

NOTICE OF CONSULTATION

The British Approvals Board for Telecommunications ("BABT"), being an Approval Body as referenced in General Condition 11 contained within the Notification dated 22 July 2003 under Section 48(1) of the Communications Act 2003 hereby gives notice that:

BABT

- having on 3 March 2004 approved the Total Metering and Billing System ("TMBS") operated by Kingston Communications (Hull) PLC ("Kingston") relating to their East Yorkshire Division
- having appraised the same company's TMBS relating to their Business Services Division used to provide the additional Public Electronic Communications Services listed under "Business Services Division" in Section A on page 2 of this Notice
- having reviewed analyses of measurements of the performance of the TMBS made over a period of six months
- having determined that the TMBS is compliant with the requirements of the Oftel Metering and Billing Direction, dated 22 July 2003
- intends to give a modified Approval to Kingston in accordance with General Condition 11 contained within the Notification dated 22 July 2003 under Section 48(1) of the Communications Act 2003
- the Approval so given will be that reproduced on pages 2 and 3 of this Notice, dates to be completed as and when the Approval is actually given
- the effect of the Approval will be to allow Kingston to keep in service its Total Metering and Billing System(s) for all services listed in Section A on page 2 of this Notice.

Representations with regard to this Notice must be sent to BABT by 18 February 2005. Please note that such representations will be placed in the public domain. If you wish all or part of your submission to remain confidential, please identify those parts in a covering note.

Please email or send comments in writing, quoting reference MET.0039 to:

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Claremont House
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**APPROVAL IN ACCORDANCE WITH GENERAL CONDITION 11
AS NOTIFIED UNDER SECTION 48(1) OF THE
COMMUNICATIONS ACT 2003**

The British Approvals Board for Telecommunications (BABT),

- being an Approval Body as referenced in General Condition 11 contained within the OfTel Notification dated 22 July 2003 under Section 48(1) of the Communications Act 2003 (hereinafter referred to as "the Act"),
- having on <date to be inserted> given notice to such persons as BABT considers appropriate of a proposal to give this approval,
- and having considered any representations received from such persons by <date to be inserted>,

hereby approves, in accordance with the General Condition, the Total Metering and Billing System operated by Kingston Communications (Hull) PLC which is used to provide the Public Electronic Communications Services listed in Section A, subject to the conditions listed in Section B which must be complied with if this approval is to apply.

A. Public Electronic Communications Service(s) within the scope of this Approval

East Yorkshire Division:

1. Dialed Public Switched Telecommunications Network calls (excluding the meter pulsing facility on exchange lines)
2. Operator-controlled Public Switched Telecommunications Network calls
3. Mobile Telephony calls
4. Mobile Operator calls

Business Services Division:

1. Direct dialled outbound switched voice for all UK wide retail customers
2. Inbound number translation services – all 08xx and 09xx number ranges (excluding International Freephone Number and Universal International Freephone Number services)

Other services may be available but which are not within the scope of this Approval

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B. Conditions which must be complied with if this Approval is to apply:

1. Kingston Communications (Hull) plc shall advise BABT promptly if there is any reason to believe the requirements of the Oftel Metering and Billing Direction, dated 22 July 2003 (the "Direction") are not being met in relation to this Approval;
2. Kingston Communications (Hull) plc shall ensure that any proposed changes to the approved Total Metering and Billing System (TMBS) are appraised before being implemented in order to establish that the TMBS will continue to meet the requirements of the Direction;
3. Kingston Communications (Hull) plc shall maintain a documented quality system that continues to comply with BABT requirements;
4. Kingston Communications (Hull) plc shall provide to BABT, using measures accepted by BABT and in the manner agreed with BABT, regular monthly evidence to indicate whether or not the performance of the approved TMBS continuously complies with the requirements of the Direction;
5. Kingston Communications (Hull) plc shall permit access to all relevant personnel and facilities at the reasonable request of BABT in order to ensure the regular audit of the approved TMBS;
6. No later than 31 December 2007 Kingston EYD shall submit to BABT an application for continuation of approval of the TMBS which is used to provide the Public Electronic Communications Services listed in Section A that will be in service after 31 January 2008.

C. Documents Relating to this Approval

1. Communications Act 2003
2. Notification under Section 48(1) of the Communications Act 2003 (setting general conditions under section 45 of the Communications Act 2003), dated 22 July 2003
3. The Oftel Metering and Billing Direction, dated 22 July 2003

The Interpretation Act 1978 shall apply for the purpose of interpreting this approval as if it were an Act of Parliament. Any word or expression used in this Approval shall unless the context otherwise requires have the same meaning as it has in the Act or in related documents

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