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Ofcom Consultation on Telephone Numbering

Cellbyte Response

1. General

Cellbyte is a member of the trade organisation, Network for Online Commerce (NOC) and this response is a follow-up to that registered by NOC in the initial round of consultation.

As stated in the NOC response submitted on 25th May 2006, the numbering spectrum for the public switched telephone service in the UK is a valuable national resource and deserves appropriate quality management.

The pace of change in public telephony has accelerated over the past few years and must be expected to continue to change at a similar or increased rate into the future. The public appetite for new services will not diminish and it will be important that management of the numbering spectrum should not inhibit the development and growth of such services nor deter the entry to the market of the entrepreneurial flair which has positioned the UK as a leader in innovative use of telephone networks for Premium Rated Telephony Services (PRS).

2. Questions and Answers

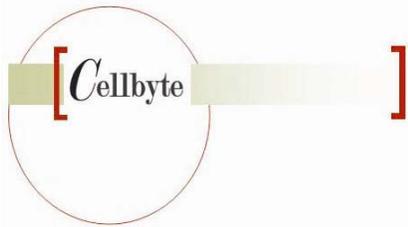
Question 1 Which of Ofcom's two options for a price ceiling for 070 numbers – above which a free pre-call tariff announcement would be required to inform the customer of the maximum price that could be charged - do you prefer, and why:

- a) A standard price ceiling of 20p per minute or per call from all originating providers; or*
- b) A customer-specific price ceiling of no more than the maximum that a customer would pay, on a per-minute or per call basis, to call a customer on a mobile network from that originating provider?*

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CELLBYTE Response:

Ofcom have previously said that they do not believe that they can enforce price ceilings included in the numbering plan without amending the general conditions, something that they're not currently consulting on. The general conditions place obligations on the operator to whom a number is allocated and for 03 and 070 that is the terminating operator, not the originating operator who will be setting the retail tariff. The consultation where all of this was discussed is the 0845/0870 consultation dated 29 April 2004 - <http://www.ofcom.org.uk/consult/condocs/0845/0845.pdf> - para 3.72 and Annex D (para D.16).

If Ofcom do not modify the general conditions then Cellbyte believes there will be major problems and concerns enforcing any tariff ceilings.

Therefore subject to a satisfactory answer to the above, Cellbyte reserves judgement on preferred options until this issue is clarified.

Question 2 Is the proposed implementation date of around February 2007 reasonable to implement either of the two price ceiling options? Will either of the price ceiling options be more complex or require more implementation time than the other?

CELLBYTE Response:

Cellbyte would like to refer you to the answer we provided above. However, February 2007 seems very ambitious, and would propose that an implementation date towards the end of 2007 would be more appropriate.

Question 3 Do you agree with the proposed designation of 071 to 075 inclusive as mobile services, and the corresponding amendment to the application form to include 075?

CELLBYTE Response:

Cellbyte has no major objection to this proposal

Question 4 Do you have any comments on Ofcom's guidance on the categories of end user eligible for 0300 numbers? Can you suggest any other categories of public service and not-for profit bodies that should be included in the guidance?

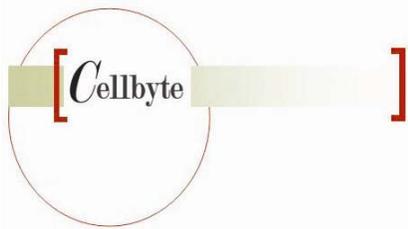
CELLBYTE Response:

Cellbyte finds it difficult to comment on the above question, as in line with the Network for Online Commerce, we have stated publicly on many occasions and in responses to earlier Ofcom consultations, that the 0300 number range is not necessary nor required. A large percentage of industry does not require this and in fact, will merely serve to confuse the customer further.

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We would also wish to point out 0300 could cause consumer confusion with 0800 and 0500 for example.

We would also request Ofcom to provide us with guidance on whether 0300 numbers can translate to non-geographic numbers and a breakdown of the commercial revenue split between originating and terminating operators.

What views do Ofcom have on porting of 0300 and 0600 numbers – For example at what timescale after issue can they be ported and the transit charges applicable for same? Do these numbers count as geographic numbers or NTS numbers for the purpose of revenue and transit charges?

Question 5 Do you have any other comments on the specific changes that Ofcom is proposing on the Numbering Plan and application forms?

CELLBYTE Response:

Cellbyte and its membership is broadly dissatisfied with the outcome of the earlier response initiated by Ofcom on Numbering issues. Despite various workshops and detailed responses it would appear Ofcom has opted to introduce these measures for consumer benefit at the expense of industry opinion. We are sure Ofcom are introducing these new measures with all best intentions, however consumers will not appreciate the new changes and take up of 0300 number range for example, will not be well received.

Our members would appreciate detailed and lengthy guidance on how completing application forms in good time before applications are to be made. This is particularly necessary if the February 2007 timescale is to be adhered to.

Cellbyte has no further comment to make on this issue for the time being.

If we can be of any further help or if you require clarification on any points made please contact us via neil@cellbyte.net or call 0709 02 01 07 3.

Yours Sincerely,

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