

## **Additional comments:**

We believe that Ofcom should instigate a review to establish whether "bundles" are fair value to consumers as this concept is central to the Consultation paper. This consultation does not address the freedom of choice for the individual. If a consumer is given an unrestricted bundle and are able to make their own choice why prevent this choice ?

This Consultation represents another reaction by the OCPs to the 03 Determination mentioned on page 6 of the document and their dislike of the relevant charges and will consequently inhibit use of 03 numbers outside government departments. This will happen because these departments are told to use them. Outside the government environment there will be little reason to use the 03 range.

Can Ofcom produce a statistic of aggregate 03 traffic in minutes for each of the last 3 years in order that we follow the "success" of this already concluded consultation

As far as we are aware there has been no informal talks with organisations (your para A2.2) and people prior to (or after) the announcement of this consultation. We request Ofcom to provide a list of any meetings that were in anyway relevant to this consultation and explain why none were held.

As stated elsewhere in our response there is no data provided to support any assumption made by Ofcom in this consultation and we think the consultation should be withdrawn

**Question 3.1: Do you agree that the modification to the Numbering Plan that we propose ? which would prohibit direct or indirect revenue-sharing with callers and/or end-users by those who use 03 numbers ? is appropriate and proportionate to address the conduct of concern that we have described in this document? If not, please explain why.:**

We do not agree. This change will lead to the demise of the range beyond government departments. Within the consultation document there are listed 3 harmful impacts on which the case for amending the numbering plan rest. We have chosen to address these items to demonstrate our disagreement.

Economic Viability

Ofcom provide no proof within this document that the use of 03 numbers threatens the economic viability of bundles offered by OCPs. There is no data provided but intuitive guesses. We believe that Ofcom and the OCPs should make an attempt to quantify the extent of the purported threat to bundles. There is no substantiation of the assertion and indeed Ofcom also confirms in para 2.22 that EE had not provided evidence that it was failing to recover it's efficiently incurred costs on calls to 03 numbers

Further, we feel that Ofcom are not being even handed and are working to benefit the substantial OCPs.

Our observations on this issue are underlined by the executive summary para 1.4 where Ofcom say that OCPs may be compelled to make their bundles less "generous". The word "generous" is a value judgement and we do not believe it is in Ofcom's mandate to make such a judgement.

Please define the meaning and extent of "generous".

Please also provide some proper substantiation/quantification of how the economic viability of OCP bundles are threatened when you have contradicted yourself in para 2.22

#### Significant Traffic Inflation

This "harm" is not clearly explained. Para 3.11 and also the inclusion of 3.16 (a harm) in benefits feels like padding. We find this statement very unrealistic and improbable.

However, yet again there is no statistical or quantitative data to substantiate this claim. All CPs who hold a BT SIA are aware that they need to inform BT of traffic volumes against which the latter can manage traffic volumes on the network.

In the absence of any information provided to this consultation we believe there are no network performance issues to be addressed.

The reputation of the 03 range would be harmed

The reputation of the 03 range has already been harmed by the cavalier actions of the OCPs through the blocking of ranges and not keeping to their obligations and processes. Through this consultation we believe Ofcom are supporting OCP actions, making the consultation inappropriate and disproportionate.

Consumers wish to enjoy the benefit of a good quality of service and that will substantiate and enhance the 03 number range. So far there are no consumer complaints on the quality of service. While not relevant here the decline in reputation of the 08 ranges came through no visibility in Ofcom's role and the price inflation (hidden from the consumer) via the Mobile Operators excessive price increases

The problem is the Mobile Operators underlying costs and they, the MOs still do not provide customer pricing transparency. Yet Ofcom is pandering to the very organisations who put number range reputation at risk

#### **Question 4.1: Do you have any comments on the draft modifications to the Numbering Plan that we are proposing, as set out in Annex 7? Where you disagree with any of the proposed modifications, please explain why.:**

We disagree with the changes because we believe they are not a practical solution. A primary reason is that the modifications will not allow 03 numbers to provide benefit and will only be used for making calls. Any service can be called indirect if the OCPs choose to do so.

There is no accompanying process for prompt resolution to any arising disputes. The word "indirect" is in itself open to interpretation and therefore disagreement. Such a lack of process definition seems to stack the odds in favour of the large OCPs where a disagreement occurs.

We are surprised that Ofcom thinks that by changing words with no process all will be well. Telecoms is littered with disputes regardless of wording. This consultation does not recognise the need for reconciliation or mediation which can only be harmful to Telecoms as a whole. Is it Ofcom's intention that a dispute falls by default into the BT AIT dispute process. Have BT agreed to this addition to an already unworkable Appendix E