

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

<p>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.</p>
<p>Yes, to the extent that it does not conflict with any of my responses to Qs 6, 9, 10, 19 and 20</p>
<p>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.</p>
<p>Yes, to the extent that it does not conflict with any of my responses to Qs 6, 9, 10, 19 and 20</p>
<p>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.</p>
<p>Yes</p>
<p>Q4: Do you have any further information and evidence regarding usual payment times? 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.</p>
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<p>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.</p>
<p>Yes</p>
<p>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.</p>
<p>With an important exception, yes. Section 3.3.5 of the Code allows service providers to operate a non-premium rate UK customer service number within the 0871 number range. This is inherently contradictory as 0871 numbers are and will continue to be premium rate numbers (though representing a smaller premium over 01x/02x than, for example, 09x numbers) which is the very reason they are coming under ICSTIS regulation. The Code should be amended to require service providers to operate a geographical or 0845/0870 customer service number or, at the very least, a free-to-use alternative such as email which offers a guaranteed response time of no more than, say, 4 working hours.</p>
<p>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.</p>
<p>Yes, to the extent that it does not conflict with any of my responses to Qs 6, 9, 10, 19 and 20</p>
<p>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.</p>

Yes

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. You say “both ICSTIS and Ofcom have logged a sufficient number of complaints to provide evidence that service providers have attempted to operate services on the 0871 number range which would be in breach of the Code had it been applicable”. Furthermore, Ofcom is currently investigating alleged scams using 0870 numbers.

Once revenue share is removed from 0870 numbers, most former users of these numbers are expected to migrate to 0871 numbers and it seems reasonable to expect scam operators to do so too.

Your proposals would do nothing material about the issue of being held at considerable cost in a call queue on an 0871 number. 0871 users should be obliged to provide queued callers with an estimated queue time and to indicate the call cost of that delay (both per minute and in total).

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, although account needs to be taken of the low level of consumer awareness that 0871 numbers are premium rated. In addition to the queueing proposal above, an announcement should be made when a call to an 0871 number is answered describing the typical/indicative per minute cost of that call.

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

Yes

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

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, to the extent that it does not conflict with any of my responses to Qs 6, 9, 10, 19 and 20

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, to the extent that it does not conflict with any of my responses to Qs 6, 9, 10, 19 and 20

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, to the extent that it does not conflict with any of my responses to Qs 6, 9, 10, 19 and 20

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

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

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

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. Particularly to discourage abuse by telephone marketing organisations and scam activities, 0871 numbers should (continue to) not be publishable via CLI. Rather, users of 0871 numbers should only be permitted to publish their geographical or 0845/0870 customer service number (see Q6) via CLI, as currently required by Ofcom.

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.