

Response Name Totem Communications Ltd

Question 1:What are your views on the strategic principles that Ofcom proposes to apply to its numbering policy decisions? : Totem supports the strategic principles outlined by Ofcom in 3.15. In particular we support the objective to provide benefit to consumers whilst protecting them from abuse, and the objective to allocate numbers in such a way that does not inappropriately discriminate between different providers, or the networks and technologies used by those providers. This latter point is particularly important for smaller CPs and SPs.

Question 2:What do you think are consumers? key current views on numbering, how do you think those views will change, and how should Ofcom?s current decisions take those changes into account? : We agree that numbering needs to be transparent and more easily understood by consumers. They do need to easily understand what type of service a particular number range relates to, and to have some idea of the likely charge for using that number range. However, we do believe that consumers are gradually becoming less dependent on being able to recognise a number as a local number. The growth in mobile combined with increasing business use of the 08 range has both contributed to this. Over the next few years we suspect that geographic numbering will gradually become much less important.

Question 3:What do you think are the main ways in which technological developments will change the focus of numbering policy decisions, and how should Ofcom?s current decisions take these developments into account? : We agree with Ofcom?s analysis. Consumers will increasingly want to be able to mix and match email, VoIP fixed and mobile. They will want some form of numbering scheme that will enable them to easily switch between these services. Totem welcomes the proposal for a trial block on 060 which CPs can use to experiment with future possibilities.

Question 4:Do you have any comments on Ofcom?s assessment of the current challenges to the Numbering Plan, in terms of a) number availability, b) transparency, or c) consumer abuses? : No. We agree with Ofcom?s assessment. More transparency on charging for calling numbers, and more transparency on the use of revenue sharing would be beneficial. The availability of smaller number blocks as technology moves to NGN would also help the more efficient allocation of numbers.

Question 5:Do you agree that the extension of conservation measures is the best approach to take before the impact of NGNs eases the pressure on geographic number demand?: If it helps, yes, we agree. In general, we support any move towards the allocation of smaller number blocks.

Question 6:Do you agree that the use of overlay codes is the best backstop approach in the event that extended conservation measures are not sufficient to meet demand for geographic numbers?: If all else fails, yes. However, Totem has no direct interest.

Question 7:Do you agree that Ofcom should continue to respect the geographic identity of numbers until consumer understanding of the impact of technology change evolves further, and what do you consider is the best way to develop that

consumer understanding? : Yes, we agree that Ofcom should, in the short term, continue to respect the geographic identity of numbers. However, as we said above in answer to question 2, we believe that geographic numbers are becoming less important to consumers. Consumers are increasingly using non-geographic numbers (mobile and NTS). They are much less concerned now about knowing the geographic location of a number. It does not really add to their understanding of the likely charging, and use of memory dialing reduces the objection to dialing long strings for local numbers.

Question 8:Do you agree with Ofcom's proposal to open a new '03' number range for non-geographic, non-revenue sharing services? : Yes, we support this move. It resolves some of the problems associated with 08, and leaves the 08 range free to develop with revenue sharing, whilst maintaining transparency for consumers. There will be migration costs associated with this move, which will need to be carefully considered, but the long-term strategy is good.

It is important that Ofcom starts the allocation of these numbers as soon as possible. Service Providers are already asking for them, to enable them to plan their marketing and collateral campaigns for the new numbers. There is no reason why the number ranges should not be made available as soon as Ofcom issues its Statement in July, even if they are not implemented until much later.

Question 9:How should the '03' range be structured, in terms of tariffs and services ?: We support the concept that Ofcom is proposing for 08 ? that the higher the sub-number the higher the charge is likely to be. To be consistent this policy should be applied to the 03 number range, i.e. the higher the numerical value of the second significant digit, the more expensive the call is likely to be. We do appreciate that there may not be a significant difference in the cost of 03 calls, but we do not know that yet. Therefore the pricing should be structured to align with the policy likely to be adopted for 08 ? it will be easier to understand. Therefore we support Option 3(a).

Question 10:How should the '08' range be structured, in terms of tariffs and services?: As we support the concept that pricing should correlate with the numerical value of second digits, and as we would like to allow room for growth, we support Option 3(iii). However, the recent statement by Ofcom on the future of NTS, specifically that the geographic link should be restored for 0870 calls, whilst laudable in itself, conflicts with the objective to make the cost of all 08 calls more transparent by aligning the numbering with likely costs, as suggested in the Numbering Consultation. In the medium to longer term, we prefer the latter approach.

Question 11:Which broad approach should Ofcom take to structuring the '09' range, and if a re-structured '09' range is preferred how would you arrange the different types of '09' services (e.g., according to price per minute, price per call, inclusion of adult content)?: We agree with Ofcom's view that Option 3 is the preferred solution if clear categories of service types can be defined. We also agree with Ofcom that if this were not possible, Option 2 would then become the preferred solution

Question 12:Should any specific PRS service categories be identified or segregated in order that parents can block access by their children (e.g.,sexually explicit content, gambling)? Is there merit in having a general 'adults only' classification, including a range of services to which access might be restricted on the grounds of content, or might consumers wish to apply different rules for different types of content?: Yes, there is merit in this proposal - but Ofcom may wish to apply different rules to different types of adult content ? depending on the likely potential for abuse.

Question 13:Are there any practical means by which the Numbering Plan could provide improved mobile tariff transparency?: Totem is not expert on the options for mobile tariff transparency ? though we would support any move that would make them more transparent. Rules applied to fixed networks should apply, if at all possible, to mobile networks.

Question 14:Do you agree that personal numbers should have a tariff ceiling (or recorded message) to restore trust in those numbers? If so, what level, and should that ceiling include the cost of recorded messages? : Yes, we agree. Totem has no comment to make on the level of the proposed ceiling.

Question 15:Do you agree with Ofcom's proposals to move personal numbers (with the same consumer protection provisions) to the '06' range and to pursue the direct allocation of numbers to end users as proposed at some point in the future?: We agree that personal numbers should move to the new 06 range ?it helps to increase transparency for consumers. We like the concept of numbers being directly allocated to consumers at some point in the future ? but for this to happen, customers will need some technology to manage their routing, and we are not certain that this is available yet. Customers will need both some technical method, and some recognised process, for re-allocating the technical routing of their numbers. It may be similar to the methods used for allocating IP addresses, or it may be some 'national' intelligence in the developing IP networks. If consumers do not have direct access to the relevant technology, there will need to be organisations that can do it for them. We recognise that all of this will take time to develop.

Question 16:Do you have any comments on the use of the 05 number range?: No, we have no comment.

Question 17:Do you agree that Ofcom's overall proposals for a future Numbering Plan are coherent and comprehensive, and do you have any comments on the timescales in which the changes should be implemented ?: We agree that Ofcom's proposals are coherent and comprehensive, but we believe the timescales for transition may be too short ? there is a significant cost associated with the transition, both for CPs and for users. There is also nothing in Figure 5.6 which indicates what happens ? and when ? to those numbers which are not voluntarily migrated. However, Ofcom's April statement on the future of NTS proposed a target date for implementation of January 2008. This date is acceptable.

Question 18:Do you agree with the principle of using consumer protection tests in numbering in order to limit consumer abuses, as long as the relevant legal tests are met? Do you have any suggestions for what tests would be appropriate

or any conditions that should be met to pass such tests?: Yes, we agree. We support the three Conditions proposed in Annex 5, though we would also say that number ranges should be removed from those who persistently abuse (in addition to 'not be allocated?'). We also think it might be useful for Ofcom to consider developing some form of 'white list' of CPs and SPs, who might get some additional benefits by consistently achieving 'white list' standard.

Question 19:Do you support the proposal to extend the tariffing provisions of the Numbering Plan so that they apply to customers of all providers on all types of network?: Yes, we support this.

Question 20:How do you think the new Numbering Plan could be effectively communicated to consumers?: We believe it could be communicated in the way that any significant change to the numbering plan is communicated, i.e. by adverts funded by the industry, by PR (press articles) and by mail shots (probably with bills). We also believe that providers of services on the 03, 06, 08, and 09 ranges should contribute to the communication effort.

Question 21:What are your views on Ofcom's analysis and the different options for number charging ?: Ofcom has recognised that to control numbers, there may need to be some form of charging for numbers. We support the principle. It is our view that Ofcom charging should only relate to the administrative cost of managing the allocation. In particular, so-called 'golden numbers' should not be removed by Ofcom nor charged for separately by Ofcom. They should remain as part of allocated number blocks. It is our view that if number charging is introduced, there should be an annual administrative charge, which relates to the number of blocks (and number of numbers) allocated. This should motivate CPs to use their number allocations more efficiently.

Question 22:Which, if any, numbers might appropriately be allocated using a value-based charge ?: As we state in answer to question 21, we do not believe any numbers should be charged on a value basis.

Question 23:Do you have any other comments on Ofcom's proposals for numbering as discussed in Section 5, or any other suggestions for how Ofcom might revise the current Numbering Plan or its administration ?: Ofcom has produced a detailed and comprehensive analysis, with coherent proposals. Totem has nothing further to add.

Question 24:What do you think of Ofcom's proposed general approach to managing geographic numbers?: Totem supports Ofcom's general approach to managing geographic numbering. We agree that Ofcom should favour measures that provide continuity and cause least disruption and cost to consumers. We agree that the manner in which the measures are implemented should be neutral in their treatment of CPs and should not create any barrier into the market, and that there should be tariff transparency. We are pleased that Ofcom recognises that location significance is eroding.

Question 25:Do you have detailed evidence or suggestions on the variables likely to influence demand for geographic numbers, how those variables will change

over time, and how Ofcom should develop a demand model?: No, Totem does not have such information.

Question 26:Do you agree with the specific proposal for how to extend conservation measures, including the extension to areas with a number shortage predicted in the next five (rather than two) years?: Ofcom's proposals seem reasonable. It should be noted that Totem supports the concept of smaller number blocks.

Question 27:Do you consider there to be any upper limit, in terms of technical feasibility, on the number of areas in which conservation measures could be used?: Totem has no comment to make on this.

Question 28:Do you agree with Ofcom's assessment of the impact of conservation measures on stakeholders?: Totem has no particular comment to make.

Question 29:Do you agree that Ofcom should pursue these additional ways to improve number utilisation and, if we do, how would stakeholders be impacted and what practical issues are involved?: Yes, we agree that Ofcom should pursue these additional ways to improve number utilisation. Totem has no particular comment to make on the practical issues involved.

Question 30:What are your views on overlay codes, and Ofcom's assessment of them, as a fallback option to increase number supply? What should be the maximum number of areas where overlay codes are introduced?: Totem has no comment to make.

Question 31:What are your views on closing the scheme, and Ofcom's assessment of it, as a fallback option to increase number supply?: We agree that Ofcom should plan to eventually close the 'open numbering scheme'. As we say above, consumers are less dependent on being able to dial a local code than they used to be. Prices are not an issue, and memory dialing will help overcome some objections.

Question 32:What are your views on wide area codes, and Ofcom's assessment of them, as a fallback option to increase number supply?: Totem has no comment to make.

Question 33:Might wide area codes be appropriate in regions with a strong identity and, if so, which specific regions are suitable for wide area codes?: Totem has no comment to make.

Question 34:Do you agree with Ofcom's assessment of the problems with current 08 and 09 in terms of information clarity and consumer perceptions?: Yes, Totem agrees. Our views are documented in our response to the last NTS Consultation. In summary, we support Ofcom's position on the need to increase transparency for consumers, and for Ofcom, ICSTIS and the industry to do everything possible to avoid abuse and improve the consumer perception of the usefulness of these numbers.

Question 35: Which of these options for current 08 services do you think is best in terms of a) increasing consumer transparency and b) minimising the costs of restructuring the 08 range ?: Totem agrees with Ofcom that Option 3 offers the best long-term solution. It establishes a strong new brand for non-revenue sharing national services on 03, and has a pricing structure which should be straightforward for consumers to understand. However, we think it is very important that there should be no compulsion to move services from 08 ranges to 03 ranges. As Ofcom notes, doing so would inevitably incur costs. We would also ask Ofcom to open the allocation of 03 numbers as soon as possible so that SPs can begin to prepare for the transition to live use of these numbers from January 08.

Question 36: How might early migration to the 03 range be encouraged?: It is likely that some public sector users will automatically move over, and as consumer awareness increases, there will be consumer/PR push. A number of service providers will want to move to 03 as part of a move to present a consumer friendly image. Totem is already finding that our SPs are now asking for 03 numbers so that they can begin preparation for the transition. Making allocation of these numbers available as soon as possible would encourage early migration.

Question 37: Is it more important to indicate price per minute or price per call, and does this vary for different types of PRS service? What granularity of PRS tariff information should be given to consumers by the Numbering Plan?: Consumers should know whether the price of a call is capped or not, and they should know before the call starts what the likely overall cost will be. On the second part of the question, Totem is not convinced that the Numbering Plan is capable of giving consumers all information on tariffs. Conveying information about charging through the numbering plan should be kept simple. If an attempt is made to convey too much information about the detailed charging for different 09 services through the numbering plan, it may only result in confusion.

Question 38: Should there be any PRS number ranges with no tariff ceiling ?: No, there should not be any PRS number range with no tariff ceiling. It would be too open to abuse.

Question 39: What is the typical turnover of 09 numbers, and what does this mean for migration timescales to a new 09 Plan? How could Ofcom structure the 09 range or take other steps to promote voluntary migration of 09 services ?: We believe the changeover could happen within two years. The proposed timescale in the Ofcom April 2006 statement on NTS, suggesting January 2008, is reasonable, given the level of discussion over the past eight months.

Question 40: Do you agree that that part of the 07 range which is currently unused (071-075) should be reserved for mobile services, with the aim of establishing 07 as a mobile brand?: Yes. Totem supports the idea of establishing 07 as a mobile brand. It is almost there already.

Question 41: Should Ofcom reserve specific sub-ranges within the 071-075 range for new mobile multimedia services, in the interests of promoting consumer awareness and tariff transparency, and if so how ?: Totem believes Ofcom should do this. The numbering policies should follow the same sort of guidance as for 08/09.

As we say in answer to other questions, consumers should be given as much information and transparency as possible and this should apply to mobile networks as well as fixed networks.

Question 42: Do you support the use of 100,000-number blocks in allocating mobile numbers to new mobile voice providers ?: Yes

Question 43: Based on the above analysis, if Ofcom were to introduce a charge ceiling on calls to 070 numbers, which of the following levels should be adopted: Totem has no comment to make.

Question 44: Would a requirement to make tariff information clearly available to purchasers of personal numbering services at the point of sale, either in addition to, or instead of a call ceiling, be an effective means of providing tariff transparency on personal numbers?: Yes, Totem agrees that this would be a better option than imposing a ceiling. It offers more transparency. Consumers have a choice ? they can use another number. Apart from some specific customer cases, no-one has SMP in the use of these numbers.

Question 45: If a new sub-range is made available for personal numbering services, how long should the current ?070? sub-range remain available for existing providers, in order to minimise migration costs ?: Ofcom should allow the 070 service to wither of its own accord? people do not like changing numbers. The use of these numbers is likely to wither quite a bit within 3 years, and is likely to have disappeared within 5 years.

Question 46: What issues do you think would need to be resolved before Ofcom makes individual numbers available for direct allocation to end users?: Customers will need the technical ability to control the routing of their numbers. Contractual arrangements with CPs will need to be modified. Some form of Intelligent Networking may need to be provided.

Question 47: What do you consider to be the main strengths and weaknesses of the current rules-based system of UK number allocation?: In general Totem supports Ofcom?s approach. Totem would support the continued use of a system which does not create a significant barrier to market entry.

Question 48: Do you agree with these principles for number charging?: As stated in our answer to question 21, any number charging should be cost based. We agree with the proposed principles for cost based number charging listed in A4.25

Question 49: What are your views on Ofcom?s assessment of the issues to be considered in setting and reviewing number charges? For example, should other issues be considered in developing charging proposals ?: We agree with Ofcom?s list of the issues that would need to be considered if Ofcom moves towards a regime of charging for numbers. It seems to be comprehensive.

Question 50: Do you agree that charging for numbers could disincentivise economically inefficient behaviour, and incentivise economically efficient utilisation ?: Yes, charging for numbers would disincentivise economically

inefficient behaviour, and incentivise efficient utilisation ? but if not carefully handled it could penalise smaller CPs. [as Ofcom says in A4.46]. It is likely that CPs would not pass on the cost of numbers directly to end users, and this would lower the margin slightly ? to the particular detriment of new and smaller CPs.

Question 51:What internal changes would communications providers have to make, and at what cost, to support charging for numbers? Would these changes be preferable to earlier and more widespread use of conservation measures and (limited) changes to increase geographic number supply?: This is a billing issue. It depends on whether ? and if so, how ? CPs pass on charges to users. In our opinion this is not very likely ?as least directly. CPs are more likely to absorb the cost in their margin. The more immediate requirement will be to set up systems to manage and check for payments to Ofcom for number allocation, and the complexity of this would depend on the charging method devised ? so the simpler, the better.

Question 52:How might existing number allocation rules be reduced if charging for numbers was introduced ?: Totem is not concerned by the existing number allocation rules. They work effectively.

Question 53:What are your views on this illustrative charging mechanism, and would you suggest any changes or alternatives to it ?: Of the two options proposed by Ofcom in A4.54 Totem prefers the first one ? it has the benefit of simplicity and of being directly related to Ofcom costs.

Question 54:How would charging for number blocks affect consumers ?: Charging for number blocks would probably not affect consumers much ?we believe most CPs would simply absorb the cost.

Question 55:What impact do you think charging for numbers would have on sub-allocation? Should Ofcom encourage or facilitate sub-allocation and, if charging were introduced, would changes be needed to the process of suballocation to facilitate trading?: Totem believes that if CPs are charged for numbers they will be encouraged to sub-allocate if they have no immediate direct use for the numbers, and to pass on the cost of managing those numbers to the SPs. Trading of numbers is likely to increase, and this should encourage the more effective utilisation of numbers.

Question 56:Which types of consumer abuse do you think Ofcom should particularly attempt to address through its numbering policy decisions?: Top of the list should be direct fraud. However, the types of abuse are constantly changing and developing, so it could be counter-productive to be too prescriptive. The key point is to make charging and revenue sharing as transparent as possible to consumers ? this reduces the opportunities for fraud.

Question 57:Which number ranges and types of originating communications provider do you think should be covered by an extension of the Numbering Plan?s tariffing provisions? What practical issues are involved, and how would this vary according to the number ranges and service providers involved?: Totem has no additional comment to make.

Question 58:What do you think of the potential conditions proposed by Ofcom for inclusion in a consumer protection test for number allocation, including the proposals that numbers should not be provided to anyone with a particular track record of persistent and/or serious consumer abuse ?: Totem supports the three conditions suggested by Ofcom. We would also suggest that numbers should be removed from anyone with a persistent track record of abuse (in addition to merely ?not be provided?).

Question 59:Are there any other circumstances in which it may be appropriate for Ofcom to refuse number allocations ?: We cannot immediately think of any. Ofcom has produced a comprehensive analysis.

Question 60:Would you support the use of a consumer protection test as a basis for withdrawing number allocations? What kind of considerations should Ofcom apply in any such test, and what would be the practical issues involved in applying such a test ?: Yes, Totem would support this. We would also support the idea of refusing to allow numbers to be transferred to Companies with Directors who have been associated with other companies with persistent abuse patterns.

Question 61:What consumer abuses do you think might occur in the future, and what steps might Ofcom take now in its numbering policy in order to reduce the potential for such abuses?: We do not know. We can only watch to see what happens.

Additional Comments: Totem has no additional comments.