic framework. Its function is to finalise a decision on a proposal on which we consulted in the February document. That proposal was to change GC 17 - a sector-specific rule applying to all relevant CPs – for calls to the new ‘UK-wide’ 03 numbers and to 070 PNs. The proposal was to require OCPs (who have retail contracts with customers) to have direct responsibility for ensuring that calls to 03 and 070 numbers comply with the Plan, including requirements on the prices charged for such calls.
- 2.3 The rest of this document is structured as follows:
- i) Section 3 explains Ofcom’s decision on amending GC 17. On this and other more general issues, Ofcom responds to points raised in consultation responses;
  - ii) Section 4 summarises the practical steps required to implement our decision, and gives a broader update on work from Ofcom’s strategic review of numbering;
  - iii) Annex 1 summarises the Impact Assessment for Ofcom’s decision;
  - iv) Annex 2 sets out the legal basis for the amendment Ofcom is making to GC 17;
  - v) Annex 3 contains the notification of the amendment to GC 17;
  - vi) Annex 4 lists the non-confidential respondents to the February document; and
  - vii) Annex 5 is a glossary of technical terms.

### The consultation process

- 2.4 There were 18 responses to the February document. They are published in full on our website, unless respondents expressed a preference to keep their comments confidential. Details of responses are provided in Annex 4, and you can view responses at <http://www.ofcom.org.uk/consult/condocs/numbering03/responses/>.
- 2.5 The points made in the responses are summarised and considered in detail in Section 3.



## Section 3

# Responses and decisions

## The consultation proposal

- 3.1 In the February document Ofcom considered the current obligations on those adopting and using telephone numbers in the light of its strategic aim to raise confidence in the Plan. We wanted to ensure that callers could have confidence that the pricing designations in the Plan would apply, irrespective of the OCP they were using to call 03 or 070 numbers, and we wanted to ensure that Ofcom's powers were sufficient to underpin that confidence. The context for this thinking was that, with 03 and 070, we were beginning to introduce Plan designations that would apply to calls made by customers of all OCPs, rather than (for example) calls made by BT's retail customers – thereby increasing transparency for consumers.
- 3.2 To date, terminating communications providers ('TCPs') have been allocated ('adopt') numbers and then they are formally responsible for ensuring that the numbers are used in accordance with the Plan. However, we considered that, going forward, requiring only TCPs to adhere formally to the Plan could make it less likely that the new service definitions for 03 and 070 are followed, which could undermine Ofcom's intentions for these ranges. At the same time, Ofcom could find it harder and impractical to take enforcement action as we would need to act against multiple TCPs as a result of an OCP's decision not to follow the service and tariff descriptions in the Plan. The need to amend GC 17 to increase enforceability for 03 and 070 numbers was, indeed, suggested by some consultation respondents to the July document.
- 3.3 Ofcom therefore proposed in the February document that, to ensure that the Plan requirements for 03 and 070 numbers are effective, a formal obligation should be placed on all OCPs to adhere to the service and tariff descriptions in the Plan for 03 and 070 numbers. We explained that this could be done by amending GC 17, which applies to all relevant CPs, and sought views on that proposal. We used a short consultation period so that our proposal, if confirmed, could be implemented ahead of 03 numbers being used by consumers.

## Analysis of responses to consultation

- 3.4 Responses to Ofcom's proposals came from a range of different stakeholders. Most of the responses did not comment directly on the consultation question that Ofcom had asked – about the amendment to GC 17 and its detailed wording - but on broader issues concerning decisions already taken by Ofcom. In the paragraphs below Ofcom describes and responds to the main issues raised by respondents.

## Citizen-consumer interests and policy objectives

- 3.5 The proposed GC 17 amendment shared the same interests and policy objectives of the policy decisions whose implementation it was intended to support. For 03, as set out in the July document, there is a need to strengthen consumer confidence in calling non-geographic numbers. We also set out our view that callers' confidence in these numbers would worsen if Ofcom were to meet the rising demand for these numbers through its existing approach. Our objective is therefore to make sufficient numbers available for these services in a way that gives consumers the confidence to make these calls, by providing clear and enduring meanings for the different

number ranges used to deliver these services. The timeframe for the vast majority of SPs to have adjusted to the new numbering structure, according to their particular customers' expectations, is three to five years.

- 3.6 For 070, the aim of Ofcom's policy is to introduce consumer protection measures to counter the high level of scams on PNs. Many of these scams occur due to the lack of tariff transparency on PNs. For example, many consumers make calls mistaking 070 numbers for mobile numbers. Ofcom's aim for the measures it is introducing is to ensure that consumers are protected through greater transparency of call charges that exceed a certain level.

### **Comments on the amendment of GC 17 in relation to 03 and 070 numbers**

- 3.7 The Scottish Executive welcomed Ofcom's proposal to amend GC 17 as it believed that the Plan designation on 070 should apply to all CPs, to give consumers equitable treatment when making such calls. One individual also welcomed Ofcom's plans to look at OCP obligations for other number ranges.
- 3.8 However, some other respondents had concerns. The Telecommunications UK Fraud Forum ('TUFF') and one confidential respondent considered the amendment as unnecessary and disproportionate, as they believed that current GC 17.5 and the new Plan requirements for 070 and 03 are sufficient and consistent with how the Plan is currently applied. Flextel considered the GC 17 change as another piecemeal & intrusive Ofcom measure, and questioned why the change was only being made for 03 and 070 numbers rather than consistently for all numbers. Vodafone commented that the GC 17 change does not solve the problem identified by Ofcom, and re-stated its disagreement with our policy analysis.
- 3.9 Some detailed changes were suggested to the GC 17 amendment, were it to be made. One confidential respondent proposed what it considered to be a clearer alternative wording. Also, Orange suggested that the change to GC 17 be inserted at GC 17.12, not 17.13, for consistency with the format of other conditions.
- 3.10 Ofcom's response on these comments is as follows. On the need for the GC 17 amendment, Ofcom remains unconvinced that existing General Conditions and the Plan will provide a robust enough framework for effective enforcement of all the detailed requirements of the Plan, including the tariff requirements relevant to OCPs. In its NTS Review, Ofcom has taken the same view that current provisions are an insufficient method of implementing the policy decisions taken<sup>5</sup>. Ofcom believes that it should maximise the potential to enforce the policy decisions that it has taken on 03 and 070. Ofcom has already responded to points on these policy decisions raised by Vodafone and Flextel in previous consultation responses.
- 3.11 On the question of why the current GC 17 amendment only covers 03 and 070 calls, this is because Ofcom has only so far confirmed new Plan requirements for those two number types. Ofcom believed that there was a need to provide for effective enforcement of those new requirements, so that they were credible from the outset. Ofcom was, however, already planning to consider the case for a more generalised GC 17 amendment as part of its review of the General Conditions, in the context of possible changes in the Plan regarding other numbers such as 08 and 09 numbers.

<sup>5</sup> See [http://www.ofcom.org.uk/consult/condocs/nts\\_forward/nts\\_way\\_forward.pdf](http://www.ofcom.org.uk/consult/condocs/nts_forward/nts_way_forward.pdf)

- 3.12 Ofcom's conclusion is that GC 17 should be amended, so that all CPs, including OCPs, are required to follow the provisions of the Plan in respect of 03 and 070 numbers. The amendment to GC 17 takes effect today.
- 3.13 On the wording and placement of the amendment, Ofcom has decided in response to the consultation comments to change the placement of the amendment within GC 17, in that the amending text shall be inserted as new GC 17.12 (and the existing GC 17.12 renumbered to GC 17.13). Ofcom also has decided to slightly amend the wording of the amendment to clarify its meaning - as shown in Annex 3 – whilst not changing substantively the effect of the amendment.

### **Personal numbers**

- 3.14 The scope of Ofcom's consultation in the February document was solely on the proposed amendment to GC 17, to enforce the Plan designations in respect of 03 and 070 numbers. However, most respondents also commented on issues or decisions on which Ofcom was not consulting, on 070 numbers, 03 numbers and other issues. Whilst Ofcom has not had to address these points in order to complete its decision-making process on the GC 17 amendment, we have repeated arguments made in previous documents or provided clarifications of our position in order to answer the points raised.
- 3.15 The main decision prompting comments was the requirement, imposed with the publication of the revised Plan in February document, to provide free pre-call price announcements on 070 numbers (from 1 September 2007). Whilst Ofcom has already consulted and concluded on its policy in this area, the points made in consultation responses on this issue are addressed here to re-iterate its conclusions in the February document and to clarify the pre-call announcement requirements and how they may be implemented.

### Timing of the obligation

- 3.16 Two OCPs indicated that they may not be able to comply with the 070 obligation by the 1 September 2007 date in the Plan. Ofcom has had further discussions with these CPs and believes that they are taking a constructive approach to implementing the obligation. In relation to compliance it is important to point out that the policy decision to have a pre-call announcement system for 070 calls was published in July 2006.
- 3.17 Some CPs also said that the timeframe to implement the pre-call announcement obligation would not enable CPs to use the flexibility that Ofcom had provided in the Plan in relation to the content of the pre-recorded message. Ofcom accepts that there is only a certain period within which to exploit that flexibility, but our choice of implementation date has had to reflect the need to deliver customer protection on 070 calls in a reasonable timeframe. It may be that OCPs can amend subsequently the content of the initial pre-call announcements.

### Costs, charges and access

- 3.18 Some OCPs have expressed concerns about the costs of implementing the pre-call announcements and how those costs might be recovered. Some believed that OCPs might make losses on 070 calls (due to 070 interconnection and termination costs) and that there is a risk that some OCPs will close access to 070 numbers, either for all calls or for calls above the 20 pence pre-call announcement trigger. Some CPs instead were concerned that 070 prices would have to rise to cover the cost of pre-

call announcements. Thus considered 070 pre-call announcements as unduly discriminatory as not all CPs will have same capacity to provide them.

- 3.19 Ofcom does not consider that OCPs need make losses on 070 calls, as they can implement pre-call announcements and pass on the costs of those, either through retail prices or through interconnection charges (and so to providers of PN services). On the option of adjusting retail prices, the impact on customers and the PN market depends on OCPs' choice of the period of cost recovery and the call types over which costs are recovered. Any price adjustments are, of course, a decision for individual OCPs.
- 3.20 As for the option of passing on costs through interconnection charges, Ofcom notes that there may well be scope for 070 termination charges to fall. Whilst fixed and mobile termination rates have fallen through regulation, many PN termination rates appear to be above what an average termination rate (weighted for traffic volumes) would suggest. It is also relevant that part of the benefit of establishing more confidence to call PNs should accrue to providers of PN services, so it does not seem unreasonable that they pay part of the cost.
- 3.21 Ofcom also does not accept that OCPs need to close access to their customers to 070 calls. Ofcom has in any case stated (in its statement on end-to-end connectivity<sup>6</sup>) that it will consider using its powers to place an obligation on all PECNs if end-to-end-connectivity is not provided to customers (thereby enabling customers to call all number ranges).
- 3.22 On the issue of CPs having different existing capacity to implement 070 pre-call announcements, Ofcom understands the concerns expressed. However, we do not consider such variation to be unduly discriminatory. We accept that there is likely to be some variation in CPs' existing capacity and their use of that capacity. However, by investing now in such capacity, CPs would be incurring costs that other CPs have incurred in the past. It is also possible that many OCPs are now considering the implementation of pre-call announcement systems for 0870, which may allow for some economies of scope by using such systems also for 070 numbers. Ofcom notes also that it set the trigger level for 070 pre-call announcements - which might affect the need for this investment – after consulting on it, in the July document.

### Content of pre-call announcements

- 3.23 About half of the respondents expressed various concerns about the content of pre-call announcement messages. Some CPs were concerned that the suggested wording for the message in the February document - which referred to the retail price of the named wholesale network as a benchmark - gives an opportunity for host networks to promote their competing retail brand. Some respondents were also concerned that the form of the message suggested by Ofcom could be confusing to customers or insufficiently precise to provide useful information.
- 3.24 As stated in the February document, Ofcom's aim is to give callers more protection through greater transparency about PN call costs, within a reasonable timeframe. Ofcom maintains that a generic message giving reasonable information more quickly is the best decision, and that giving a generic message is a big improvement on giving no message at all (as now) as it will raise awareness of PN tariffs. Whilst a generic message may not always give all customers precise information, most

<sup>6</sup> See [http://www.ofcom.org.uk/consult/condocs/end\\_to\\_end/statement/statement.pdf](http://www.ofcom.org.uk/consult/condocs/end_to_end/statement/statement.pdf), paragraphs 3.25 and 4.3

customers should get better information than they do now. As information will generally improve, Ofcom therefore does not agree with Vodafone that the generic pre-call announcement will mute competition. When Ofcom's research shows that only 1 per cent of consumers even know what PNs are, it is unrealistic to expect the provision of basic price indications to have that effect.

- 3.25 The obligation that Ofcom has set in the Plan is that the pre-call announcement 'at least states the maximum charge that could be incurred for a call to a PN by a Customer of the Originating Communications Provider'. Ofcom stated in the February document that this minimum requirement could be met by a message telling callers about the maximum call charge levied by the network OCP to its own customers for such a call. Ofcom does not believe that quoting 070 prices gives a real opportunity to promote the host network. Most consumers do not even know what PNs are, and it seems unlikely that they would switch simply on the basis of knowing more about the highest price that they might pay for an infrequently-used service. However, host networks should be conscious of not using pre-call announcements inappropriately, as a marketing tool.
- 3.26 In response to some points raised in this consultation, Ofcom would like to clarify further the form that the pre-call announcement message could take. There are alternatives to the example message that Ofcom gave in the February document (which is reproduced as the first bullet point below). Whilst any message needs to reflect the minimum Plan obligation by at least giving a reasonable indication of the maximum charge that could be incurred for 070 calls, the other following messages could also meet the requirement. Some of those approaches, or elements from them, might also provide more precise customer information:
- 'Calls to BT customers to numbers beginning with 070 may cost up to [maximum BT retail price]. Prices for other customers may vary'. This was the example message suggested in the February document for a reseller of BT services. This message would not give the customer of some CPs specific price information, but it should support earlier implementation and give a reasonably good benchmark for the price they might pay to call 070 numbers;
  - 'Calls to 070 numbers from this network may cost up to X'. This may require updating of the message due to a price increase by either the host network or a reseller, but it would remove the reference to the name of the host network. The practicability of this depends on the frequency and communication of price changes and the practicality of updating the message. This message may not need updating in real time as long as reasonably frequent updates are made;
  - 'Calls to 070 numbers from this network may range from X to Y. For specific charge information contact customer services'. Quoting a range would mean considering more tariff data before the message is updated. However this would provide more information to consumers, so providing periodic updates may be a more acceptable trade-off when considering the total value of the message to callers;
  - 'This is not a mobile number. Calling 070 numbers may cost up to X or more, depending on your service provider'. The 'X' in this case is the maximum price of the host network. This option is less precise, but also gives a decent benchmark for the price paid and removes the need for the host network to keep track of all reseller tariffs;

- ‘The price of this call is X’. Ofcom considers this to meet the obligation in the Plan as it does more than providing the minimum level of information required. However, Ofcom expects that most messages are unlikely to be so specific.
- 3.27 One response suggested a message that refers to the maximum call price ‘from typical service providers’. Ofcom does not favour this approach, as the cost of 070 calls from fixed and mobile lines can vary significantly, and due to the practicality of securing agreement on what represents a typical SP.
- 3.28 Above all, OCPs need to ensure that the messages provided - whether specific to individual resellers or more generic - comply with the minimum requirements for information, in accordance with the Plan designation. Ofcom recommends that, in developing the wording of the messages that will be provided, host networks show sensitivity to the views expressed in consultation responses about the form of the message, from both the consumer information and competition perspectives. Ofcom would also expect resellers to ask their host network to apply a message that provides a reasonable level of price information to their customers in appropriate circumstances.
- 3.29 Ofcom considers that the flexibility in the form of the message should respond to an issue raised by Vodafone that quoting only the highest price will deter calls. In relation to the concern that the quoting of a maximum price will encourage pricing up to the level of the pre-call announcement, it is not clear to Ofcom why OCPs would have an incentive to raise prices once pre-call announcements are provided.

#### Other issues

- 3.30 A number of CPs believed an OCP obligation to have pre-call announcements to be unreasonable. This issue is addressed in paragraphs 3.1 to 3.13, in considering the broader application of GC 17; Ofcom considers OCP obligations to be necessary so that the Plan requirements are followed appropriately. Scottish & Southern Energy made a related point that pre-call announcement requirements on 070 should be placed on wholesalers, not resellers, as they have the means to implement such pre-call announcements. Ofcom responded to this point in the February document, when we confirmed that the obligation should rest with OCPs who set the retail charges. Those OCPs should be responsible for telling their customers if the retail prices that they choose are above the trigger level, even if that message is provided technically by a wholesale CP.
- 3.31 Vodafone contends that the ability to give price indications that refer to other OCPs should apply to 03 numbers if it is accepted for 070 ones. Ofcom does not accept that argument, as the generic nature of the 070 pre-call announcements is a pragmatic approach to allow rapid action to address a particular problem with 070 numbers, rather than being a preferred generic long-term solution.
- 3.32 One CP has contacted Ofcom to suggest that fax communications will not work in combination with pre-announcements as the duration of the pre-announcement interferes with the ‘handshaking’ period during set-up of the fax call. Ofcom’s view is that this issue does not change its decision to apply pre-call announcements on 070 calls that cost over 20p, but we will be in touch further with this CP and potentially other stakeholders to consider the points that were raised.
- 3.33 Some of the opposition to Ofcom’s policy decisions was of a more general nature. Some respondents considered the main problem with 070 numbers to be widespread abuse and defective Ofcom enforcement. TUFF proposed that ICSTIS regulate 070

numbers. Thus requested that the changes be delayed, and one CP considered that other measures (e.g., published price guides) are sufficient. Ofcom has consulted already on these issues and, having carefully considered the responses, published conclusions in the February document. We consider that the pre-call announcement approach will enhance customer protection and should be combined with continued investigation of abuses, on which 070 numbers have involved significant Ofcom resources. On Thus' point, Ofcom also sees no need to delay changes that it believes will promote consumers' interests, and on which its policy decision was set in July 2006.

- 3.34 A number of positive comments were received about Ofcom's decisions on 070 numbers. The Scottish Executive welcomed them, believing they will increase consumer trust and confidence in those numbers. It also agreed with Ofcom that PNs' presence on the 07 range leads to confusion. One individual also expressed support for the 20p trigger level for the 070 pre-call announcements.
- 3.35 A few points were raised about using 06 for PNs. Thus disagreed with PNs moving to 06, whilst the Scottish Executive asked when allocation of 06 numbers would begin. Ofcom set out in the February document that it would review demand for PNs at the end of 2007 and, if demand was evident, it would open the 06 range for those numbers. Ofcom has not set out a more detailed timetable to open 06, pending that review.
- 3.36 Some general points were made about the desirability of pre-call announcements. An individual suggested that if they succeed for 070 then Ofcom should consider them for other numbers. One CP also was concerned that 070 pre-call announcements were a precedent for other call types, on which they could be more costly. Some concerns were expressed that pre-call announcements are not a good consumer experience and that they could annoy callers. Ofcom concluded on these issues in the July document. Our view was that pre-call announcements may be useful for some types of numbers but that other numbers may not need them to ensure an appropriate level of consumer awareness and protection. Ofcom expects to consider the case for pre-call announcements for other call types (notably 08 and 09 numbers) as part of its review of GC 17 and the Plan later in 2007.

### **Implementation of 03 numbers**

- 3.37 As with PNs, respondents to the February document made a number of points that did not relate to the issue on which Ofcom consulted. Again, whilst Ofcom has not had to address these points in order to complete its decision-making process on the GC 17 amendment, we have repeated arguments made in previous documents or provided clarifications of our position in order to answer the points raised, to assist those working on the introduction of 03 services.

### **Prices, costs and access**

- 3.38 Some respondents expressed general support for Ofcom's decisions. The Scottish Executive welcomed Ofcom's policy decisions on 03 numbers, believing it would increase consumer trust and confidence in those ranges. The Contact Council welcomed the lack of revenue sharing and the link to geographic tariffs. One individual welcomed the identity with geographic rates as the unique feature of 03 numbers and said that all OCPs must follow this requirement.
- 3.39 Some CPs re-stated concerns about Ofcom's powers to set a 03 designation that refers to the pricing of 03 calls. Ofcom believes that its decisions are within its



powers; our reasons are set out in the February document. More specifically, Vodafone believes that there is discrimination against mobile CPs as inclusive minutes are more prevalent and important for mobile services. Ofcom takes a rather different view. The extent of use of inclusive minutes in consumer packages is a commercial decision taken by OCPs, who compete on a range of consumer services and benefits. It is not clear to Ofcom why the inclusion of 03 in bundles would make mobile CPs or any other type of CP less competitive overall. Indeed, variations between OCPs and over time in use of inclusive minutes could be argued to be part of the case to give 03 a firm identity by linking tariffs to 01 and 02 numbers.

- 3.40 A number of CPs expressed concerns about 03 termination rates not yet being known, and raised the prospect of delays due to a dispute over those rates. Some were concerned about BT launching 03 services before termination rates are agreed, and suggested that the launch of 03 be delayed. Some were concerned about the prospect of OCP losses on 03 calls. Ofcom believes that it is important to proceed with the launch of 03 services. It is for CPs to negotiate terms, between themselves and with SPs that are considering adopting 03 numbers. Ofcom will deal with any disputes that arise, but will not limit the consumer benefits from the introduction of 03 by delaying overall implementation. Ofcom does not see why OCPs should make losses due to the interconnection prices agreed for 03 calls. The use of 03 numbers is one choice of several for SPs, and Ofcom would expect the benefits to SPs of using 03 services to be reflected in what they are willing to pay for them. Ofcom also anticipates more traffic to 03 numbers than 08 numbers used for the same purpose - based on its research on consumer hesitancy to call different types of number<sup>7</sup> - which should mean more interconnection revenue and a different basis for negotiation than with 08 numbers.
- 3.41 The Contact Council was concerned that TCPs could charge public and voluntary SPs a management fee for the 03 service, as this would be paid out of taxpayers' money. It is true that any charges to SPs are a matter for commercial negotiation with TCPs. What Ofcom has done in creating the 03 range is to provide organisations with another choice of numbers on which services can be delivered, in response to the significant concerns identified with 08 numbers. According to our consumer research, the 03 option as we have defined it should give consumers confidence to call due to the retail charge arrangements and lack of revenue sharing. However, as 03 numbers differ from 08 numbers, interconnection rates and management fees may also differ.
- 3.42 Flextel suggested that Ofcom should consider whether all stakeholders will open 03 number ranges for their customers to call 03 numbers. The Contact Council also raised concern about OCPs opening access. Ofcom does not know of any OCP in the UK that does not intend to open access for their customers to call 03 numbers, whereas we are aware already of some CPs that now explicitly include 03 in customer offerings (even before their launch). Ofcom has also stated in its end-to-end connectivity statement that it will consider using its powers to place an obligation on all PECNs if end-to-end-connectivity is not provided to customers (thereby enabling customers to call all number ranges)<sup>8</sup>.
- 3.43 On access from abroad specifically, Ofcom cannot compel foreign OCPs to let their customers call 03 but the lack of revenue sharing on 03 should make them much

<sup>7</sup> See <http://www.ofcom.org.uk/consult/condocs/numberingreview/research/>

<sup>8</sup> See [http://www.ofcom.org.uk/consult/condocs/end\\_to\\_end/statement/statement.pdf](http://www.ofcom.org.uk/consult/condocs/end_to_end/statement/statement.pdf), paragraphs 3.25 and 4.3



more willing to do so relative to 08 numbers, so we expect such access to rise in the medium term.

- 3.44 One CP expressed concern at what they considered to be Ofcom encouragement to CPs to promote 03 and to SPs to talk to CPs about 03 prices. Ofcom's suggestion was made simply as there might be benefits, such as for interconnection negotiation, if CPs and SPs discussed as soon as possible the terms and functionality potentially required and available on 03.

### The nature and identity of the 03 service

- 3.45 Some comments were made on the nature of the 03 service. The Contact Council expressed concerns about TCPs not offering a minimum set of services. As with charges, this is an issue for TCPs and SPs (including public bodies) to discuss and negotiate. Competing TCPs should tend to deliver the services that SPs want. Even were it possible to dictate a minimum set of services, doing so would tend to diminish TCP competition, with potential implications for the cost of the service. Thus also commented on suggested changes to the Plan, including the revenue-sharing prohibition. Ofcom has however already consulted on the Plan in the July document and does not intend to amend it. This also applies to Thus' comments on the 03 application form, which has already been used effectively.
- 3.46 Some concerns were expressed about potential confusion about the identity of 03. One CP considered that the distinction between 030 and 03 numbers would not be well understood. The Contact Council considered that, more generally, the cost of 03 calls to public services would be confusing as charges vary widely from different OCPs; a 'not more than' cost was proposed for all calls, which should not exceed local rate. An individual stated that 03 should be charged at local rate if that is below the national rate, to avoid misperceptions of charges. The same respondent argued that 'geographical rate' or 'local rate' is better than 'UK-wide' at explaining charges.
- 3.47 Ofcom has conducted much consumer research, which strongly supports our chosen model for 03 numbers. In essence, this research shows that consumers do not make fine distinctions between the prices of different numbers, and that they feel much more confident to call geographic than 08 numbers (except for 0800)<sup>9</sup>. We therefore concluded that establishing broad differences between 03 and 08 numbers, and having 03 prices that relate to a single level of geographic prices, is a better structure for consumers. Ofcom cannot set identical maximum retail prices for calls from all OCPs, whether or not based on local rates. First, OCPs' costs vary. Second, many (probably most) 03 calls will be to national not local destinations, so it seems inappropriate to use local rates as the basis for 03 calls.
- 3.48 On distinguishing 030 from other 03 numbers, Ofcom does not in fact intend that such distinctions should be stressed, as Ofcom wants to promote overall confidence in 03 as a brand rather than replicate the problems with distinguishing meanings within the 08 range. Ofcom's reasoning in creating the separate 030 sub-range of numbers was to provide a dedicated quantity of high-quality numbers on which public and not-for-profit bodies could provide services, and to make sufficient numbers available to allow a coherent number structure for public bodies. Ofcom's focus for 030 numbers was therefore on effective number allocation rather than giving 030 numbers a distinct identity that might dilute the overall message about trusting 03 numbers. Ofcom agrees that consumers need to understand 03 charges, and has

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<sup>9</sup> See <http://www.ofcom.org.uk/consult/condocs/numberingreview/research/marketresearch.pdf> and <http://www.ofcom.org.uk/consult/condocs/numberingreview/statement/futuresight/>

been considering how to promote that understanding. The term 'UK-wide' specifically emerged from consumer research so is a reasonable one to use.

### The use and allocation of 03 numbers

- 3.49 One CP and the Contact Council requested guidance on when 03 numbers can become operational and SPs can start to use them. There is no set 'start date'. Rather, with about nine million 03 numbers now issued, that is for individual SPs to decide according to their arrangements with their TCP.
- 3.50 Ofcom has received indications of possible use of 03 numbers for Voice over Internet Protocol ('VoIP') services and for SMS. Ofcom can confirm that there is no limitation on the use of 03 numbers that would prohibit their use for these services (as long as the Plan designations, including those requiring 030 numbers only to be used by public services and not-for-profit bodies, are adhered to). Some SMS are terminated now on geographic numbers, and the same could apply to 03 numbers. For VoIP, a block of 03 numbers could be distributed across the UK to provide services, thereby avoiding the need for the allocation of multiple geographic number blocks to provide services in different code areas.
- 3.51 The Contact Council raised some concerns about the numbers available for use by public and voluntary services, and the allocation process for those numbers. It was stated that the intention for departments to occupy sub-ranges was not attainable due to the way in which 03 numbers had been allocated, in blocks of 10,000 numbers and on a first-come, first-served basis. It was requested that number blocks are allocated to government against which CPs could 'bid'. The Contact Council also asked about the ability of public sector organisations to use '037' numbers, and has suggested that organisations falling under the Utilities Directive should not get 030 numbers.
- 3.52 Ofcom acknowledges that issuing 03 numbers directly to TCPs (as usual) did not allow full discretion for public bodies over the structure of the numbers they might wish to use. There are a number of reasons why Ofcom followed this process. First, Ofcom allocated the first, attractive '030' numbers on a competitive basis so as not to discriminate between CPs<sup>10</sup>. Also, Ofcom has to date never issued numbers to anyone other than TCPs. Certain legal duties fall to those to whom numbers are allocated, and before any allocations to non-CPs were made we would need to give careful consideration, including public consultation, to how this would work in detail. Ofcom also had understood that a much smaller allocation of numbers to public bodies was being considered than suggested by the Contact Council. However, Ofcom has discussed suitable options to meet the needs of public bodies, and a further 030 number block has been allocated to a CP for this purpose. The numbers allocated should enable the introduction of key externally-facing 03 numbers without undue delay.
- 3.53 On the use of specific types of 03 numbers, that is a decision for each SP. The '030' sub-range is restricted to eligible bodies, and SPs may want to adopt a 030 number due to that association with public services. It was never Ofcom's intention that 030 eligibility should cover bodies falling under the Utilities Directive, and we are amending the 030 eligibility list to confirm this. However, 037 (and 034) numbers are another choice that is available for public bodies wanting to transfer from 084 and 087 'equivalent' numbers. Public bodies may indeed wish to combine the two

<sup>10</sup> See <http://www.ofcom.org.uk/consult/condocs/numbering03/03allocation/> for the 03 allocation process

approaches by using '030' numbers for front office, key contact numbers – within a broad and transparent structure for public services - whilst also adopting other 03 numbers (such as 034/037 ones) to enhance customers' experience when calling other numbers such as the direct (DDI) lines of known individuals.

### Use of 03 by local SPs

- 3.54 The Contact Council suggested that the 03 range will have limited appeal to users of local tariff numbers, such as Local Government, as linking 03 to national tariffs will mean a more expensive service for consumers and local public SPs. Calls to local government were said to be over 50 per cent of all calls to public services.
- 3.55 Ofcom notes that not all local SPs using 01 or 02 numbers might want to migrate to non-geographic numbers. However, for those using (or considering using) 08 numbers there are reasons why the overall benefits to consumers could be greater by using 03 rather than 08 numbers. First, 03 numbers will be part of inclusive minutes packages (unlike numbers such as those beginning 0844), from mobiles as well as fixed lines. Inclusive (even unlimited) minutes are increasingly common, making headline differences in local and national rates correspondingly less important. Second, average local and national retail rates anyhow have converged to a large degree. Third, 03 numbers will be included in special tariff packages such as those for light users (BT has about a million customers on such a scheme) and for callers to regular numbers. Also, 03 numbers will be priced as geographic numbers when calling from payphones.
- 3.56 Finally, and perhaps most importantly, service delivery should be improved as Ofcom's consumer research<sup>11</sup> suggests that customers will be far more willing to call 03 numbers than they are to call 08 numbers. That research shows that consumers are about three times more willing to call geographic numbers (which 03 will resemble in consumers' eyes) than 0844 numbers; that only 15 per cent of them recognise the 0844 prefix; and that they appreciate broad distinctions between prefixes (e.g., 03 vs. 08) but do not understand detailed differences (e.g., 0844 vs. 0871). Improved service delivery by phone may contribute to reduced costs on delivering services.
- 3.57 In summary, from both the customer and service marketing perspectives, the 03 range therefore may be a sound choice for locally-based as well as nationally-based SPs. Whilst some individual calls to 03 calls may cost more to consumers than 08 calls, the indications are that such costs should be outweighed by the benefits from the overall pricing features and transparency offered by 03 calls.

### Use of 0844 relative to 03

- 3.58 The Contact Council suggested that 0844 numbers could be a credible alternative to 030, given the concerns on 03 management fees. Ofcom sets out in paragraph 3.56 its research findings on 0844 numbers, suggesting that many customers seem to be reluctant to call 0844 numbers. Ofcom expects to review 08 number descriptions in due course in a review of GC 17 and the Plan, which will consider such consumer attitudes. In that review we will consider establishing pricing descriptions that cover calls from all OCPs.

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<sup>11</sup> See <http://www.ofcom.org.uk/consult/condocs/numberingreview/research/>

### Migration and other issues with 08 numbers

- 3.59 Some respondents raised points about 08 numbers and migration from them to 03. One individual suggested that companies using 0845 numbers should not be forced to move to 03 numbers, that 0845 should be charged at geographic prices by February 2008, and that no more 0845 or 0870 numbers should be issued, so that all services move to 03 in time. The same respondent also wanted the ICSTIS regime to apply to 0844 numbers. Another respondent wanted mandatory migration from 0845/0870 to 03.
- 3.60 Ofcom stresses that there is no obligation on SPs to move to 03; it is a choice for those SPs. On the issue of allocating more 0845 and 0870 numbers, Ofcom set out in the July document its plan to use only 03 for non-revenue-sharing numbers once 0845 and 0870 numbers are exhausted, but we consider it inappropriate to stop issuing 0845 and 0870 numbers as it will take time for the 03 number range to become commonly known and used. Policy on 0844 and 0845 numbers has been covered separately in the NTS statement in April 2006, in which Ofcom's decisions were: to review the 0845 approach by Spring 2008, and not to bring 0844 numbers within ICSTIS' remit.
- 3.61 One CP expressed concerns over the timing of 03 allocations and the practicalities of migration from 084/087 numbers to 03 equivalents, suggesting that no CP other than original range holders should be allocated numbers until portability arrangements are clear. On the timing of allocations, Ofcom believes that it made the right decision to maintain momentum by proceeding with 03 number allocation before commercial terms were known. On portability within 034 and 037 number blocks, Ofcom does not wish to delay the provision of services to SPs, so is not ruling out any arrangement for obtaining those 034/037 numbers before or after any portability arrangements are agreed. Ofcom's intentions in making available these numbers were very clear: to provide an easy migration path for SPs. Having made this possible, Ofcom hopes CPs will act pragmatically in dealing with each other, for the benefit of SPs and their customers.
- 3.62 One CP has sought clarification on whether the 084/087 numbers from which SPs migrate to 034/037 numbers then have to be left unused in order to allow a clear migration path to 03 numbers for SPs using the relevant 084/087 numbers in the future. Ofcom's reply is that the requirement to keep open a migration path from 084/087 numbers to equivalent 03 numbers was intended solely to allow those SPs currently using 084/087 numbers the choice of adopting the equivalent 034/037 numbers. The obligation does not constrain how a 084/087 number is used once the first SP migration from that number to its 03 equivalent has taken place.
- 3.63 Some CPs, and the Contact Council, said that 03 uncertainties should delay the changes due to be made to 0870 numbers. One individual suggested monitoring the uptake of 03 before making the 0870 changes. It was, by contrast, also argued that 0870 uncertainties should delay 03 implementation.
- 3.64 Ofcom set a long timetable to deliver 0870 change implementation, up to February 2008, and does not intend to extend that deadline. It was set in April 2006 to give time to prepare for the changes whilst maintaining momentum to resolve 0870 concerns, and so benefit callers. SPs (including public bodies) have the option of staying on 0870 numbers after February 2008 without revenue sharing, and they can seek to renegotiate contracts with their TCPs to reflect any loss of revenue share. The ability of 0870 prices to exceed geographic rates if a pre-call announcement is

given to customers may give room to negotiate on interconnection and management charges.

- 3.65 Ofcom's decision to open 03 is a long-term solution for providing new non-revenue-sharing numbers, and much of its impact will be felt beyond the next few years. The 0870 changes are to address a slightly different set of issues. Also, the introduction of a new number range inevitably faces challenges as different parties become used to it. Therefore, Ofcom considers it is not appropriate to delay the 0870 changes until the initial 03 impact is known. Ofcom also does not agree that 03 implementation should be delayed, as many SPs may wish to adopt 03 even if others currently using revenue sharing on 0870 are unsure about whether to migrate to 03 numbers.

### Other issues raised in responses

- 3.66 A few other points were also raised in responses, on which Ofcom did not consult but on which we now clarify our existing position and refer to relevant previous decisions. On geographic numbers, the Scottish Executive asked if Ofcom had plans to reclaim unused capacity. This is standard practice already and Ofcom has already set out plans to conduct in-depth audits of geographic number usage and reclaim numbers where needed<sup>12</sup>.
- 3.67 On 0800 numbers, the Scottish Executive suggested that there is potential for consumer confusion because calls to 0800 numbers are not mentioned as 'free' calls. It raised the possibility of CPs using the word 'Freephone' when these calls are made. In reply, Ofcom notes that its consumer research shows that the 'Freephone' brand is reasonably well understood, and consumers feel relatively confident to call those numbers. We consider that requiring the word 'Freephone' to be used would not raise overall price awareness for these calls, notably as not all 0800 calls are free, especially when dialled from mobile networks. Ofcom will consider the appropriate terms to describe number ranges as part of its review of GC 17 and the Plan, which will include consideration of designations for 08 numbers in general.
- 3.68 Some responses made familiar comments about 08 numbers. These included one individual's concerns about call queuing, and some CPs' concerns about Ofcom policy on 0870 numbers. Ofcom has already consulted a number of times on issues with 08 numbers and reflected such comments in decisions that have been made, for example to open the 03 range and to simplify the 08 range in future<sup>13</sup>.
- 3.69 Flextel questioned what it saw as Ofcom's lack of enthusiasm for Flextel's 'price labelling' proposal, suggesting that it would remove the need for much micro-regulation and that all steps on 03, 070, 0870 & 0871 should be postponed until their consequences are fully assessed. Ofcom has previously commented on this proposal in the NTS Statement in relation to NTS calls. For 03 calls, Ofcom believes that the general message that 03 calls will be treated like 01 and 02 calls will give consumers the appropriate confidence to make 03 calls, and that Flextel's system seems unlikely to enhance materially that outcome. As for 070 calls, as part of the problem is confusion with mobile numbers it seems unlikely that many consumers would use such a system for a call that they anticipate being a mobile call. Ofcom considers the protection provided by 070 pre-call announcements to deliver a better outcome for consumers.

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<sup>12</sup> See <http://www.ofcom.org.uk/consult/condocs/numberingreview/statement/statement.pdf>, Section 4

<sup>13</sup> Notably, see <http://www.ofcom.org.uk/consult/condocs/numberingreview/statement/> and <sup>13</sup> See <http://www.ofcom.org.uk/consult/condocs/numberingreview/statement/statement.pdf>, Section 4  
[http://www.ofcom.org.uk/consult/condocs/nts\\_forward/statement/](http://www.ofcom.org.uk/consult/condocs/nts_forward/statement/)



- 3.70 Two CPs commented on Ofcom's decision-making processes. Orange expressed concern that the February document did not represent a genuine consultation. T-Mobile stated that Ofcom's numbering review has been disjointed and should have included Ofcom's NTS review. Ofcom takes a different view. Ofcom said in the February document that the consultation on the GC 17 amendment was timed so as to allow the amendment, if confirmed, to apply before 03 numbers could be called by consumers. This allowed for the effective implementation of such an outcome, but it did not prejudice the decision that Ofcom would make. On T-Mobile's point, the scope of the numbering review has been very broad. Reviewing every issue at the same time is not practicable and would have delayed implementation of some decisions. Ofcom did, however, set an overall strategic framework in the earlier numbering review documents to enable consistent subsequent decision-making. Ofcom has also consistently explained in its publications the various strands of work – including the NTS review – that have some link to its numbering review.

### Summary of Ofcom's decision and policy positions

- 3.71 Having considered the representations made in responses Ofcom today amends GC 17 so that all OCPs are directly responsible for adhering to the Plan in respect of 03 and 070 numbers. This requires all CPs that have a retail relationship with consumers to ensure that 03 prices reflect the Plan requirements from now on, and to ensure that, from 1 September 2007, free-to-caller pre-announcements are provided to callers for 070 calls over 20p.
- 3.72 The final amendment differs slightly from that consulted on, in that – in response to comments made in consultation responses – we have slightly changed the exact wording and the placement of the amendment within GC 17. There is, however, no substantive change to the effect of the amendment.
- 3.73 Ofcom plans to consider, as part of its review of GC 17 and the Plan, the case for a GC 17 amendment that would make all OCPs subject to the requirements of the Plan in the same way as for 03 and 070 numbers.
- 3.74 Ofcom did not consult in the February document on the changes to the Plan that were made at that time for 070 numbers. Ofcom had already consulted in the July document on the relevant changes to the Plan for these number ranges. Ofcom therefore is making no changes to the obligation for pre-announcements to be provided from 1 September 2007 for any call to PNs that exceeds 20p (on a per minute or per call basis). Ofcom notes that the policy decision to have a pre-call announcement system for 070 calls was published in July 2006.
- 3.75 Ofcom has, however, provided further clarification of what might constitute acceptable content for a generic 070 pre-call announcement message. Whilst any message needs at least to indicate the maximum charge that could be incurred for 070 calls, alternatives to the example message that Ofcom gave in the February document may be preferred from practicality, consumer or competitive perspectives, as long as those alternatives are compliant with the Plan designation.
- 3.76 Ofcom also did not consult in the February document on the changes to the Plan then in respect of 03 numbers, which had also been consulted on already in the July document. On 03 numbers also, Ofcom therefore is proceeding with implementation and is not making any changes to the obligation as implemented in the Plan through the February document. Ofcom maintains that its chosen definition for 03 calls is supported strongly by consumer evidence and opinion, is relevant for local as well as national SPs, and compares well to 0844 calls as an SP choice. It is for CPs and SPs

to negotiate how the costs of running 03 numbers should be divided. Ofcom acknowledges the potential for disputes in this area but the appropriate approach is for the negotiation process to proceed. Ofcom also is not adding new constraints now on how migration from 08 to 03 numbers can occur.

- 3.77 Finally, Ofcom is not delaying or deferring its plans for either 03 or 0870 calls due to implementation issues with the other of these number ranges. These two ranges involve different issues and Ofcom maintains that the policies are consistent.

## Section 4

# Implementation issues

## Implications for stakeholders of the GC 17 amendment

- 4.1 The effect of the amendment to GC 17 is that all CPs, including CPs originating calls to 03 or 070 numbers, will have direct obligations to comply with the designations in the relevant parts of the Plan. These obligations are detailed in Annexes 2 to 3, with Annex 2 explaining how these decisions meet the relevant legal tests.
- 4.2 Specifically, this means that all OCPs who have retail relationships with consumers have the following obligations deriving from the Plan (as implemented on 13 February 2007) and the new GC 17 (as amended today):
- For 03 calls, retail prices must not exceed those for calls to UK geographic numbers beginning with 01 and 02, with immediate effect. This includes a requirement to treat calls to 03 numbers like calls to standard 01 and 02 numbers in respect of their inclusion in bundled minutes and whether they qualify for discount packages; and
  - For 070 calls, from 1 September 2007 any calls exceeding 20p (per minute or per call) must trigger a free-to-caller pre-call announcement to inform the caller of the price that they might pay for the call.

## The implementation of 070 pre-call announcements

- 4.3 On the 070 requirement, OCPs should note in particular that:
- OCPs with the retail relationship to customers are responsible for ensuring that free-to-caller pre-call announcements are provided where appropriate. Resellers need to arrange commercially for this with the network OCP originating their calls;
  - Ofcom has set out various acceptable forms for the content of a generic message that might be provided by a network OCP to cover 070 calls by customers from various resellers on its network (see Section 3); and
  - Ofcom has stated in its end-to-end connectivity statement that it will consider using its powers to place an obligation on all PECNs if end-to-end-connectivity is not provided to customers (thereby enabling customers to call all number ranges)<sup>14</sup>. We expect the costs of 070 call pre-announcements to be recoverable.
- 4.4 TCPs and SPs involved in the use of 070 numbers are advised to note the changes being introduced and to consider their possible impact on the interconnection and charging arrangements for 070 numbers.

## The implementation of 03 - update and requirements

- 4.5 Ofcom has so far allocated about nine million 03 numbers to about 60 CPs and databuild is currently being performed by CPs. In the course of the allocation

<sup>14</sup> See [http://www.ofcom.org.uk/consult/condocs/end\\_to\\_end/statement/statement.pdf](http://www.ofcom.org.uk/consult/condocs/end_to_end/statement/statement.pdf), paragraphs 3.25 and 4.3



process, some major SPs were indicated to Ofcom as interested in adopting 03 numbers. The numbers currently available are those beginning with:

- 0300, 0303 and 0306: for public and not-for-profit bodies only;
  - 0330, and 0333: for any organisation; and
  - 034 and 037: for those SPs currently using 084 or 087 numbers who wish to transfer to equivalent 03 numbers, just changing the '8' digit to a '3' digit.
- 4.6 Commercial discussions on 03 are now progressing, with BT having made an offer on 30 April 2007 of what it would pay TCPs for 03 termination services. There are no indications yet of the final outcome of these discussions.
- 4.7 Ofcom currently is developing an integrated communications plan to raise awareness about the introduction of the 03 range and the qualities of 03 numbers. This plan encompasses steps to raise the awareness both of potential callers to 03 numbers and potential adopters of the numbers. Ofcom already has discussed some ideas with CPs, and we will continue to do so, in order that action taken by Ofcom complements the messages that CPs will want to give their customers to inform them about the new numbers and consequent changes to their call packages.
- 4.8 Various practical steps also need to be taken by different parties to implement 03 numbers. Notable steps at this stage are that:
- SPs and other end users may wish to discuss with CPs their demands for specific 03 numbers and the potential commercial arrangements involved;
  - CPs should, when distributing 030 numbers to their customers, take account of Ofcom's eligibility guidance for 030 numbers<sup>15</sup>; and
  - CPs need to retain a migration path for 084 and 087 numbers on the equivalent 034 and 037 ranges, so that each 034/037 number is only made available to the SP that is currently using the equivalent 084/087 number.

### Other work from Ofcom's strategic numbering review

- 4.9 The policy decisions described above form part of the implementation work arising from Ofcom's broad review of numbering strategy. Detailed background on these changes was set out in the July document. We have already made available more 07 numbers for mobile services<sup>16</sup> as proposed last year. Other strands of related work are taking place or planned, including:
- **Minimising the (localised) need for more geographic numbers.** Ofcom monitors geographic number availability in detail on an ongoing basis, to target areas that need particular attention to avoid the need for number changes or for additional 'overlay' codes. Indeed, Ofcom recently confirmed the application of enhanced number conservation measures to 91 more geographic areas<sup>17</sup>;
  - **Reviewing the Numbering General Condition (i.e., GC 17) and the Plan** more broadly. This work will include a review of the service and tariff descriptions in the

<sup>15</sup> See <http://www.ofcom.org.uk/consult/condocs/numbering03/030guidance/>

<sup>16</sup> See <http://www.ofcom.org.uk/consult/condocs/numberingreview/statement/mobilenumbers/>

<sup>17</sup> See <http://www.ofcom.org.uk/consult/condocs/numresource/statement/statement.pdf>

Plan and will build on the general approach already begun with the decisions taken on 03 and 070;

- **Reviewing the use of personal numbers.** At the end of 2007 Ofcom plans to start to review demand for both PNs and 'individual numbers' (i.e., ones allocated directly by Ofcom to end users) with a view to opening up the 06 number range for those services if demand confirms that as the right approach; and
- **Reviewing the case for charging for telephone numbers.** Ofcom does not plan to introduce charging in the near future, but – in line with the approach in the July document – Ofcom continues to believe that there may be a role for charging in the future to promote efficient use of numbers.

4.10 Ofcom acknowledges that some comments were made on a number of the above issues in response to the July document and February document, including on the potential service descriptions for 08 numbers and on applying similar measures to the 03 and 070 approaches on other number ranges. Stakeholders will have opportunities to comment on these issues as specific proposals are put forward.

## Annex 1

# Impact assessment

## Introduction

- A1.1 The analysis presented in this Annex represents an impact assessment as defined in section 7 of the Communications Act 2003 ('the Act').
- A1.2 Impact assessments provide a valuable way of assessing different options for regulation and showing why the preferred option was chosen. They form part of best practice policy-making. This is reflected in section 7 of the Act, which means that generally we have to carry out impact assessments where our proposals would be likely to have a significant effect on businesses or the general public, or when there is a major change in Ofcom's activities. However, as a matter of policy Ofcom is committed to carrying out and publishing impact assessments in relation to the great majority of our policy decisions. For further information about our approach to impact assessments, see the guidelines, Better policy-making: Ofcom's approach to impact assessment, which are on our website:  
[http://www.ofcom.org.uk/consult/policy\\_making/guidelines.pdf](http://www.ofcom.org.uk/consult/policy_making/guidelines.pdf)

## Impact assessment for amending General Condition 17 in respect of 03 and 070 numbers (see Section 3 for more details)

### Citizen-consumer interests and policy objectives

- A1.3 The GC 17 amendment that we proposed reflected the same interests and policy objectives of the policy decisions whose implementation it would support. For 03, as set out in the July document, there is a need to strengthen consumer confidence in calling non-geographic numbers. We also set out our view that callers' confidence in these numbers could be reduced were Ofcom to meet the rising demand for these numbers through its existing approach. Therefore we decided to make sufficient numbers available for these services in a way that will give consumers the confidence to make these calls, by providing clear and enduring meanings for the different number ranges used to deliver these services. The GC 17 amendment was proposed in respect of 03 numbers in order to provide a better guarantee that this rise in consumer confidence is realised, by ensuring that all OCPs follow the Plan designations for 03 numbers.
- A1.4 For 070, the aim of Ofcom's policy is to introduce consumer protection measures to counter the level of scams on PNs. Many of these scams occur due to the lack of tariff transparency on PNs. For example, many consumers make calls mistaking 070 numbers for mobile numbers. Ofcom's aim for the measures it is introducing is to ensure that consumers are protected through greater transparency of call charges that exceed a certain level. Ofcom considered that effective protection could be provided to customers of all OCPs through a GC 17 amendment placing an obligation on all OCPs.
- A1.5 Whilst Ofcom's objective in proposing the amendment to GC 17 needs to be viewed in the light of the decisions it has made on the appropriate designations in the Plan for 03 and 070 numbers, those policy decisions have been considered already in separate impact assessments. The impact to assess here concerns the effective implementation of the policy decisions.

## Analysis and conclusion on the GC 17 amendment for 03 and 070 numbers

- A1.6 Ofcom has considered its impact assessment for the GC 17 amendment in the light of consultation responses received. Two respondents considered the amendment to be unnecessary and disproportionate, as they believed that current GC 17.5 and the new Plan requirements for 070 and 03 are sufficient and consistent with how the Plan is currently applied. One respondent saw the GC 17 change as a piecemeal & intrusive Ofcom measure, and questioned why the change was only being made for 03 and 070 numbers rather than all numbers. One respondent commented that the GC 17 change does not solve the problem identified by Ofcom.
- A1.7 Ofcom does not consider that these views change its assessment of the need for and impact of the GC 17 amendment. We consider that the benefit of amending GC 17 is that Plan designations for 03 and 070 numbers are enforceable on all CPs originating calls to these numbers. Our policy decision is that those designations should apply to all OCPs: Ofcom considers that without making the obligation enforceable by way of an amendment to GC 17, OCPs may not observe the 03 and 070 designations, which would undermine the policy intention of these consumer protection measures. Ofcom does not consider that existing General Conditions and the Plan will of themselves provide a robust enough framework for effective enforcement of all the detailed requirements of the Plan, including the tariff requirements relevant to OCPs. Ofcom believes that it should maximise the potential to enforce the policy decisions that it has taken on 03 and 070 numbers.
- A1.8 Whilst this amendment extends regulation, Ofcom did not favour the option of no change to GC 17. Without this change, Ofcom believes there would have been undue risk to its strategic approach to raise confidence in the Plan as a whole.
- A1.9 The impact of the GC 17 amendment only applies to 03 and 070 calls because Ofcom has only so far confirmed new Plan requirements for those two number types. Ofcom believed that there was a need to provide for effective enforcement of those new requirements, so that they were credible from the outset. Ofcom plans to consider the case for a more generalised GC 17 amendment in due course.
- A1.10 Some detailed changes were suggested to the GC 17 amendment wording and placement, were it to be made. Ofcom has considered these points and made changes, in that both the placement and the detailed wording of the amendment to GC 17 have changed from the versions on which we consulted. However, these changes do not change substantively the effect of the GC 17 amendment.
- A1.11 Ofcom's conclusions are therefore:
- To amend GC 17 in respect of 03 and 070 numbers only, to maximise the ability to enforce adherence to the Plan; and
  - To make some detailed changes to the GC 17 amendment proposed in the February document.

## Annex 2

# The legal basis for the modification to General Condition 17

## The legal framework

- A2.1 Ofcom regulates the communications sector under the framework established by the Act.
- A2.2 The Act provides, amongst other things in relation to numbering, for the publication by Ofcom of the Plan and the ability for Ofcom to set General Conditions of Entitlement relating to Telephone Numbers (“Numbering Conditions”). The Act also sets out statutory procedures that apply when Ofcom wishes to make modifications to the Plan, the processes for the giving of directions under conditions such as the Numbering Conditions and the processes and tests that must be satisfied before setting or modifying the Numbering Conditions.

## The Numbering Conditions (GC 17)

- A2.3 Section 45 of the Act gives Ofcom the power to set conditions:
- “(1) Ofcom shall have the power to set conditions under this section binding the persons to whom they are applied in accordance with section 46.
- (2) A condition set by Ofcom under this section must be either —
- (a) a general condition...
- (3) A general condition is a condition which contains only provisions authorised or required by one or more of sections 51, 52, 57, 58 or 64.”
- A2.4 Section 58 of the Act provides examples of the type of general conditions that Ofcom may set about the allocation and adoption of numbers.
- A2.5 Under section 58(1)(b) general conditions may include conditions that regulate the use by a CP, for the purpose of providing an electronic communications network or electronic communications service, of telephone numbers not allocated to that provider.
- A2.6 GC 17 took effect on 25 July 2003 as part of the General Conditions Notification. By virtue of the Transitional Provisions, references to the Director in the Numbering Condition should be read as references to Ofcom. GC 17 contains a range of obligations in relation to telephone numbers, such as general prohibitions on adoption and use; requirements in connection with applications for allocations of number blocks, the adoption of telephone numbers that are allocated to a CP by Ofcom; and conditions about the withdrawal of numbers that have been allocated.
- A2.7 Before Ofcom can set or modify a general condition (including a Numbering Condition) Ofcom must satisfy the requirements set out in sections 47(1), which provides that Ofcom must not set a condition under section 45, or modify such a

condition, unless they are satisfied that the condition or (as the case may be) the modification satisfies the test in subsection (2). The test in section 47(2) is that the condition or modification is:

- “a) objectively justifiable in relation to the networks, services, facilities, apparatus or directories to which it relates;
- b) not such as to discriminate unduly against particular persons or against a particular description of persons;
- c) proportionate to what the modification is intended to achieve; and
- d) in relation to what it is intended to achieve, transparent.”

### **Ofcom's general duty as to telephone numbering functions**

A2.8 Ofcom has a general duty under section 63(1) of the Act in carrying out its numbering functions:

- “a) to secure that what appears to them to be the best use is made of the numbers that are appropriate for use as telephone numbers; and
- b) to encourage efficiency and innovation for that purpose.”

A2.9 An important part of Ofcom’s telephone numbering functions is the duty to publish the Plan. Section 56(1) of the Act provides:

- “It shall be the duty of Ofcom to publish a document (to be known as the “National Telephone Numbering Plan”) setting out-
- a) the numbers that they have determined to be available for allocation by them as telephone numbers;
  - b) such restrictions as they consider appropriate on the adoption of numbers available for allocation in accordance with the plan; and
  - c) such restrictions as they consider appropriate on the other uses to which numbers available for allocation in accordance with the plan may be put.”

### **General duties of Ofcom**

A2.10 In addition to its general duties as to telephone numbering functions, the principal duty of Ofcom to be observed in the carrying out of any of its functions is set out in section 3(1) of the Act as the duty:

- “a) to further the interests of citizens in relation to communications matters; and
- b) to further the interests of consumers in relevant markets, where appropriate by promoting competition.”

A2.11 As part of the fulfilment of these principal duties, it is Ofcom's responsibility to secure the availability throughout the UK of a wide range of numbering arrangements,

having regard to the interests of consumers in respect to choice, price awareness, and consumer protection.

### Duties for the purpose of fulfilling Community obligations

- A2.12 When carrying out its regulatory functions such as considering revisions to the Plan and/or numbering application forms, Ofcom must also take into account the six Community requirements as set out in section 4 of the Act. These include the requirement to promote competition in the provision of ECN and ECS, and the requirement not to favour one form of network, service or associated facility or one means of providing or making available such network, service or associated facility over another, as well as the requirement to promote the interests of European citizens.
- A2.13 The various legal tests and duties, and how Ofcom has complied with them in making this decision are set out below.

### Legal tests

- A2.14 Ofcom is satisfied that its decision to modify GC 17 meets the tests set out in sections 47(2) of the Act being:
- A2.15 **objectively justifiable**, in that the introduction of the new obligation in GC 17 will require CPs to comply with the relevant service and tariff designations in the Plan applying to UK Wide and Personal Numbering ranges in instances where their customers use those numbers to make calls. Ofcom believes this amendment will make the Plan designations more effective for UK-wide numbers and Personal Numbering Service numbers. For the UK-wide Number range, Ofcom believes this will promote an appropriate degree of consumer certainty and confidence, which in turn should encourage SPs to utilise the range well because it is trusted by consumers. Amidst SPs' concerns about the cost of adopting UK-wide numbers, the capacity for consumer trust in those numbers should be seen as an especially important factor in the adoption decision (whether this involves undertaking migration from an existing range or taking on additional numbers). The obligation will also provide an appropriate level of consumer protection on the Personal Number range, by requiring CPs to observe the requirement to provide a pre-call announcement to consumers in cases where prices for the call exceed 20 p (per minute or per call). The new obligation in GC 17 therefore should provide all consumers with a reasonable degree of trust and protection when calling Personal Numbers and UK-wide Numbers;
- A2.16 **not unduly discriminatory**, in that the obligations will apply to all CPs who offer their customers the ability to call Personal Numbers and UK-wide Numbers;
- A2.17 **proportionate**, in that the modification to GC 17 is a measure that Ofcom believes will enable it to address effectively the consumer detriment it has identified on non-geographic numbers and Personal Numbers. The modification will do this because it will enable Ofcom to enforce compliance with the designations for Personal Numbers and UK-wide Numbers by targeting the obligation appropriately at all CPs from which such calls originate. Ofcom also believes the modification is proportionate and the least intrusive means to achieve the objectives for these number ranges, in that the obligation imposed by the amendment relates to Plan designations which allow CPs flexibility in how to adhere to the designations; and

- A2.18 **transparent**, in that the Notification modifying GC 17, and the effects of this modification, are set out in this document.
- A2.19 Ofcom considers that the decision to modify GC 17 is consistent with its general duties and Community obligations, and its numbering specific duties because making the designations in the Plan enforceable for the UK-wide and Personal Numbering Service number ranges is an important aspect of ensuring that Ofcom is making available numbering services that take account of the interests of consumers with respect to choice of service, price awareness, and consumer protection. Ofcom believes that the modification to GC 17 will secure that the best use is made of these number ranges.

### **Decision to modify GC 17 and effect of the modification**

- A2.20 For the reasons discussed in this document Ofcom has decided to introduce a new requirement in GC 17 (identified as GC 17.12) that requires CPs to adhere to the designations that apply to UK-wide Numbers (03) and Personal Numbers (070). The designations for Personal Numbers will not come into operation until 1 September 2007, whereas the UK-wide Number designations will apply as soon as these numbers are available for use.
- A2.21 The Plan was modified in February 2007 to include designations that apply to UK-Wide numbers (03) and Personal Numbering Service (070). The amendment that Ofcom has made to GC 17 today relates specifically to those number ranges.
- A2.22 The existing provisions in GC 17 impose obligations on CPs allocated those numbers to comply with the designations in the Plan. The consequence of this modification is that the designations in the Plan for UK-Wide numbers 03 and Personal Numbering Service 070, to the extent they are applicable to CPs using those numbers for its customers to make calls to those numbers, will also be enforceable obligations.



## Annex 3

# Notification

## NOTIFICATION OF MODIFICATION OF A GENERAL CONDITION UNDER SECTION 48(1) OF THE COMMUNICATIONS ACT 2003

**The modification of the General Conditions to modify General Condition 17: Allocation, Adoption and Use of telephone numbers which is set out in the Schedule to the Notification under section 48(1) of the Communications Act 2003 published by the Director General of Telecommunications on 22 July 2003**

### WHEREAS

- A. The Director General of Telecommunications (the “Director”) issued on 22 July 2003 the General Conditions Notification, which took effect on 25 July 2003 by way of publication of a notification pursuant to section 48(1) of the Act;
- B. OFCOM issued a notification pursuant to section 48(2) of the Act on 13 February 2007 setting out their proposals for the modification of General Condition 17 (the “First Notification”);
- C. A copy of the First Notification was sent to the Secretary of State in accordance with section 50(1)(a) of the Act;
- D. In the First Notification and accompanying explanatory statement, OFCOM invited representations about any of the proposals set out therein by **5pm on 14 March 2007**;
- E. By virtue of section 48(5) of the Act, OFCOM may give effect to any proposals to set conditions as set out in the First Notification, with or without modification, where:
  - (i) they have considered every representation about the proposals made to them within the period specified in the First Notification; and
  - (ii) they have had regard to every international obligation of the United Kingdom (if any) which has been notified to them for this purpose by the Secretary of State;
- F. OFCOM received 18 responses to the First Notification and have considered every such representation made to them in respect of the proposals set out in the First Notification and the accompanying explanatory statement; and the Secretary of State has not notified OFCOM of any international obligation of the United Kingdom for this purpose:

### THEREFORE, OFCOM makes the following modification

1. OFCOM in accordance with section 48(1) of the Act hereby make the following modification to the General Conditions Notification to modify General Condition 17 on Allocation, Adoption and Use of telephone numbers as set out in the Schedule to this Notification;

2. The modification is set out in the Schedule to this Notification;
3. The effect of, and OFCOM's reasons for making, the modification referred to in paragraph 1 above is set out in the accompanying document to this Notification;
4. OFCOM considers that the modification referred to in paragraph 1 above complies with the requirements of sections 45 to 50 of the Act, as appropriate and relevant to each of the modifications;
5. In making the modification set out in this Notification, Ofcom has considered and acted in accordance with their general duties in section 3 of the Act and the six Community requirements in section 4 of the Act;
6. The modification shall enter into force on **31 May 2007**;
7. Copies of this Notification and the accompanying statement have been sent to the Secretary of State in accordance with section 50(1)(a) of the Act;
8. In this Notification:
  - i) "the Act" means the Communications Act 2003; and
  - ii) "OFCOM" means the Office of Communications;
9. Except insofar as the context otherwise requires, words or expressions shall have the meaning assigned to them in this Notification and otherwise any word or expression shall have the same meaning as it has in the Act.
10. For the purpose of interpreting this Notification:
  - i) headings and titles shall be disregarded; and
  - ii) the Interpretation Act 1978 shall apply as if this Notification were an Act of Parliament.
11. The Schedule to this Notification shall form part of this Notification.



Neil Buckley

Director of Competition

A person authorised by OFCOM under paragraph 18 of the Schedule to the Office of Communications Act 2002

**31 May 2007**

## Schedule

### **Modification of General Condition 17: Allocation, Adoption and Use of telephone numbers which is set out in the Schedule to the Notification under section 48(1) of the Communications Act 2003 published by the Director General of Telecommunications on 22 July 2003**

1. General Condition 17 shall be modified as set out below:

A. The following wording is inserted after Condition 17.11:

**“Requirements in connection with the use of telephone numbers**

17.12 Where Customers of a Communications Provider are making calls to either UK-wide Numbers (03) or Personal Numbering Service (070) numbers, the Communications Provider shall comply with the designations for those numbers in the National Telephone Numbering Plan.”

B. Condition 17.12 is renumbered as Condition 17.13.

## Annex 4

# List of consultation respondents

A4.1 Ofcom received 18 responses to the February document. Named responses are available at <http://www.ofcom.org.uk/consult/condocs/numbering03/responses/>:

- Cabinet Office Contact Council
- Flextel
- Mr D Lindsay
- Orange
- Scottish and Southern Energy
- Scottish Executive
- Telecommunications UK Fraud Forum (TUFF)
- T-Mobile
- Thus
- Vodafone
- Mr C Woods

A4.2 Three other responses are also made available via the same link to respondents whose names are confidential. In addition, Ofcom received four responses that are wholly confidential.

## Annex 5

# Glossary

**Communications Act 2003:** This established Ofcom, set out its duties, and the powers which Ofcom has to discharge those duties.

**CP: Communications Provider:** a Person who provides an Electronic Communications Network or Electronic Communications Service.

**DDI:** Direct Dial-In is a feature offered by telephone companies for use with a customer's PBX system, whereby the CP allocates a range of numbers to the PBX. A call to a number allocated to a PBX is routed directly to the called party's telephone extension number without the need for the intervention of a switchboard operator.

**ECN/ECS:** Electronic Communications Networks/Services.

**Geographic Number:** A telephone number from the Plan where part of its digit structure contains geographic significance used for routing calls to the physical location of the network termination point of the subscriber to whom the number has been assigned.

**National Telephone Numbering Plan ('the Plan'):** Plan of the allocation and re-allocation of telephone numbers

**Non-geographic number:** Numbers which are used to identify a type of service rather than a geographical location. These services are sometimes referred to as Specially-Tariffed Services and include Freephone, local rate, national rate and premium rate numbers. Mobile and Personal numbers are also non-geographic numbers.

**NTS:** Number Translation Service, is the service of routing a telephone call with a non-geographic number to a hidden geographic or mobile number. NTS is commonly used to describe numbers beginning with 08, although technically this description also applies to numbers beginning with 09.

**Number Portability:** Number portability is a regulated facility which enables subscribers of publicly available telephone services (including mobile services) to change their service provider whilst keeping their existing telephone number.

**Personal Numbering Service:** Service based on number translation which enables a customer to be called using a single 'personal' telephone number but to receive those calls at virtually any telephone number in the UK.

**Ranges [Sub]:** A number range is a set of contiguous numbers of a specified or unspecified size. For instance 09 is the designated range for premium rate numbers, and 0908 and 0909 are sub-ranges that can currently be used for premium rate sexual entertainment services.

**VoIP:** Voice over Internet Protocol. A technology that allows users to make voice calls using Internet Protocol, over either the public Internet or private IP networks.