

Consultation:	0871 Services nmarshall@icstis.org.uk
FAO:	Mr Nathan Marshall
Name of respondent:	Dr T G Smith
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.	
YES – except where it conflicts with my subsequent replies	
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.	
YES – except where it conflicts with my subsequent replies	
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.	
YES	
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.	
NO	
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	
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>Agreed EXCEPT where it says in section 3 of the code that service providers can also hold non-premium rate UK customer service numbers but that you currently believe 087x numbers are acceptable as this. This seems to be a contradiction as 0871 will be premium rate numbers regulated by ICSTIS. Thus it defeats the point of the service provider not holding a non-premium rate number but yet allows them to hold an 0871 contact number which may be at premium rate.</p> <p>Service providers should 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 – except where it conflicts with my subsequent replies	

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 and 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 those who perpetrate scams will also do so.

Also, you propose to do nothing significant about call queueing which is not in the consumer interest but only in the interest of companies/ organisations using these numbers.

It is believed by ICSTIS that many companies/ organisations will use 0871 not for the revenue share (which can be as much as 6p/min) but for the advanced network features. Companies/ organisations could use other lower-rate non-geographical numbers such as 0845 which offer the same advanced network features except in most cases revenue sharing is not passed to the company instead being retained by the service provider to pay for the advanced network services.

Therefore, the primary interest in using 0871 is to gain revenue share in addition to the advanced network features available but the difference is that many consumers currently are not aware that 0871 is premium rate which is why many companies/ organisations have already migrated to 0871.

Many companies/ organisations are unlikely to move to premium rate 09x numbers because they realise that consumers are aware that 09x is a premium rate and that this would cause complaints so instead they have opted for 0871 where revenue still exists but without consumer knowledge that they are in fact ringing a premium rate number_ and, according to your proposal, are also being charged while held in a queue. A 20minute queue wait is not unusual on 0870 numbers and this equates to over £1 for every call if queuing 20minutes before the company responds.

The extra revenue possible from 0871 numbers should be used to ensure that consumers are not charged while being kept on hold for undue delays

Alternatively, a voice message on first reply warning customers that they are being charged at a particular rate while in the queue and how long it is estimated will be the wait before being answered. Again, this could be paid for out of the revenue from the call they receive which ICSTIS believes is really only used for network features and not to deliberately gain revenue from the call.

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.

Generally agree except that because consumers will not be aware that 0871 is a premium rate number, 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 really has hardly any financial impact on the companies/ organisations using these numbers in fact the extra 10 seconds or so it takes to say this would be charged to consumers but this would alert them to the fact they are being charged 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, in so far as it does not conflict with any of my other answers/comments/suggestions.

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, in so far as it does not conflict with any of my other answers/comments/suggestions.

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, in so far as it does not conflict with any of my other answers/comments/suggestions.

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 and hide the fact that 0871 is a premium rate number and that Communication Providers (CPs)/ Service Providers do not advertise the 0871 number range as 'national rate' which some CPs currently do this.

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 'ring back' scams with missed phone calls/ silent calls, ICSTIS should ensure that companies/ organisations using an 0871 do not display via Caller Display Identity their 0871 number. Instead, companies/ organisations should use freephone or lower-cost number ranges for CDI. This would also save Ofcom having to investigate missed calls/ silent calls (whether deliberate or not) as this is potentially in contravention of current Ofcom rules. Currently, Ofcom rules state that companies/ organisations making phone calls (sales, etc) should not display any number costing more than the rate of an 0845 on CLI.

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