

Consultation:	0871 Services
FAO:	Mr Nathan Marshall
Name of respondent:	Eric Bodger
Representing (self or organisation/s):	Self

Q1: Do you agree with our proposal to create a Statement of Application for the 0871 number range? If not, please provide your reasons and alternative suggestions.

No, I believe that all premium rate calls should be identified by a common prefix digit, and that "9" successfully fulfils this purpose in the UK.

The use of the "08" prefix for free and local-rate calls has hidden the excessive price of some 08 numbers from the public. As insiders, I'm sure you'd be surprised to know how many people call 087 numbers without realizing that they are paying a high price, and how few of these know that the called party is rewarded for taking their call.

I'd like to see calls defined as "premium" if they are more costly than a land-line call to the USA made at the same time of day, **or** if the called party is paid more than 10% of the price of a UK landline call. Note the logical or: either criterion will cause a call to be treated as premium and subject to ICSTIS regulation.

Furthermore, I believe ICSTIS should cooperate with Oftel to move towards a numbering scheme that makes pricing more transparent. Given that the 090 range is currently chaotic, I believe that the ranges beginning 091 through 098 should be used for premium calls of increasing price. For example, 091 could cover calls up to twice a datum level (which today might be 3p/minute), 092 up to four times, 093 up to eight times, and so on. This would make an 098 call cost up to 256 times the datum (£7.50/minute).

Q2: Do you agree that the current application of Section 1 of the Code is appropriate to apply to the 0871 number range? If not, please give your reasons.

Since it is inappropriate to use numbers beginning 08 for premium rate numbers, the applicability of Section 1 should not arise.

Q3: Do you agree that this is a fair and proportionate application of the network operators' due diligence requirements to the 0871 number range? If not, please give your reasons. ICSTIS would welcome further information regarding quantification of costs.

No. I believe that network operators should not profit from a numbering scheme that disguises premium rate numbers. No network operator should retain more payment for a UK landline call than would accrue if the call were made to the underlying geographical number.

So long as network operators keep a share of the profits from 087 numbers, they will continue to encourage subscribers to use these numbers, to the detriment of private and small business subscribers.

Q4: Do you have any further information and evidence regarding usual payment times? <i>Additionally it would be helpful to have responses that indicate to what extent Service providers rely on immediate payments from network operators to cover their operational costs.</i>
Not applicable. Paid service providers should be on recognizable premium numbers.
Q5: Do you agree that this is a fair and proportionate application of a delayed payment mechanism to the 0871 number range? If not, please provide your reasons.
Yes. Since I oppose significant payment to called parties with 087 numbers, I am happy for the profit-takers to wait, especially as it allows ICSTIS to apply its safeguards.
Q6: Do you agree that the current application of Section 3 of the Code is appropriate to apply to the 0871 number range? If not, please provide your reasons.
No. Section 3 provides for service charges to be collected through a premium on phone charges. It is therefore applicable only to premium rate calls beginning 09.
Q7: Do you agree that the current application of Section 4 of the Code is appropriate to apply to the 0871 number range? If not, please provide your reasons.
No. Information providers should be treated the same way as other service providers.
Q8: Do you agree that it is fair and proportionate to apply ICSTIS' current application of the prior permission regime under Section 5.1 of the Code to the 0871 number range? If not, please provide your reasons.
Yes. It is a proper safeguard for premium rate numbers, whether their nature is manifest or concealed. If parts of the 08 range are used for clandestine premium calls, it is particularly vital that section 5.1 should be applied and enforced rigorously.
Q9: Do you agree that Option D is a fair and proportionate application of the undue delay requirements in paragraph 5.4.2 of the Code to the 0871 number range? If not, please provide your reasons and alternative preferred option. Additionally, please provide details of any other options you feel may be appropriate for ICSTIS to consider.
No. The only fair safeguard is to defer charging until the caller has ceased queuing and has been connected to a source of substantive service. Further safeguards are required to prevent callers being placed on hold to rack up charges. A system to suspend and resume charging is needed, though I appreciate this would need to be agreed between network operators, ICSTIS and service providers.
Q10: Do you agree that this is a fair and proportionate application of the pricing information requirements under Section 5.7 of the Code to the 0871 number range? If not, please provide your reasons.

Yes – except that because consumers will not be aware that 0871 is a premium rate number (unlike 09x where consumer knowledge that this is premium rate is greater), companies/organisations should also be obliged to say when they answer the call that “calls will cost 10p/min from a BT landline (other providers may charge more).” This has negligible financial impact on the companies/organisations using these numbers, and the extra cost to callers is justified in making them fully aware that they are paying at least 10p/min.

Q11: Do you agree that it is appropriate to allow a three-month implementation period, as outlined above?

Yes. When you're doing the wrong thing, speed is not of the essence. Three months is a minimum time for reflection and possible repentance.

Q12: Do you agree that this is a fair and proportionate application of ICSTIS' scope of regulation in respect to content of services provided on the 0871 number range? If not, please provide your reasons.

Yes, if the 08 range is to be abused in this way.

Q13: Do you agree that the current application of Section 6 of the Code is appropriate to apply to the 0871 number range? If not, please provide your reasons.

Yes, except where it conflicts with my other points.

Q14: Do you agree that the current application of Section 7 of the Code is appropriate to apply to the 0871 number range? If not, please provide your reasons.

Yes, except where it conflicts with my other points.

Q15: Do you agree that the current application of Sections 8 to 11 of the Code is appropriate to apply to the 0871 number range? If not, please provide your reasons.

Yes, except where it conflicts with my other points.

Q16: Do you agree that this is a fair and proportionate application of the funding model in Annex 1 of the Code to apply to the 0871 number range? If not, please provide your reasons.

Yes, except where it conflicts with my other points.

Q17: Do you agree that this is a fair and proportionate method of collection of the funding levy to apply to the 0871 number range? If not, please provide your reasons.

Yes, except I see it as compromising the public image of ICSTIS independence if the levy provides as much revenue to ICSTIS as it would obtain from a premium line that was recognizably premium (i.e. starting 09).

Q18: Do you agree that a minimum payment amount from each network operator should be £500 per annum? If not, please provide your reasons.

Yes.

Q19: Do you agree that it is not appropriate for ICSTIS to create and promote a separate brand for regulation of the 0871 number range? If not, please provide your reasons.

Yes. I should be most concerned if the 0871 number range were in any way made to appear different in kind from other premium ranges. Unscrupulous operators already pretend that 0870 calls are charged at “national rate” when they in fact cost more than any national land-line call.

Q20: Is there any other way in which ICSTIS' regulatory framework should be amended or otherwise so as to regulate the 0871 number range in a way that is fair and proportionate?

Yes. Users of 0871 numbers should be prohibited from supplying that number for call-back. Any CLI information supplied should be that of the underlying land line.

Q21: Do you agree that this is an appropriate wording for a Statement of Application based on ICSTIS' proposals? If not, please provide your reasons and alternative wording.

Not applicable.