

Mr. Marshall,

I am responding with my comments regarding the consultation on 0871 numbers. I hope you find them useful! My answers are below the original questions for context.

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)

Broadly, yes.

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)

Again, I can't find any major reason to disagree.

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)

Yep.

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)

n/a.

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)

Broadly, yes, except for the fact that service providers have non-premium rate UK numbers for customer services lines, but Ofcom regards 087x numbers as compatible with this regulation. 0871 will be premium rate, and (rightly) regulated by ICSTIS. Therefore, it is frustrating - and contradictory - for a company or service provider to have an 0871 number for contact but not have a geographical and/or non-premium rate number for contact. I therefore **STRONGLY** urge Ofcom to revise this regulation to require all service providers to also hold (and make publicly available) a geographical telephone number as an alternative, and not solely hold 0871 numbers, as this is annoying and costly for many people (especially people who only have mobiles such as myself).

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)

Broadly, yes, provided it does not contradict anything I have said in response to previous questions.

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)

I will quote Mr. Blamire for this response, as his answer is a lot more succinct than mine could be - but I do feel exactly the same way about this:

"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 scam artists will also do this. What you propose to basically not do anything about call queueing is not at all in the consumer interest but only in the interest of companies/organisations using these numbers.

It has been stated by ICSTIS that many companies/organisations will use 0871 not for the revenue share (can be as much as up to 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 except in most cases revenue sharing isn't 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 for the revenue share in addition to the advanced network features available but the difference is that many consumers currently aren't aware that 0871 is premium rate which is why many companies/organisations have already migrated to 0871.

Many companies/organisations would not dare move to 09x (not even at 15p/min) because in all likelihood they are aware that consumers are aware that 09x is a premium rate and that this would cause many 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 (albeit lower amounts) and according to your proposal, being able to gain revenue even whilst consumers are held in a queue. It's possible to be held in a queue for over 20 minutes when ringing some companies on their 0870 now. This equates to the company getting over £1 for every call they get that lasts 20 minutes just being in a queue. If a company gets hundreds or even thousands of calls a day then this adds up over the month and year. Therefore there can be an incentive to keep callers waiting.

I believe with the extra revenue possible from 0871 numbers that this is used to ensure that us consumers aren't charged for being kept on hold for undue delays and therefore consumers aren't charged for being in a long queue. I don't believe that with the extra revenue possible from 0871 numbers that this would add any extra financial burden on to companies/organisations operating 0871 numbers.

If this is still not possible then how about an announcement when first rung that states where you are in the queue and how long it's estimated you'll be before being answered. This would allow us consumers to know in advance that they could be a long time and can choose to ring back later, etc. Again, this could all 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."

Adding my own emphasis to his answer, I also would like to emphasise that you indeed say that Ofcom has received many complaints about 0871 numbers, as you have yourself, and I myself have fallen foul of people trying to trick me into dialing premium rate numbers. I agree with Mr. Blamire's statement how companies who are currently revenue-sharing with 0870 numbers will just move to 0871 when the new rules come into force - **which does not solve the problem at all, it only creates a new one.**

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)

Broadly yes, except there will be a lot of confusion over the cost of 0871 numbers, given their changing status from national rate to premium rate (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 little commercial impact as the customer will still be paying for that part of the call, but it will increase awareness and hopefully reduce unwanted bills.

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)

Broadly, yes, provided it does not contradict anything I have said in response to previous questions.

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)

Broadly, yes, provided it does not contradict anything I have said in response to previous questions.

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)

Broadly, yes, provided it does not contradict anything I have said in response to previous questions.

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)

Broadly, yes, provided it does not contradict anything I have said in response to previous questions.

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)

Broadly, yes, provided it does not contradict anything I have said in response to previous questions.

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

Broadly, yes, provided it does not contradict anything I have said in response to previous questions.

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, provided ICSTIS does not attempt to hide the fact that 0871 numbers will be premium rate, and some Communication Providers / Service Providers do not advertise 0871 numbers as 'national rate' (like they do at present, which is incorrect).

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 abuse and misuse of the service, ICSTIS should ensure that CPs/organisations using an 0871 don't display their 0871 on incoming CLI displays - instead showing geographical or freephone/lower-cost numbers. 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, yet I have seen both 0870 and 07 'special use' premium rate numbers on my mobile phone's incoming CLI display.

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.

I hope you find these responses useful, and look forward to my input going towards the outcome of the consultation.

Regards,

Christopher Woods