

The Oftel Metering and Billing Direction

A consultation issued by the Director General of
Telecommunications

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Summary

S.1 This consultation invites comments on Oftel's Metering and Billing Direction, the 'Direction'. The Direction is the document referenced in General Condition 12 on Metering and Billing which is part of the General Conditions of Entitlement. The General Conditions are currently the subject of a DTI consultation which commenced on 19 March 2003 and will conclude on 16 May 2003. For further details see www.communicationsbill.gov.uk/pdf/Implementation_Con_Doc.pdf. The text of the Draft Interim General Conditions Regulations is posted at www.communicationsbill.gov.uk/pdf/Implementation_Con_Doc_AnnexA.pdf and of Oftel's proposals for General Conditions to be made under the Communications Bill at www.communicationsbill.gov.uk/pdf/Implementation_Con_Doc_AnnexC.pdf.

S.2 The Direction essentially replicates the Oftel Metering and Billing Standard, OTR 003: 2001, which was designated on 21 December 2001 and re-designated without change on 26 June 2002. The Direction identifies the technical requirements against which Approval Bodies will assess the Total Metering and Billing Systems (TMBSs) of those Communications Providers which are required to seek approval for their TMBS in accordance with General Condition 12.

S.3 The Direction does not make any material changes to the existing standard. However its terminology has required amendment to align it with the new regulatory framework that will enter into force from 25 July.

Chapter 1

Introduction

A new regulatory framework

1.1 A new regulatory framework for electronic communications networks and services will enter into force in the UK on 25 July 2003. The basis for the new regulatory framework is five new EU Communications Directives:

- the Framework Directive¹;
- the Access Directive²;
- the Authorisation Directive³;
- the Universal Service Directive⁴ and;
- the Privacy Directive⁵.

1.2 The new regulatory framework is designed to create harmonised regulation across Europe and aimed at reducing entry barriers and fostering prospects for effective competition to the benefit of consumers.

1.3 The Framework Directive provides the overall structure for the new regulatory regime and sets out fundamental rules and objectives which read across all the new directives. Article 8 of the Framework Directive sets out three key policy objectives, which have been taken into account in the preparation of this consultation document. The objectives are promotion of competition, development of the internal market and the promotion of the interests of the citizens of the European Union. The Authorisation Directive establishes a new system whereby any person will be generally authorised to provide electronic communications services and/or networks without prior approval. The general authorisation replaces the existing licensing regime. The Universal Service Directive defines a basic set of services that must be provided to End-users. The Access and Interconnection Directive sets out the terms on which providers may access each others' networks and services with a view to providing publicly available electronic communications services. These four Directives must be implemented in the UK and in other EU Member States on 25 July 2003. The fifth Directive on Privacy establishes users' rights with regard to the privacy of their communications. This

¹ Directive 2002/21/EC on a common regulatory framework for electronic communications networks and services

² Directive 2002/19/EC on access to, and interconnection of, electronic communications networks and associated facilities

³ Directive 2002/20/EC on the authorisation of electronic communications networks and services

⁴ Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services

⁵ Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector

Directive was adopted slightly later than the other four Directives and has an implementation date of 31 October 2003.

Implementation

1.4 In the UK, it is intended to implement the four main Directives through a new Communications Act. The Communications Bill was introduced into the House of Commons on 19 November 2002. The latest version of the Communications Bill is that which was introduced into the House of Lords on 5 March 2003, having completed its passage through the Commons on the preceding day. It is posted at www.communicationsbill.gov.uk (references to the Communications Bill in this document are references to the 5 March 2003 version). The Bill may continue to be subject to change as it proceeds through Parliament.

1.5 It is intended that the Communications Bill will receive royal assent by 25 July 2003. However, in the event that the Communications Bill does not receive royal assent by 25 July 2003, the government has acknowledged that implementation will need to occur by statutory instruments made under the European Communities Act 1972 for an interim period until the Bill enters into force. The DTI is consulting on the draft statutory instruments posted at www.communicationsbill.gov.uk/pdf/Implementation_Con_Doc_AnnexA.pdf. Further, if the Communications Bill does not receive royal assent by 25 July 2003, it is expected that Ofcom will not be ready to assume all of its duties foreseen by the Communications Bill by the summer. Should that be the case the Communications Bill makes specific provision to enable Ofcom's functions to be carried out by the Director or the Secretary of State for a transitional period. For these reasons, this document refers to the Director rather than Ofcom.

From licensing to general authorisation

1.6 One key change of the new framework is that the telecommunications licensing regime will disappear from 25 July 2003 and providers of electronic communications networks and services will no longer be required to obtain a licence in advance of operating a system or providing services. The licensing regime will be replaced by a general authorisation to provide electronic communications networks or services.

1.7 Under the new framework, while a licence is not required, Communications Providers may be subject to a number of general conditions and, for some providers, specific conditions applicable only to an individual provider (eg, obligations flowing from a designation as a provider of universal service or a finding of significant market power). As stated above, the General Conditions of Entitlement are currently the subject of consultation.

The new regulatory regime and Metering and Billing

1.8 The current regulatory framework for Metering and Billing is primarily set by the Telecommunications Act 1984 (the '1984 Act') (in particular section 24), the relevant licence conditions and the standard OTR 003: 2001 which was designated on 21 December 2001 and re-designated without change on 26 June 2002 under section 24(6) of the 1984 Act.

1.9 However, under the new regulatory framework the relevant provisions of the 1984 Act will be repealed and the relevant licence conditions will cease to exist. Instead, Metering and Billing will be regulated via General Condition 12 (the 'Condition') to be set under what is currently Clause 42 of the Communications Bill. As set out above the General Conditions of Entitlement are the subject of a separate consultation.

1.10 The effect of the Condition is that Communications Providers subject to paragraph 12.3 of the Condition (ie those that provide Publicly Available Telephone Services (PATS) and in any financial year have an annual turnover derived from the provision of PATS in excess of £40 million) will be required to apply to an Approval Body for Approval of their Total Metering and Billing Systems (TMBS) and to obtain such Approval as soon as is practicable. The Condition defines 'Approval' as an approval granted by an Approval Body where a Communications Provider's Total Metering and Billing System is compliant with the standard set out in the Oftel Metering and Billing Direction (the 'Direction'). 'Approval Body' is defined in the Condition as the British Approval Board for Telecommunications (BABT), British Standards Institute (BSI) or the National Quality Assurance Ltd (NQA).

Chapter 2

The Oftel Metering and Billing Direction

2.1 This consultation concerns the Direction, which is annexed to this document. The Direction replicates the requirements of OTR 003: 2001, the Office of Telecommunications Standard for Metering Systems and Billing Systems which as referred to above was designated on 21 December 2001 and re-designated without change on 26 June 2002. For the purposes of the Direction the standard has been revised so as to incorporate the terminology of the new regulatory framework; however, the requirements of the standard have been carried forward from OTR 003: 2001 with no material changes.

2.2 Under paragraph 12.5 of the Condition, subject to paragraph 12.3, the Communications Provider shall not keep in use after 31 December 2003 any part of its TMBS for which an application for Approval has not been made.

2.3 However, it is not Oftel's intention that Communications Providers who have already applied for approval under OTR 003: 2001 or have gained approval under that standard should have to apply again. Therefore the Condition makes provision for such an application for approval, or prior approval, to be deemed to be an application for Approval, or Approval, under paragraph 12.4 of the Condition.

2.4 The Condition also makes provision for any approvals gained under OTR 003: 1993 to continue to have effect until such time as Approval is gained under paragraph 12.4 of the Condition. In relation to this, paragraph 11 of Schedule 18 to the Communications Bill also provides for the carry-over into the new regime of any fees order in force immediately before the coming into force of the repeal of section 24 of the 1984 Act. The fees order specifies the level of fees for the granting of approvals which are to be paid to BABT. At present the Telecommunication Meters (Approval Fees) (British Approvals Board for Telecommunications) Order 1992 made under section 24(13) of the 1984 Act is in force.

2.5 It should be noted that, owing to the provisions of Clause 46 of the Communications Bill, any Approval granted by or direction made by an Approval Body under the Condition would have to meet the tests set out in Clause 46 of the Communications Bill, i.e. objectively justifiable, non-discriminatory, proportionate and transparent. An Approval Body must also act in accordance with the six Community requirements set out in Clause 4 of the Communications Bill. All Approvals and directions would also be subject to the consultation requirements set out in Clause 46 which require at least one month's consultation, etc. All decisions of an Approval Body would also be subject to appeal on the merits under Clause 189(1)(b) of the Communications Bill.

Chapter 3

Consultation

3.1 Oftel is publishing this consultation document so that interested parties may comment on the issues which it addresses.

3.2 The purpose of this consultation is to draw the attention of stakeholders to the draft Direction and to explain the Metering and Billing arrangements that will be set in place under the new framework. The scope of the consultation does not extend to the Condition itself or the technical requirements of the Metering and Billing standard set out in the Metering and Billing Direction, both of which have already been subject to consultation. Stakeholders are invited to comment on the Direction by 16 May 2003. Responses to this consultation will be published unless they are marked as confidential.

3.3 Where possible, comments should be made in writing and sent by e-mail to frank.phillips@oftel.gov.uk. However, copies may also be posted or faxed to the address below. If any interested parties are unable to respond in one of these ways, they should discuss alternatives with the Oftel manager named below:

Frank Phillips
Oftel
50 Ludgate Hill
London
EC4M 7JJ

tel: 020 7634 8871

e-mail: frank.phillips@oftel.gov.uk

Further copies of this document

3.4 This document can be viewed in the *Publications* section of Oftel's website at www.oftel.gov.uk/publications/licensing/2003/billdirec0303.htm. Paper copies and alternative formats such as large print, Braille, disc and audio cassette can be made available on request. Please contact Oftel's Research and Information Unit by phoning 020 7634 8761 or by sending an e-mail to infocent@oftel.gov.uk.

Publication of comments made by stakeholders

3.5 On this occasion, Oftel is not programming a formal period during which interested parties may comment on the responses made by others. Nevertheless, in the interests of transparency, comments will be published, except where respondents indicate that a response, or part of it, is confidential. Respondents are therefore asked to separate out any confidential material into **a confidential annex, which is clearly identified** as containing confidential material. Oftel will

take steps to protect the confidentiality of all such material from the moment that it is received at Oftel's offices. However, in the interests of transparency, respondents should avoid applying confidential markings wherever possible.

3.6 Non confidential responses can be viewed on Oftel's website in the *Publications* section under *Responses to Oftel consultations*. Comments can also be viewed at Oftel's Research and Information Unit. Appointments must be made in advance (see contact details in paragraph 5.3).

e-mail notifications

3.7 Oftel has a free e-mail based mailing list to help people stay informed about the work that Oftel is doing. Each time an Oftel document is published and placed on Oftel's website at www.oftel.gov.uk, subscribers to the list receive an e-mail alert. To register, please go to the *What's New* section of the website and access the electronic form.

Next steps

3.8 Following the completion of the consultation exercise, Oftel will publish a statement setting out its conclusions and will publish the Oftel Metering and Billing Direction by 25 July 2003.

The consultation criteria

3.9 Oftel considers that this document meets the Cabinet Office code of practice on written consultation documents in most respects. The code is reproduced below for convenience. If you have any comments or complaints about this consultation **process** please contact:

Oftel co-ordinator for the code of practice:
Robert Jex
Oftel
50 Ludgate Hill
London EC4M 7JJ.

e-mail: rob.jex@oftel.gov.uk

tel: 020 7634 5350
fax: 020 7634 8940

3.10 Timing of consultation should be built into the planning process for a policy (including legislation) or service from the start, so that it has the best prospect of improving the proposals concerned, and so that sufficient time is left for it at each stage.

3.11 It should be clear who is being consulted, about what questions, in what

timescale and for what purpose.

3.12 A consultation document should be as simple and concise as possible. It should include a summary, in two main pages at most, of the main questions it seeks views on. It should make it as easy as possible for readers to respond, make contact or complain.

3.13 Documents should be made widely available, with the fullest use of electronic means (though not to the exclusion of others), and effectively drawn to the attention of all interested groups and individuals.

3.14 Sufficient time should be allowed for considered responses from all groups with an interest. 12 weeks should be the standard minimum period for consultation.

3.15 Responses should be carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed, and reasons for decisions finally taken.

3.16 Departments should monitor and evaluate consultations, designating a consultation co-ordinator who will ensure that all the lessons are disseminated.

Annex A

The OfTel Metering and Billing Direction.

Foreword

F1 This document, the OfTel Metering and Billing Direction, is the document referred to in General Condition of Entitlement 12 'Metering and Billing' ('the Condition') set by the Director under section 42 of the Communications Act 2003. The Condition provides that a Communications Provider that is subject to paragraph 12.3 of the Condition shall apply to an Approval Body for Approval of its Total Metering and Billing System and shall obtain such Approval as soon as is practicable. Approval is defined in the Condition as an approval granted by an Approval Body where the Communication Provider's Total Metering and Billing system is compliant with the standard set out in this Direction. 'Approval Body' is defined in the Condition as the British Approval Board for Telecommunications (BABT), British Standards Institute (BSI) or the National Quality Assurance Ltd (NQA).

F2 Paragraph 12.5 of the Condition provides that, subject to paragraph 12.3, a Communications Provider shall not keep in use after 31 December 2003 any part of its Total Metering and Billing System for which an application for Approval has not been made.

F3 This Direction replicates the technical standard that was previously incorporated in the OfTel Metering and Billing Standard, OTR 003: 2001, but contains minor changes which are necessary to reflect the language of the new regulatory framework under the Communications Act 2003. As such, the Condition provides that where a Communications Provider has either applied for or obtained approval for any part of its Total Metering and Billing System as conforming to OTR 003: 2001 such application or prior approval shall be deemed to be (as the case may be) an application for Approval or an Approval under 12.4 of the Condition.

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1 Definitions and Interpretation

1.1 Definitions

In this Direction, except in so far as the context otherwise requires:

1.1.1 'Act' means the Communications Act 2003;

1.1.2 'Approval Body' shall have the same meaning as in the Condition;

1.1.3 'Bill' means either:

- (a) the documentation Issued by a Communications Provider to an End-user informing him of the charges levied; or
- (b) the information retained by a Communication Provider recording and allowing debits to be made from an End-user's account;

(Note: Prepay services are typical examples of (b).)

1.1.4 'Chargeable Event' means either:

- (a) an implementation of a request for a service, feature or discount that attracts a recurring or non-recurring charge; or
- (b) a use of such a service that attracts an individual charge for each use;

(Note 1: The term Service Usage (see clause **1.1.15**) corresponds to (b). A typical example of Service Usage charged for by duration is a telephone call. Another example is the transmission of data, which could be charged for by counting the number of bytes or data packets required.

Note 2: Chargeable Events may occur without having been initiated by the user. An example would be charges for the terminating leg of a call. Where charges apply to both the origination and termination of the same call, two distinct Chargeable Events will have occurred. Examples are call diversion or mobile telephone roaming.)

1.1.5 'Complaint' means an expression of dissatisfaction with the Communications Provider or the service it provides, received from an End-user;

1.1.6 'Condition' means General Condition 12 of the General Conditions of Entitlement;

1.1.7 'Director' means the Director-General of Telecommunications as appointed under section 1 of the Telecommunications Act 1984;

1.1.8 'Equipment' means all the hardware and software and/or firmware necessary for the correct operation of a function;

1.1.9 'General Conditions of Entitlement' means those general conditions set by the Director from time to time pursuant to section 42 of the Communications Act 2003;

1.1.10 'Issue' means the action whereby the Communications Provider, having completed preparation of a Bill, passes it to the delivery agent;

Note: The Communications Provider has completed preparation of the Bill if any further processing still to be performed by the delivery agent is for presentational purposes only.

1.1.11 'Logging/Metering' means the operation of any Equipment constructed or adapted for use in ascertaining the extent of Service Usage of an Electronic Communications Service;

1.1.12 'Overcharged Event' means either:

- (a) a Chargeable Event for which the charge to the End-user exceeds that calculated on the basis of the applicable Published Tariffs, or Previously Agreed Tariffs; or
- (b) any other incident which results in a charge being logged or added erroneously to the Bill;

(Note: An example of (b) is multiple entries relating to the same Service Usage.)

1.1.13 'Previously Agreed Tariff' means a written agreement between a Communications Provider and an End-user stating charges for Electronic Communication Services that is not made public;

1.1.14 'Published Tariff' means publicly available statements that specify the charges which a Communications Provider makes for Electronic Communications Services;

(Note: The term is intended to cover paper documents made available for public inspection, statements published in The London Gazette or other periodicals, advertisements, information published on the Internet, and the like.)

1.1.15 'Service Usage' means the extent of the End-user's use of the service provided when successfully accessed;

1.1.16 'Service Usage Specification (SUS)' means the detailed description of the basis on which an End-user's use of a communication provider's electronic communications facilities is assessed for charging purposes;

1.1.17 'Total Metering and Billing System' shall have the same meaning as in the Condition;

1.1.18 'Undercharged Event' means a Chargeable Event:
either

- (a) for which the charge to the End-user is lower than that calculated on the basis of Published Tariffs, or Previously Agreed Tariffs; or
 - (b) which has been omitted from the logged record or Bill owing to an incident;
- and which is not covered by an SUS claim.

(Note: An example of b) is the loss of call records as a result of a switch restart.)

1.2 Interpretation

For the purpose of interpreting this Direction:

- (a) except in so far as the context otherwise requires, words or expressions used shall have the meaning assigned to them and otherwise any word or expression shall have the same meaning as it has in the Act;
 - (b) the Interpretation Act 1978 shall apply as if this Direction were an Act of Parliament;
 - (c) headings and titles shall be disregarded; and
 - (d) expressions cognate with those in this Direction shall be construed accordingly.
-

2 Measurement of Accuracy and Reliability

2.1 All charges must be consistent with the Published Tariff or Previously Agreed Tariff applicable to the End-user charged.

2.2 Unless otherwise specified in the Published Tariff or Previously Agreed Tariff, a charge shall be determined in accordance with all of the following limits that apply to it:

- (a) where the charge is dependent upon duration, the recorded duration shall be measured to within:
 - i) between +500 milliseconds and –1,000 milliseconds; or
 - ii) between +0.01% (1:10,000) to –0.02% (1:5,000)

whichever is less stringent; and

- (b) where the charge is dependent upon the time of day, the time of day shall be recorded to within ± 1 second, traceable to an appropriate time reference; and
- (c) where the charges are dependent upon the counting of occurrences of a particular type, the count shall be accurate to no more than plus 1/25,000 (0.004%) or minus 1/1,000 (0.1%).

Where measurement under clauses **2.2 (a), (b) & (c)** reveals systematic errors in timing or counting that result in Overcharged Events which are not stated in Published Tariffs or Previously Agreed Tariffs then correction should take place to ensure accurate Bills (see clause **10.2**).

2.3 The performance of a Total Metering and Billing System shall be such that, subject to the tolerances specified in clause **2.2**:

- (a) the numbers of items of Service Usage that are Overcharged Events or Undercharged Events shall not exceed as a proportion of the total number of Chargeable Events the limits shown in the column marked 'Logging / Metering' in Table 1; and
- (b) the sum of the values of the errors in the Overcharged Events or Undercharged Events shall not exceed as a proportion of the total value of the total number of Chargeable Events the limits shown in the column marked 'Billing' in Table 1.

(Note: Measurement results can be presented as a ratio or percentage.)

Table 1
Total Metering and Billing System reliability performance requirements

Chargeable Events	① Logging / Metering	② End to End	③ Billing
Number under or not charged	0.01% (1:10K)	0.1% (1:1K)	0.09% ^a (1:1.1K)
Number overcharged	0.002% (1:50K)	0.004% (1:25K)	0.002% (1:50K)
Value under or not charged	Not Applicable	0.05% (1:2K)	0.05% (1:2K)
Value overcharged	Not Applicable	0.002% ^b (1:50K)	0.002% ^b (1:50K)
^a . Determined from end to end and logging requirements. ^b . This requirement shall be deemed to have been met if the value overcharged does not exceed £500 per calendar month.			

2.4 Where implementation of an order for a service, feature or discount which depends on the number or duration of Chargeable Events is applied at variance with Published Tariffs or Previously Agreed Tariffs, each Chargeable Event within the scope of the incorrectly applied order shall be an Undercharged Event or an Overcharged Event, as appropriate, for the purposes of clause **2.3**.

2.5 Where an item of Service Usage is completed other than intended, but the charge applied is correct for the service as delivered, this shall not be regarded as either an Undercharged Event or an Overcharged Event.

(Note: Examples include such events as wrong numbers.)

2.6 The increase in duration or number of items of Service Usage resulting from degraded transmission performance shall not be taken into account when computing the performance of the system.

(Note: Such degradation may result in the repetition of voice or data messages.)

2.7 The Communications Provider will provide the Approval Body with access to all people, locations, Equipment and data necessary to establish conformity to this Direction. In general, compliance with this Direction shall be assessed by appraisal of the relevant Equipment, procedures, associated documentation and by analysis of the associated data.

3 Individual Bill accuracy

3.1 The Communications Provider shall employ safeguards to prevent gross errors being included in individual End-users' Bills.

3.2 The Communications Provider shall have a documented process for identifying, investigating and dealing with billing complaints and creating appropriate records thereof.

3.3 The Communications Provider shall carry out a root cause analysis for each upheld billing complaint, categorise the cause and establish proportionate remedial action to correct it.

3.4 Where the root cause affects multiple End-user accounts, then all affected bills shall, if practicable, be included in a recovery programme.

3.5 Where remedial action has not been completed and the cause is likely to affect other bills when Issued, then the Communications Provider shall take reasonable steps to ensure that they are checked and, if necessary, corrected, before being sent to the customer. If not checked and corrected such bills shall be included in a recovery programme (clause **3.4**).

4 Timeliness of Post Pay Billing

4.1 The timeliness of Bill Issue or Bill data file Issue shall be subject to systematic processes.

4.2 Unless Published Tariffs or Previously Agreed Tariffs contain alternative provisions, any Chargeable Event the details of which are not to hand when the Bill is prepared shall be included in a Bill no later than:

- (a) the next Bill, when Bills are rendered quarterly or less frequently; or
- (b) where Bills are rendered monthly, the fourth monthly Bill after the Chargeable Events occurred.

Any details not so presented shall, unless permission to do otherwise is obtained from the End-user, be written off, and if significant counted against the performance for Undercharged Events in clause **2.3**. Exceptionally, Chargeable Event details from a separate Communications Provider (see clause **6**) may be billed by the receiving Communications Provider up to three months after receipt.

4.3 Agreement to extend the time scales described in clause **4.2** may be sought from the Director via the Approval Body. An extension will only be available on an irregular basis. Decisions will be made on application for an extension concerning:

- (a) how End-users will be informed of a protracted delay in rendering call records onto a subsequent Bill; and
- (b) the integrity of the billing process audit arrangements.

(Note: All such decisions made by the Director will be published on the Oftel website.)

4.4 The Communications Provider shall contract with its delivery agent to ensure that an effectual Bill or Bill data file delivery schedule is in place. The existence of such a contract shall be subject to audit.

(Note: For avoidance of doubt, the Communications Provider does not need to establish when the Bill is actually delivered, only that it has Issued the Bill with sufficient time for the delivery agent to deliver the Bill on time. It is reasonable to assume that the delivery agent performs to the level described in its agreement with the Communications Provider or in its public statements.)

5 Tariffs

5.1 Where more than one document has been placed in the public domain to constitute Published Tariffs, and conflicts in the information so published exist between them, the Communications Provider shall:

- (a) confirm which document takes precedence for the purposes of this Direction; and
- (b) make such confirmation public so that it is visible to the End-user.

5.2 Tariffs shall include statements to define the resolution and rounding of charges, including the underlying units of measurement.

5.3 Where the fee varies according to a choice made by the End-user, then such variations should appear in the Published Tariffs.

5.4 If a Previously Agreed Tariff statement is made visible to the general public, it is to be regarded as a Published Tariff.

6 Interworking between Communications Providers

6.1 Where a Total Metering and Billing System is operated by more than one Communications Provider, each Communications Provider shall be responsible for the accuracy of output produced by its Equipment, procedures, and data.

6.2 No Communications Provider shall be responsible for the accuracy of output produced by another Communications Provider's Equipment, procedures, and data.

6.3 If there is evidence that signals or data handed over to a receiving Communications Provider contain errors, then such errors, if uncorrected, shall be counted by the receiving Communications Provider in determining compliance with this Direction. The correction of errors shall be subject to systematic processes.

(Note: An example of signalling error is a premature answer signal being transmitted.)

6.4 Application of Table 1

6.4.1 Where:

- (a) the Total Metering and Billing System is operated by more than one Communications Provider; and
- (b) the activities of each Communications Provider do not fall within the scope of Table 1 columns 1 or 3;

then the limits in Table 1 Column 2 shall be apportioned equitably to each Communications Provider according to the scope of its activity.

6.4.2 After agreement with (and between) the relevant Approval Body (or Approval Bodies) such apportionment shall be made contractually binding between the Communications Providers.

6.4.3 Limits shall not be applied which would require any Communications Provider to operate its part of the Total Metering and Billing System free from any error.

7 Quality

7.1 A Communications Provider operating a Total Metering and Billing System shall have procedures and documentation covering all aspects of operation for which it is responsible.

(Note: This shall include sub-contractors' formal procedures and documentation.)

7.2 Where accuracy of Logging/Metering and/or billing may be affected by the performance of Equipment operated and/or maintained by a sub-contractor, the Communications Provider shall contractually commit the sub-contractor to operate and/or maintain the Equipment so as to maintain compliance with this Direction.

8 Materiality

8.1 Compliance with the requirements contained in this Direction shall need to be demonstrated only in relation to products and services that have a material impact on the End-user's Bill. This materiality is deemed to be:

- (a) where the Communications Provider's turnover from a product or service comprises five per cent or more of its total turnover with the End-users targeted for that product or service; or
- (b) where the number of End-users subscribing to a product or service offered by the Communications Provider comprises five per cent or more of the End-users targeted for that product or service; or
- (c) at the specific direction of the Director.

(Note: Such a direction may, for example, be given in the event of a product or service raising a disproportionate level of Complaints.)

9 Measurement Systems

9.1 The means for demonstrating conformity with the requirements of this Direction shall be subject to agreement between the Communications Provider and Approval Body. Such agreement shall take the form of a measurement strategy document.

(Note: Where conformity to the performance requirements is monitored through the deployment and use of call logging/call sending equipment, it is permitted to express the requirements so monitored in terms of the results to be expected from that equipment.)

10 Service Usage Specification (SUS)

10.1 The Communications Provider shall produce a SUS for each Total Metering and Billing System and agree its content with its Approval Body.

10.2 Where design features and operating processes are used to protect customers' interests and, under normal operation of the Communications Providers Total Metering and Billing System, result in one or more Undercharged Events, such undercharging shall not count against the requirements of this Direction provided the said features and processes do not under any circumstances result in Overcharged Events.
