

<b>Consultation:</b>	<b>0871 Services</b>
<b>FAO:</b>	Mr Nathan Marshall
<b>Name of respondent:</b>	John Kirkwood
<b>Representing (self or organisation/s):</b>	Self

<p><b>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.</b></p> <p>Yes, insofar as it does <b>not</b> conflict with any of my other answers/comments/suggestions below.</p>
<p><b>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.</b></p> <p>Yes, insofar as it does <b>not</b> conflict with any of my other answers/comments/suggestions below.</p>
<p><b>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.</b></p> <p>YES</p>
<p><b>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.</b></p> <p>N/A</p>
<p><b>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.</b></p> <p>YES</p>
<p><b>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.</b></p> <p>Yes, except that it is mentioned that within section 3 of the code that service providers also hold non-premium rate UK customer service numbers but that you currently think 087x numbers are satisfactory.</p> <p>This is a contradiction as 0871 numbers will be premium rate and will therefore not be regulated by ICSTIS.</p> <p>This defeats the point of the service provider not holding a non-premium rate number but yet allow them to hold an 0871 contact number.</p> <p>It is suggested therefore that service providers be required to hold a geographical or 0870 number and NOT 0871 numbers.</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.**

Yes, insofar as it does **not** conflict with any of my other answers/comments/suggestions below.

**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

**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 state that you have received significant complaints concerning 0871 numbers, as has Ofcom.

At this time Ofcom is currently investigating scams on 0870 numbers.

Once 0870 loses its revenue share, most companies/organisations are expected to migrate to 0871 and this means scam artists will also do this.

What you propose is, basically, to do nothing about call queuing. This cannot be in the consumer's interest. It is only of benefit to the interest of companies/organisations using these numbers.

It has been stated by ICSTIS that many companies/organisations will not use 0871 prefix for the revenue share (which can be as much as 6p/min) but for the advanced network features.

If this was true then companies/organisations would use other lower-rate non-geographical numbers like 0845 which offer the same advanced network features. The only difference being that, in most cases, revenue sharing isn't passed to the company and is instead retained by the service provider to pay for the advanced network services.

Therefore, it is suggested that the primary interest in using 0871 is for **the revenue share**, in addition to the advanced network features available.

The key difference is that many consumers currently aren't aware that 0871 is premium rate which may explain why many companies/organisations have already migrated to the revenue generating possibilities of 0871.

Many companies/organisations would not dare move to 09x (not even at 15p/min) because, in all likelihood, they are aware consumers **do** understand 09x is a premium rate and they believe that this would cause many complaints. It could be argued that they have opted for 0871 where revenue still exists but without full consumer knowledge that 0871 is a premium rate prefix (albeit at slightly lower rates, but premium nevertheless) and, according to your proposal, being able to **gain revenue even whilst consumers are held in a queue**.

It's possible today to be held in a queue for over 20 minutes when ringing some companies on their 0870 number.

This equates to the company getting over £1 for every call they get that lasts 20 minutes simply through being held in a queue.

If a company gets hundreds or thousands of calls a day, then this represents a significant revenue.

It can be seen that the 0871 premium number regime represents a significant opportunity and incentive to generate revenue through allowing long hold times.

If organisations providing access via 0871 numbers cannot be persuaded to forgo generating revenue from customers simply wanting – or needing – to contact them, it could be mandatory for an announcement at the start of any call received, before the ringing tone, indicating exactly the rate at which the call will be charged.

If the revenue currently received truly only goes towards “network features” and not into generation of revenue, this should not be a significant requirement to meet.

**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 since consumers will not be aware 0871 is a premium rate number (unlike 09x which consumers better understand is a premium rate call), companies/organisations should also be obliged to make it clear, immediately on answer, that "calls will cost 10p/min from a BT landline (other providers may charge more)."

This really has hardly any financial impact on the companies/organisations using 0871 numbers. In fact the extra 10 seconds or so it takes to say this will be part of the call cost borne by the caller, but at least consumers would be fully aware that they are paying a premium rate of at least 10p/min.

**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, insofar as it does **not** conflict with any of my other answers/comments/suggestions below.

**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, insofar as it does **not** conflict with any of my other answers/comments/suggestions below.

**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, insofar as it does **not** conflict with any of my other answers/comments/suggestions below.

**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, so long as ICSTIS does **NOT** try to conceal the fact that 0871 is a premium rate number (albeit lower amount than 09x) and that Communication Providers (CPs)/Service Providers are not permitted to advertise the 0871 number range as 'national rate' as some CPs currently do.

**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?**

To discourage scams involving missed or silent calls, ICSTIS should ensure that companies/organisations using an 0871 number do **NOT** cause CLI (Caller Display Identity) data to display their 0871 number.  
Instead, it must be mandatory on all users of 0871 numbers to cause the CLI data to carry **ONLY** a freephone, standard landline or other low-cost number.  
This would also save Ofcom having to investigate missed calls/silent calls, (whether deliberate or not) which are themselves in contravention of current Ofcom rules. As you are aware, Ofcom rules currently state that companies/organisations making phone calls (sales, etc) should not cause the CLI to display any number costing more than the rate of an 0845 number.

**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.**

N/A