



# A three-digit number for the national power cut and electricity network safety service

Decision to designate '105' for the service, including  
notification of a modification to the National Telephone  
Numbering Plan

(✂ Redacted for publication)

Statement

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## About this document

This document sets out our decision to make the three-digit telephone number '105' available as the single number for consumers in England, Scotland and Wales to call the new national power cut and electricity network safety service.

We have taken this decision following a consultation in relation to a request from the Energy Network Association (ENA) to designate a three-digit number for a service planned by the electricity industry for launch in April 2016. ENA proposes to use the number to provide a service for the general public to call their Electricity Network Operator about a power cut, associated welfare issue or electricity network safety concern.

Three-digit numbers are a scarce and valuable resource. We sought stakeholders' views on our proposal to designate one of the remaining 14 three-digit numbers for this service.

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## Section 1

# Summary

## Introduction

- 1.1 Ofcom administers the UK's telephone numbers. In February 2015 we undertook a consultation in relation to a request from the Energy Network Association (ENA) to designate a three-digit number for the national power cut and electricity network safety service ("the service") which the electricity industry plans to launch across England, Scotland and Wales<sup>1</sup> in April 2016. ENA proposes to use the number for the general public to call their Electricity Network Operator about a power cut, associated welfare issue or electricity network safety concern.
- 1.2 This document sets out our decision to make the three-digit telephone number '105' available for consumers to call the service.

## ENA's request for a three-digit number for the service

- 1.3 ENA's request for a three-digit number was prompted by the severe storm events over the winter 2013/14 period and the electricity supply disruptions they caused. ENA considered that the storm events highlighted the public's confusion about who to call, and on which number, to report an electricity network supply issue and obtain important information or advice. Currently each regional Electricity Network Operator has its own 'emergency and power loss' service for its network and uses its own 0800 freephone number. The national power cut and electricity network safety service, using a single memorable number for contact across Great Britain, is intended to benefit consumers by making it clearer how to make contact in times of need and improving the overall consumer experience.
- 1.4 We advised ENA on potential number options for the service. ENA's preference was for a three-digit number (similar to the 101 number used for non-emergency police services and the 111 number used for non-emergency healthcare services). ENA wants what it believes to be the most memorable number available and considers that the nature of the service and the objectives it is trying to achieve require a distinctive number that is strongly associated with the critical service supplied. In its view, this means a three-digit number. Of the possible three-digit number options available, ENA wants to use 105 for the service.

## The consultation process

- 1.5 Three-digit numbers are a scarce and valuable resource – there are only 14 such numbers currently available for designation for new services. While ENA's preference is to use a three-digit number, other number options would be available for the service without request to Ofcom, in particular standard digit length (i.e. 11-digit) freephone numbers starting '080'.

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<sup>1</sup> The service will be available in England, Scotland and Wales from launch. It is not planned to provide the service in Northern Ireland. The energy supply set-up is different in Northern Ireland with a sole network owner through which all power cuts are reported. There are no plans to change its customer helpline number.

- 1.6 We considered ENA's request and assessed whether a three-digit number would be more appropriate for the service than the other possible option of an 11-digit freephone number starting with 080. We published a consultation on 16 February 2015, proposing that designating a three-digit number for the service would likely constitute best use of the number while promoting the interests of citizens and consumers, and would therefore be in line with our general duty in performing our numbering functions.<sup>2</sup> We sought stakeholders' views on our proposal to modify the National Telephone Numbering Plan ('the Numbering Plan')<sup>3</sup> to designate 105 for "Access to the national power cut and electricity network safety service".<sup>4</sup> The deadline for responding to the consultation was 27 March 2015.
- 1.7 We received 19 responses to the consultation. Overall, respondents supported the proposal to make 105 available for the service. They considered that the memorability of a three-digit number was required to address a national issue of social importance (that is, consumer confusion over who and/or what number to call in the event of a power cut or network safety issue) and agreed that electricity supply was a basic requirement – these factors made a strong argument in favour of the designation. Some respondents added that while obtaining a three-digit number for the service was important, success would still depend on how the service was delivered, in particular branding, marketing and quality of customer service would be crucial.
- 1.8 A few respondents did not agree that a three-digit number was needed to realise the benefits of a single number across Great Britain for the service. In general, these respondents argued that a suitably distinctive and well-promoted 0800 number would be equally beneficial for consumers and would be more straightforward and cheaper for communications providers (CPs) to implement. A few respondents suggested alternative proposals for the number and for the scope of services covered (for instance, combining utilities' fault reporting services on the same number).
- 1.9 CPs generally agreed that other communications issues (apart from those relevant to our decision on whether to designate 105 for the service) should be left to commercial negotiation, although some concerns were raised about the process for reaching interconnection and routing agreements and ensuring that consumers could call the number.

## Our decision

- 1.10 We note stakeholders' general support for the proposal.
- 1.11 We consider that two points in particular support the case for a three-digit number for the service rather than a standard digit length 080 freephone number. The first is that callers may need the service, when they are in the dark and without power, so

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<sup>2</sup> Under section 63 of the Communications Act 2003, it is our general duty in performing our numbering functions to secure, what appears to us, best use of telephone numbers.

<sup>3</sup> The National Telephone Numbering Plan (the Numbering Plan) sets out the telephone numbers available for allocation and any restrictions on their adoption or use, as well as other numbers that are administered by Ofcom but are not available for allocation (i.e. numbers made available for use without allocation to an individual communications provider and numbers that were previously but no longer available for allocation). The Numbering Plan is published on our website [here](#) and is modified by Ofcom from time to time.

<sup>4</sup> *A three-digit number for the national power cut and electricity network safety service: Proposal to designate '105' for the service, including notification of a proposed modification to the National Telephone Numbering Plan*, Ofcom consultation document published 16 February 2015. Available on our website [here](#).

looking up the number may be particularly difficult and the experience stressful. The number therefore needs to be as memorable as possible and a standard length number would be less memorable than a three-digit number. The second is that the Civil Contingencies Act 2004 recognises electricity as one of the “*essentials of life*” and encompasses disruption to power supply in its definition of ‘emergency’.

- 1.12 We agree that other factors will influence the success of the service, in particular ensuring consumer awareness of the number and what the service covers. These factors are not directly within Ofcom’s remit, but we have engaged with ENA in relation to these issues and we understand that it has planned extensive national and regional industry communications campaigns to run at service launch and to raise consumer awareness seasonally. In terms of the scope of the service, our role is to consider the request for a three-digit number in hand and for us to base our analysis on the service proposed.
- 1.13 We have considered all the responses to the consultation carefully and have concluded that designating 105 for the service would constitute best use of the number. Our decision to designate 105 will allow CPs to use this number to provide their customers with access to the service.
- 1.14 We expect other communications issues, such as interconnection and routing arrangements, the price of calling the service and the provision of access to the service, to be resolved through commercial negotiation between the provider that ENA selects to run the service and other CPs who originate and carry calls to 105. In the event that CPs were unable to agree arrangements, and if it proves necessary for us to consider regulatory measures in the future, we would need to carry out a further consultation on any specific proposals.

## **Implementing our decision to designate 105**

- 1.15 This Statement sets out our decision to make the telephone number 105 available for CPs to use for the service. To give effect to this decision, we are modifying the Numbering Plan to designate 105 for “Access to the national power cut and electricity network safety service”. Annex 3 of this document includes notification of the modification to the Numbering Plan.

## Section 2

# Introduction and background

## Introduction

- 2.1 Telephone numbers are a critical national resource for consumers, businesses and the delivery of key public services. Ofcom manages the UK's telephone numbers and it is our duty, as set out in section 63 of the Communications Act 2003 ('the Act'), to ensure that best use is made of the UK's numbering resource and to encourage efficiency and innovation for that purpose.
- 2.2 It is sometimes appropriate for us to make new and/or additional numbers available for use by CPs. This can include setting aside specific telephone numbers for adoption and use by any CP in accordance with their service designation in the Numbering Plan and without application to Ofcom. In order to do this, we need to consult on modifying the Numbering Plan in accordance with the procedure set out in the Act. Further information on the legal framework is provided in Annex 2.

## ENA's request to use a three-digit number and background on the proposed service

- 2.3 ENA asked Ofcom to make the three-digit number 105 available for a service which the electricity industry plans to launch across England, Scotland and Wales in April 2016. Below we summarise the background to the service that ENA is proposing to provide using the three-digit number, and set out some detail of the nature of that service. This is based on information provided in ENA's application for a three-digit number,<sup>5</sup> related discussions between Ofcom and ENA, and information provided in Ofgem's submission to the consultation.
- 2.4 ENA proposes to use the number for the general public to call their Electricity Network Operator about a power cut, associated welfare issue or electricity network safety concern. ENA represents the 'wires and pipes' transmission and distribution network operators for gas and electricity in the UK and Ireland.<sup>6</sup> The consultation and ENA's request relates to electricity networks only.
- 2.5 Great Britain's electricity supply is provided over 14 large electricity distribution networks operated by six large electricity Distribution Network Operator (DNO) companies and a number of smaller independent DNOs. In this document, we refer to these companies collectively as 'Electricity Network Operators'. The energy supply set-up is different in Northern Ireland with a sole network owner through which all power cuts are reported.
- 2.6 Currently each Electricity Network Operator in Great Britain has its own 'emergency and power loss' service for its network, each with a different 0800 freephone contact number. In its response to our consultation, Ofgem commented that "*all Distributors [Electricity Network Operators] are required to provide customers with a telephone service (the Safety and Security of Supplies Enquiry Service) to receive reports and offer information, guidance, or advice about a power cut or any electricity distribution*

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<sup>5</sup> We published the non-confidential version of ENA's application as a supporting document to the consultation here: <http://stakeholders.ofcom.org.uk/consultations/three-digit-number-power-cut/>.

<sup>6</sup> ENA's website provides further information: <http://www.energynetworks.org/>.

*incident that requires urgent attention. This service provides customers with valuable advice and information. The service also provides Distributors with critical information and allows them to respond quickly to incidents. There is high demand for this service, with the DNOs receiving millions of calls about power cuts and safety incidents each year”.*

- 2.7 ENA has informed us that the severe storm events over the winter 2013/14 period, and the electricity supply disruptions that they caused to over 750,000 households, highlighted that the general public is confused about who and what number to call to report an electricity network supply issue and obtain important information or advice. The storm events and the manner in which the electricity industry dealt with the related issues were subsequently the subject of high profile reviews conducted by the Department for Energy and Climate Change (DECC) and Ofgem. The individual reports of their review findings were published in March 2014.<sup>7</sup>
- 2.8 Ofgem referred to its review in its response to our consultation, commenting that *“in December 2013, nearly one million consumers experienced a power cut greater than three minutes, and almost 16,000 customers were left without electricity for more than 48 hours. We launched a review into the Distributor’s preparedness for, and handling of, the December 2013 storms. Our review highlighted that some customers were critical about the ease of contacting the Distributor”.*
- 2.9 ENA considers that a common theme arising from the reviews was the need for a single nationwide number for the general public to contact their Electricity Network Operator. This is to overcome the confusion arising from:
- Electricity Network Operators not currently having a high profile with the general public – and the general public not being aware of their role; and
  - each Electricity Network Operator currently having a different number and some having a different number for each area in which they operate, and the regional dependency that this creates.
- 2.10 ENA commissioned research (published in a supporting document to the consultation<sup>8</sup>) which found that the vast majority of consumers do not understand the structure of the electricity supply market and are unaware that it is the Electricity Network Operator and not the electricity supplier that should be contacted in the event of a power cut or network safety issue.<sup>9</sup>
- 2.11 ENA’s research also found that many members of the public have difficulty finding out information quickly on who to call and what number to call in the circumstances that they find themselves in when experiencing a power cut. As a consequence, they

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<sup>7</sup> DECC report *Severe Weather – Christmas 2013: A review of Electricity Distribution Industry Performance* published March 2014 and available [here](#).

Ofgem report *December 2013 storms review – impact on electricity distribution customers* published 6 March 2014 and available [here](#).

<sup>8</sup> <http://stakeholders.ofcom.org.uk/consultations/three-digit-number-power-cut/>.

<sup>9</sup> ENA research found that only 11 per cent of those surveyed could correctly attribute the role of the Electricity Network Operator and only 5 per cent of those surveyed did/would contact their Electricity Network Operator in the event of an electricity power cut or safety issue. Most (45 per cent) would contact their electricity supplier.



are often either delayed in contacting their Electricity Network Operator; contact the incorrect organisation, or do not make contact at all.<sup>10</sup>

- 2.12 ENA considers that confusion over this situation may delay or prevent consumers from calling their Electricity Network Operator in the event of a power cut or electricity network safety issue or result in them calling the wrong organisation. This may lead to an increase in:
- (i) the power restoration time in the event of a power cut;
  - (ii) the impact of welfare related issues; and/or
  - (iii) the risk of injury when it is a safety related matter.
- 2.13 The use of a single memorable number for contacting Electricity Network Operators is intended to benefit consumers by making it clearer how to make contact in times of need. ENA proposes to use the three-digit number as the single telephony point of contact for the public to call their Electricity Network Operator across England, Scotland and Wales.
- 2.14 Northern Ireland already has a single customer helpline number (03457 643643) to report power cuts and electricity network safety issues. There are no plans to launch the service in Northern Ireland or to change the customer helpline number to 105 as it is considered that the consumer confusion over who to call and what number does not exist in Northern Ireland.

## ENA's development of the service

### The public welfare value of the service

- 2.15 ENA reviewed why members of the public might need to contact their Electricity Network Operator. It found that there are many circumstances when this might be necessary as a matter of urgency, where any delay in contact could have serious electricity network related safety or welfare implications or delay the restoration of power following a cut. These circumstances include incidents in relation to:
- notification of a power cut and seeking power restoration;<sup>11</sup>
  - a serious welfare issue associated with a power cut, including resulting stress and feelings of vulnerability; and
  - a 'non-trivial' electricity network related safety issue with the risk of serious injury or even death.

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<sup>10</sup> ENA's research found that not knowing the telephone number is likely to inhibit the reporting of power cuts/safety issues. Of the 73 per cent surveyed who did not/do not know which number to call, 72 per cent claim it did/may delay them reporting a problem; 56 per cent claim it did/may prevent them from reporting a problem; and 43 per cent were/are concerned about having to search for a number.

<sup>11</sup> ENA reports that much of the national electricity infrastructure is above ground and is susceptible to damage in severe weather, particularly from high winds, heavy snow and lightning strikes, with corresponding impact on supplies, which can be widespread on occasions. The quicker Electricity Network Operators are informed about a power cut, the quicker they can identify the fault and restore supplies, thus minimising these impacts on consumers and businesses.

- 2.16 ENA found that power cuts often have very serious welfare and safety implications for the public. ENA's application states that life threatening situations relating to the supply of electricity can be experienced by all members of the public at or away from their home. They are diverse in nature and can relate, for instance, to a risk of electrocution or to the loss of welfare-related electrical equipment. Unfortunately there have, on occasion, been fatalities and serious injuries as a consequence.
- 2.17 In addition, the acute distress that a power cut can cause is also a serious welfare issue for many members of the public - particularly for older members or those with specific needs, such as mothers with new born babies or young children. Ofgem's *Consumer Vulnerability Strategy* recognises that "*vulnerability is about the situations in which consumers are in, rather than about the individual per se. Risk factors stem from personal circumstances as well as from the energy market itself. Also, vulnerability can be transitory as people's circumstances change*".<sup>12</sup>
- 2.18 ENA has argued, therefore, that it is very important that the general public is readily aware of the number that they should call if there is an issue with the electricity supply network; and that this should be capable of dealing with the extremely high call volumes that can be experienced in the event of a severe storm.

### **How the service will operate (summary of ENA's proposal)**

- 2.19 The service will operate across the whole of England, Scotland and Wales from its expected launch in April 2016.
- 2.20 Improving the consumer experience of reporting and gaining information in relation to a power cut is a key objective in designing service provision. When a customer calls the number, the service will route them to the existing call handling platform of the relevant regional Electricity Network Operator, so that existing electricity network safety, welfare and fault management procedures can be invoked promptly. The use of Interactive Voice Recognition (IVR) will only be used where necessary to increase call routing accuracy.
- 2.21 The manner in which the caller is routed will take into consideration that the call could be about an electricity network related matter close to or far away from their home; or could be to report a power cut at their home. It will also take into account that the call could be made close to or far away from the location of the incident being reported; and that the location of the call and/or the incident could be close to the border of two electricity networks.
- 2.22 ENA plans for the service to be free-to-caller. It considers this to be appropriate as the service will deal with non-trivial and urgent situations relating to power cuts and electricity network safety issues and, as such, it would not be appropriate for callers to be deterred from using the service by a call cost.<sup>13</sup>
- 2.23 The service is not intended to be a substitute for the existing emergency services accessed via 999/112 and this message would be reinforced when promoting the service and number.

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<sup>12</sup> *Consumer Vulnerability Strategy*, Ofgem Statement published 4 July 2013 available [here](#).

<sup>13</sup> ENA's research found that the vast majority of those surveyed (89 per cent) would expect a call to a three-digit number used for the service to be free.

## Promoting the service and number to consumers

- 2.24 ENA and the Electricity Network Operators are committed to delivering an effective consumer awareness campaign to ensure that the public know about the service and the number to call.
- 2.25 ENA has established a Consumer Awareness Working Group, comprising of communications and media experts from the Electricity Network Operators, as well as representatives from ENA and DECC. Their work will take into consideration the service implementation approach and seasonal (weather related) demand for the service. It is recognised that awareness of the service and the number to call will need to be maintained year on year after project delivery.

## The need to provide the service across Great Britain on a single memorable number

- 2.26 The geographic area covered by each Electricity Network Operator does not align with any common area defining boundaries – such as county, town or postcode – making it difficult for consumers to determine their relevant Electricity Network Operator. In addition, consumers that do happen to know who to call are unlikely to know the number and would instead have to look it up. This can be challenging in many circumstances, as internet search devices might not be powered and darkness might preclude finding and using phone directories or electricity bills (which carry the contact number), for example.
- 2.27 ENA considers that the complex and regional based nature of electricity supply distribution, and the potentially challenging circumstances when consumers may need to identify and call their Electricity Network Operator, mean that in order to improve the consumer experience, a single number across England, Scotland and Wales is required. In addition, that single number needs to be memorable and be able to be communicated effectively so that it becomes strongly associated with the critical service to which it provides access.

## Three-digit numbers

### Introduction

- 2.28 As mentioned in paragraph 2.2, from time to time we may set aside specific telephone numbers for adoption and use by any CP in accordance with the numbers' service designation in the Numbering Plan and without application to Ofcom. Three-digit numbers are an example of such a type of number. These numbers are provided to allow consumers access to important public services of social value, such as 112 and 999 for emergency services, and to commonly used services, such as 100 for operator assistance.
- 2.29 We have a very limited supply of three-digit numbers. This is because only numbers that begin with the digits 10X or 11X can be designated as three-digit numbers for new services. We cannot use other numbers as the digit '0' signifies national or international dialling and the digits '2' to '9' are used for local dialling of geographic numbers without the area code. Within the digit '1' numbering space, numbers beginning with '12X' to '19X' have already been set aside for various uses.<sup>14</sup> This

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<sup>14</sup> Some of these numbers have been designated in the three-digit format for specific services available for use by all CPs, such as 123 to access the speaking clock. Others have been made

leaves only the 20 numbers in the format '10X' and '11X' available for designation. Six of these numbers are already in use, with the following 14 options available:

102    103    104    105    106    107    108    109  
110    113    114    115    117    119

2.30 In 2005 and 2009 we carried out consultations on making a three-digit number available for two particular services. Following the consultations we designated the numbers as follows:

- 101 was designated in March 2006 for "Access to non-emergency service".<sup>15</sup> This followed a request from the Home Office for the number for the public to call to report or enquire about non-emergency issues relating to police, crime and anti-social behaviour. 101 has more lately developed into the non-emergency number for police services; and
- 111 was designated in December 2009 for "Access to NHS non-emergency healthcare services".<sup>16</sup> This followed a request from the Department of Health for the number for the public to call to receive advice and information on non-emergency healthcare issues and services available in the local area.

### Eligibility criteria for a three-digit number

2.31 As explained in paragraph 2.29, the supply of three-digit numbers is very limited. They are also a valuable resource. The fewer the digits, the easier the number is to recall at the time it is needed, making three-digit numbers highly desirable. We therefore need to consider carefully any request for a three-digit number on its individual merits.

2.32 As part of our decision to designate 101, we developed criteria that we consider we should take into account in determining whether a particular service should be considered for designation of a three-digit number. We applied the same criteria as part of our decision to designate 111, and we continue to consider that the criteria are relevant to our assessment of a three-digit number request, in particular to help evaluate whether the proposed service would make best use of a three-digit number. The four criteria are:

- i) there is an overwhelming public interest argument;
- ii) the proposed service has a national impact and/or national provision;
- iii) the proposed service is not only for the public good but also used only where there is a high demand based on high call volume; and
- iv) the proposed service benefits everyone or at least a very wide part of society.

## Numbers from ranges designated in the Numbering Plan

2.33 There are number ranges already designated in the Numbering Plan that could be suitable for the service. Ofcom would not need to intervene to make these numbers

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available for CPs' independent use either to provide services exclusively to their customers, e.g. 150 commonly used for contacting the CP's customer services, or for internal network services.

<sup>15</sup> Ofcom statement *National Single Non-Emergency Number: Designating number '101'* published 8 March 2006 available on our website [here](#).

<sup>16</sup> Ofcom statement *A Three-digit Number for Non-Emergency Healthcare Services: Designating number '111'* published on 18 December 2009 available on our website [here](#).

available for use. If a number from a range designated in the Numbering Plan was to be used for the service it would need to be allocated by Ofcom to a CP, who would then sub-allocate the number to the service provider (if a different entity).

## The consultation process

- 2.34 We considered ENA's request and assessed whether a three-digit number would be more appropriate for the service than the other possible option of a 080 11-digit number. Our preliminary view was that designating a three-digit number for the service would secure best use of the number while promoting the interests of citizens and consumers, and would therefore be in line with our general duty in performing our numbering functions. We sought stakeholders' views on our proposal to agree to ENA's request and modify the Numbering Plan to designate 105 for "Access to the national power cut and electricity network safety service".
- 2.35 The consultation related only to ENA's request for a three-digit number to be designated for the service. It was not a consultation about the nature of the service itself, other than to the extent that is relevant to our decision whether to designate a three-digit number. Also, it was not a consultation about other communications issues, such as the price of calling the service or the provisions of access to the service. We would expect these issues to be resolved through commercial negotiation between the provider that ENA selects to run the service and other CPs who originate and carry calls to 105. If it is necessary for us to consider regulatory measures on these issues in the future, we would need to carry out a further consultation on the specific issues and proposals.
- 2.36 The consultation document was published on 16 February 2015 and the deadline for receiving submissions closed on 27 March 2015. In Section 3 we summarise the submissions received and provide Ofcom's responses.

## Impact assessment

- 2.37 Impact assessments form a key part of the policy-making process and provide a transparent way of considering different options for regulation, including not regulating. We expect to carry out impact assessments for the majority of our policy decisions.
- 2.38 The analysis presented in this document, in particular in Section 4, represents an impact assessment (as defined in section 7 of the Act) on the proposal to make the three-digit number 105 available for use by CPs to provide access to the service.

## Equality impact assessment

- 2.39 We assess the effect of functions, policies, projects and practices on equality in accordance with the Equality Act 2010. Equality impact assessments also assist us in making sure that we are meeting our principal duty of furthering the interests of citizens and consumers. We have therefore also considered what (if any) impact the issues under consideration in this document may have on equality. Where relevant, we have highlighted our consideration of equality issues.

## Section 3

# Responses to the consultation

## Introduction

- 3.1 In Section 2 we explained that we had undertaken a consultation in relation to a request from ENA to designate a three-digit number for the service which the electricity industry plans to launch across England, Scotland and Wales in April 2016. ENA proposes to use the number for the general public to call their Electricity Network Operator about a power cut, associated welfare issue or electricity network safety concern.
- 3.2 In the consultation we invited general comments on our proposal to modify the Numbering Plan to designate 105 for the service and asked stakeholders to consider two specific questions relating to the proposal.
- 3.3 We received 19 submissions. The names of non-confidential respondents are listed in Annex 1 and the non-confidential responses are available on our website.<sup>17</sup>
- 3.4 In this section we summarise the submissions received and provide our responses to the points raised.

## Responses to the consultation

### Responses to Question 1

- 3.5 In the consultation document we asked stakeholders the following question:

*Do you agree with Ofcom's proposal to designate 105 for "Access to the national power cut and electricity network safety service" in the Numbering Plan? Please state your reasons.*

### Support for the proposal

#### Stakeholders' comments

- 3.6 The majority of respondents agreed with our proposal to make 105 available for the service, with 12 respondents explicitly supporting the proposal in their submission.<sup>18</sup> There was general agreement with the arguments made in the consultation that the memorability of a three-digit number would help to address consumer confusion over who and/or what number to call in the event of a power cut, associated welfare issue or network safety concern, and that this was a national issue of social importance.
- 3.7 The responses from energy industry representatives endorsed the proposal.<sup>19</sup>
- 3.7.1 Energy UK<sup>20</sup> wrote that "suppliers are very supportive of a three digit number for customers to contact their electricity network operator if they

<sup>17</sup> See <http://stakeholders.ofcom.org.uk/consultations/three-digit-number-power-cut/?showResponses=true>.

<sup>18</sup> Those respondents were BT, Energy UK, Gas Task Group, npower, Ofgem, Telecoms Cloud Ltd, Vodafone and five consumers/consumer representatives.

<sup>19</sup> Those respondents were Energy UK, Gas Task Group, npower and Ofgem.

*experience a power cut – or if they have an associated welfare related issue or encounter an electricity network safety issue”. Energy UK added that “a three digit number service, alongside appropriate and effective consumer awareness, will be a benefit to all consumers – and is therefore something that we support”.*

- 3.7.2 Ofgem told us that it *“agree[s] that the three digit single number..[for the service]..is in the public interest and will benefit a large proportion of the population”.*
- 3.7.3 npower wrote that *“we are supportive of the argument for a unique three digit number to be released for the purposes prescribed within the consultation and associated documentation. We believe it is right for Ofcom to support this application and that it is the right action to take for electricity customers”.*
- 3.8 Support was also expressed by three of the CPs that responded to the consultation.<sup>21</sup>
- 3.8.1 BT said that *“the rationale presented in the consultation identifies a requirement for such a number and evaluates the various options that could provide access. Whilst other options, such as a Freephone number, were considered, and may have provided easier implementation, the simplicity of use of an access code in a possible life threatening situation was significant”.*<sup>22</sup>
- 3.8.2 Telecoms Cloud Ltd wrote that *“a single nationwide number for the general public to be able to contact their Electricity Network Operator is a good move and one that should be supported, depending on the final detail behind it. 0800 and other long numbers are simply not suitable for this purpose due to the lack of memorability of the number”.*
- 3.8.3 Vodafone commented that it *“support[s] the proposal in full”,* agreeing that *“a short code is the best solution all around”.*
- 3.9 The majority of individuals and consumer representatives that responded to the consultation also expressed support for the proposal.<sup>23</sup>

### Ofcom’s response

- 3.10 We welcome the support received for the proposal to make 105 available for the service. We note that agreement with the proposal came from representatives of the electricity and gas industries, CPs and individual consumers, demonstrating that the proposal is considered to be of value by different groups of stakeholders.

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<sup>20</sup> Energy UK is the trade association for the UK energy industry representing over 80 suppliers and generators of electricity and gas for domestic and business consumers.

<sup>21</sup> Those respondents were BT, Telecoms Cloud Ltd and Vodafone.

<sup>22</sup> We take BT’s reference to an ‘access code’ as a reference to a three-digit number.

<sup>23</sup> Those respondents were Mr Drapper, Mr Martin, Name Withheld 1, Mr Reed and a confidential respondent.



## Support for a single number for the service, but not a three-digit number

### Stakeholders' comments

- 3.11 Respondents agreed that the regional structure of the electricity distribution network meant that a single number across England, Scotland and Wales was required for the service to avoid consumer confusion over whom to call in the event of a power cut. However, some respondents made further comment on the need for the single number to be a three-digit number in order for the service to be successful.
- 3.12 A consumer (Mr Martin) supported the proposal but commented that *“it could be argued that the ENA has conflated the benefits of a single number and a short number and overstated the benefits of the latter. There is no suggestion that the national gas emergency number 0800 111999 suffers from being a conventional number rather than a three-digit one, for example. Nevertheless, this is a nationally-useful service and there seem to be no other services making a strong case for the allocation of three-digit numbers. It seems that any concerns about the use of scarce three-digit numbers are outweighed by the utility of the service”*.
- 3.13 Three respondents did not agree that a three-digit number was required for the service to be successful and deliver on its objectives.
- 3.13.1 EE argued that *“Ofcom’s consultation document and the supporting application from ENA lack clear evidence that it would not be possible for the ENA to adopt a suitably distinctive 0800 number that would be strongly associated with the critical service supplied. The fact that over 4.3 million calls were made to the different Electricity Network Operators’ current ‘emergency and power loss’ services between August 2013 and July 2014 suggests that these numbers are sufficiently accessible and memorable to support high volumes of calls”*.
- 3.13.2 Sky *“considers that consumers could be equally well served through the alternative option of a single 080 Freephone number which, ..[...] with appropriate advertising and promotion, could become familiar to consumers”*.
- 3.13.3 [X] considered that the memorability of a three-digit number was more important before the growth in smart mobile phones, which make it easier for consumers to find the telephone number that they need in any situation.
- 3.14 In terms of ENA being able to obtain a memorable 080 freephone number for the service,<sup>24</sup> the three respondents commented that Electricity Network Operators and the National Grid already have memorable 0800 numbers for customer service that may be suitably distinctive.<sup>25</sup> One of these numbers could be used as the single

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<sup>24</sup> In the consultation (paragraph 4.16), we stated that *“we consider that... it may be difficult for ENA to find a 080 number that is sufficiently distinct from other 080 customer service numbers to become part of consumers’ consciousness. 080 numbers have been in use for many years and the most distinctive digit combinations are likely to be in use for services already. It should also be noted that 0800 10-digit numbers (i.e. in the format 0800 plus six-digits) are not available for use for new services”*.

<sup>25</sup> EE commented that *“for example, we understand that SSE Power Distribution currently uses the number ‘0800 300999’ for the reporting of power cuts in Northern Scotland – which could potentially be a suitable choice”*. [X] also commented that the National Grid’s National Transmission System’s number 0800 404090 could be used for the service and be advertised more aggressively. The full list of Electricity Network Operator power cut telephone numbers can be found on ENA’s website [here](#).



number for the service across Great Britain. With appropriate consumer awareness campaigns, this number could become strongly associated with the critical service to be supplied.

- 3.15 Also, regarding the merits of a suitably distinctive 0800 number being appropriate for an important service such as that proposed by ENA, [X] argued that the National Gas Emergency Service used by consumers to report gas leaks (which [X] considered to be more urgent and dangerous than a power cut) uses the number 0800 111999, which was considered to be successful. Given its effectiveness, a potential option would be to extend the scope of fault reporting services on 0800 111999 to include electricity networks.

### Ofcom's response

- 3.16 We consider that ENA's application has demonstrated that it would further the interests of consumers if a single number was used across Great Britain for calls in relation to power cuts and electricity network safety issues, due to the confusion created by the current system of regional based contact numbers for this purpose.
- 3.17 In the consultation we considered whether a three-digit number was the most appropriate option for the single number against the alternative of a 080 standard digit length number.<sup>26</sup> Our preliminary view was that the significant public value of the service meant that a three-digit number would be more appropriate than a 080 11-digit number, because:
- (i) it is more likely to promote the interests of citizens and consumers by being more memorable, distinctive, easier to promote and to dial, and thereby more likely to become part of consumers' consciousness and be remembered and called correctly at a time of need;
  - (ii) it would constitute best use of telephone numbers, in that the service meets the eligibility criteria for a three-digit number and justifies use of this scarce resource; and
  - (iii) the costs and risks associated with a three-digit number do not outweigh the benefits to consumers of designating a three-digit number for the service.
- 3.18 On the specific points raised in EE's and Sky's responses to the consultation, we agree that it would be possible for a standard digit length number to be used for the service. As EE stated in its response, ENA informed us that consumers were sufficiently aware of the standard digit length contact numbers used by their Electricity Network Operators to enable 4.3 million calls to be made to their current 'emergency and power loss' services between August 2013 and July 2014. However, ENA research has shown that consumers are generally unaware of who to call and the appropriate contact number to use in times of a power cut. ENA believes that potential demand for the service is higher than currently experienced and the number of calls is suppressed by consumers' confusion and lack of memorable number. Taking this into account, we consider that a three-digit number would be more appropriate than a standard digit length number.
- 3.19 We note [X's] argument that the memorability provided by a three-digit number is no longer as important with the growth in smart phones providing consumers with a means of searching for the number in any situation. However, we consider that

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<sup>26</sup> See Section 4 of the consultation document.

callers may need to contact the service when it is more difficult or impossible to look up the number. The caller may be in the dark and without power. Internet devices may not be charged and internet may not be available during a storm event. Therefore using a phone or computer to search for the number may not be possible. We must also recognise that not all consumers have access to internet-enabled devices.

- 3.20 We have considered the suggestion from some respondents that one of the 0800 numbers currently used by the electricity industry could be reassigned for the service. We asked ENA for its views on this suggestion. ENA has explained that this is not a viable option as Electricity Network Operators' existing numbers will continue to be used to enable consumers to make direct contact with their operator. The service is intended to complement Electricity Network Operators' own services by providing an effective communication channel for those consumers that do not know the direct number to call. In light of plans for Electricity Network Operators to retain use of their existing 0800 numbers, it would not be practical for one operator to be required to give up its number to be used for the service. We also note that two submissions to the consultation<sup>27</sup> stressed the need for the Electricity Network Operators to retain the use of their existing 0800 numbers to avoid confusion and to enable direct contact to continue.
- 3.21 We note [§<'s] suggestion of the service using National Grid's National Transmission System's number 0800 404090 and have asked ENA for its views. ENA has explained that this number is used by National Grid for the reporting of damage or safety issues associated with their transmission system assets (the infrastructure that transports electricity throughout the country, almost exclusively overhead pylons) and the number is advertised on those assets. The service provided on the number provides no support to customers in relation to power cuts. In ENA's view, it would not be appropriate to provide both services on the same number.
- 3.22 We also note [§<'s] suggestion of the service using the National Gas Emergency Service number 0800 111999. However, we have received a submission from the Gas Task Group that explains that it would not be in the consumer interest to combine gas and electricity fault reporting on the same number (see paragraphs 3.26 to 3.29 below) and therefore the use of 0800 111999 for the service is not a viable option.

### **Alternative suggestions on the scope of the service to be provided if a three-digit number is made available**

#### Stakeholders' comments

- 3.23 Three respondents considered that we should extend the scope of services covered by 105 to include all utilities if we made the number available.
- 3.23.1 Telecoms Cloud Ltd asked us to consider designating 105 as a fault reporting number for gas and water as well as electricity. It argued that a gas supply fault was as serious as an electricity power cut, and that a failure in water supply for an extended period could have serious safety welfare implications. An IVR menu could be used to direct the call to the appropriate organisation. If not considered appropriate, Telecoms Cloud Ltd asked if we intend to issue three-digit numbers to other utility services in the future.

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<sup>27</sup> Those respondents were Ofgem and Telecoms Cloud Ltd. See paragraph 3.49.

- 3.23.2 Mr Martin also suggested that 105 be used for fault reporting across the electricity and gas industries. He argued that *“a single gas and electricity emergency number would be even more beneficial to consumers, would be considerably more cost-effective for the ENA and other parties to publicise and, importantly, would avoid any need to allocate a further separate three-digit number for gas emergencies in the future”*. If not considered appropriate at this time, Mr Martin suggested that we provide for some flexibility in designating 105 for the service, to allow for the potential inclusion of gas fault reporting in the future. Mr Martin also considered that Ofcom should only designate 105 for the service on the understanding that no further three-digit numbers would be made available for the electricity or gas industry services, unless significant technological or operational barriers existed to prevent additional services being accessed on 105.
- 3.23.3 Mr Radford also considered that other utilities would have a similar need for a three-digit fault reporting number, as consumers would experience similar issues in identifying who and/or what number to call at an urgent time of need. Mr Radford argued that *“it would be better if Ofcom were to refuse this request at this time; and instead to request that the gas, electricity and water industry cooperate in looking at a single ‘utilities’ emergency number that might cover all of these areas”*.

### Ofcom’s response

- 3.24 We note the view of some respondents that it would be a more efficient use of 105 if the scope of services covered by the number was broader and that we should consider combining gas, electricity and water fault reporting on the 105 number.
- 3.25 It is important to be clear that our role is to consider the application for a three-digit number in hand and for us to base our analysis on the service proposed. ENA requested the use of 105 for the national power cut and electricity network safety service. The scope of services to be covered is a matter for ENA as the applicant. Its request is confined to the electricity industry; specifically covering calls about power cuts, associated welfare issues and electricity network safety concerns. Therefore, our decision on whether to designate 105 is based on the service proposed by the applicant, and it is not within our remit to address the nature or scope of that service (or of other related services).
- 3.26 Nevertheless, we have taken regard of the submission from the Gas Task Group. The Gas Task Group supports ENA’s application to use 105 for the service, agreeing that the number *“is memorable and will help overcome the confusion that currently exists in this sector of energy supplies”*. However, it goes on to argue against the use of 105 for gas fault reporting, stating that *“such confusion, however, does not exist for the gas sector. The national gas emergency number – accessed through our memorable 0800 111 999 number – is widely known and is very easily found. The number is embedded within existing legislation (IE the Gas Safety (Management) Regulations 1996), in telephone directories, on energy bills, on thousands of fleet vehicles, on carbon monoxide detectors and on every gas meter throughout the UK. Each year we attend circa 3 million gas escape incidents from calls to this number”*.
- 3.27 The Gas Task Group further explains that the *“operation of the gas safety service is very different from the routing service being proposed for electricity. The service for gas is delivered from a single national call centre that is also responsible for scheduling job orders for gas engineers to be in attendance at the site of the escape or issue within one hour”*.

- 3.28 The Gas Task Group concludes that, for the reasons above, a single number covering gas and electricity would not be in the interests of consumers, as it would compromise the existing gas safety regime, would create significant confusion and would be costly to implement.
- 3.29 We have not received a request for a three-digit number for the reporting of gas or water faults. If we were to receive such a request in the future, we would consider the application on its merits and assess whether the designation of a three-digit number for the service proposed would make best use of the UK's numbering resource, while promoting the interests of citizens and consumers.

### **Northern Ireland: no plans to use 105 for electricity networks**

#### Stakeholders' comments

- 3.30 In the consultation (paragraph 4.29), we explained that the service will be available in England, Scotland and Wales from launch. Northern Ireland may join subsequently, although it has a different energy supply set-up.
- 3.31 Northern Ireland Electricity (NIE) submitted a response to the consultation to explain the situation further. In Northern Ireland, NIE owns and maintains the wires and meters for all electricity customers. It is the sole network owner through which all power cuts are reported. Therefore the potential confusion arising from the regional approach to power supply from different Electricity Network Operators in England, Scotland and Wales does not exist in Northern Ireland. NIE informed us that it has no plans to change its customer helpline number 03457 643643, which is used to report power cuts and network safety issues. NIE is not aware of any customer confusion around reporting an electricity network fault in Northern Ireland and considers that the current arrangement works well.

#### Ofcom's response

- 3.32 We administer the Numbering Plan for the United Kingdom. Designation of 105 for the service in the Numbering Plan would therefore make the number available for CPs to use to provide their customers with access to the service in Northern Ireland as well as England, Scotland and Wales, if they choose to do so. It is also part of our eligibility criteria for considering an application for a three-digit number that the service has national impact and/or national provision.
- 3.33 However, we appreciate from NIE's submission that the situation for electricity supply is different in Northern Ireland. We accept that it is not considered to be in the consumer interest for 105 to be used by the electricity industry in Northern Ireland. We do not consider that this should affect ENA's request for the number. Designating 105 in the Numbering Plan does not compel CPs to use the number in Northern Ireland. If the situation should change in the future, 105 would be available for use in Northern Ireland for the service as designated in the Numbering Plan. The number may not be used for any other service.

## Demand and proliferation of three-digit numbers

### Stakeholders' comments

- 3.34 A number of respondents commented on demand for, and proliferation of, three-digit numbers.
- 3.34.1 Vodafone expressed “*some concern about the proliferation of short code access numbers, both from a numbering utilisation standpoint and for the negative externality exerted on existing access codes (inherently the more codes there are, the less memorable existing ones become)*”. However, it concluded that for this service, a three-digit number would be the best solution to address the current consumer confusion over whom and what number to call during a power cut situation.
- 3.34.2 [X] raised concerns over the proposal to increase the quantity of short digit numbers in use, which could lead to consumer confusion over which number is for which service and reduce the overall memorability of the numbers. In addition, it considered that the meaning and existence of these numbers was not communicated as effectively as it could be by CPs and Ofcom, and that designation of an additional three-digit number would seem to compound the issue.
- 3.34.3 [X] also felt that it was unclear as to what services may or may not be eligible to be considered for a three-digit number, and that there was no set societal benefit test for designating a number for a service apart from the assessment of the merits of each application on a case-by-case basis.
- 3.34.4 Mr Slater argued that “*special numbers are just that – special*”. He felt that while the designation of 105 for the service seemed reasonable, Ofcom should consider unintended consequences with respect to the types of services that might also seek to use a three-digit number.

### Ofcom's response

- 3.35 We agree that designating 105 for the service has certain risks, including that the more three-digit numbers we make available, the less memorable each one becomes, and the more difficult it may be for consumers to recall which 10X or 11X number is for which service. However, we do not consider that the designation of an additional three-digit number is likely to have a material effect at this time. In addition, it may not be an effective use of the UK's numbering resource to withhold three-digit numbers from use if requests can demonstrate sufficiently that a service would likely make best use of a three-digit number, while promoting the interests of citizens and consumers.
- 3.36 In terms of communicating the meaning and existence of three-digit numbers to consumers, it is in the interest of service providers using three-digit numbers to advertise their number and service effectively. We recognise that it can take a prolonged time and concerted consumer awareness campaigns for a number to become part of consumers' consciousness.
- 3.37 We note that [X] referred to our undertaking a 'societal benefit test' when we consider a request for a three-digit number, and that Mr Slater urged us to ensure that three-digit numbers are only used for 'special' services. Both points reflect on our eligibility criteria for assessing requests for three-digit numbers, which we developed

through consultation and set out in paragraph 2.32. In our opinion, the eligibility criteria are designed to consider the benefits to society of designating a three-digit number for a proposed service. The criteria include there being an overwhelming public interest argument to support the use of a three-digit number for a service, as well as it being for the public good and benefitting everyone or at least a very wide part of society. We have developed a process that considers requests for three-digit numbers on a case-by-case basis, because the manner in which a proposed service may meet the eligibility criteria and promote the interests of citizens and consumers is likely to vary.

## Implementation by CPs

### Stakeholders' comments

- 3.38 In the consultation document (paragraph 2.5), we explained that the consultation related only to ENA's request for a three-digit number to be designated for the service, and was not a consultation about other communications issues, such as the price of calling the service or the provision of access to the service. We expected such issues to be resolved through commercial negotiation between the provider that ENA selects to run the service and other CPs who originate and carry calls to 105.
- 3.39 Two CPs stated their agreement with this position.
- 3.39.1 BT commented that it *"supports the reliance on commercial negotiation in this way, and recognises that such negotiations will need to cover various aspects of access and associated costs"*.
- 3.39.2 EE wrote that it *"agrees with ENA and Ofcom that such matters need to be the subject of commercial negotiations between CPs and the various parties in the value chain, including the service provider at the end of the value chain"*.
- 3.40 Other CPs raised particular areas where they felt that Ofcom may need to intervene.
- 3.40.1 Sky argued that Ofcom should provide guidance on the appropriate commercial charging structure between CPs, in support of the 'free-to-caller' service.
- 3.40.2 BT and Telecoms Cloud Ltd considered that provision of customer access to the service on 105 should be mandated from all CPs. BT believed that this would be necessary to ensure that the number was used in the most efficient way, by ensuring that all consumers and businesses could benefit from being able to call the service. Telecoms Cloud Ltd was concerned that all CPs undertake the necessary databuild amendments to provide their customers with access, as this was not always the case for new numbers.
- 3.41 BT and Sky commented on ENA's plan for calls to the service to be routed to the existing call handling platform of the relevant Electricity Network Operator, with the use of IVR only where necessary to increase call routing accuracy.<sup>28</sup>
- 3.41.1 BT argued that such a routing system would have potential limitations, which could be overcome by instead routing calls to a central single

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<sup>28</sup> See paragraph 3.16 of the consultation.

location, then to each Electricity Network Operator. This would also reduce costs.

- 3.41.2 Sky noted that in order to deliver the proposed routing of calls, CPs would need to build location-based routing tables, and that this would result in associated implementation costs for CPs.
- 3.42 EE considered the potential implementation costs for 105 generally, noting that for CPs this would include origination, transit and termination of the call, routing to different parts of the country and potential network development required to route the call to different destinations. EE was concerned that ENA's application for 105 disclosed only preliminary thinking on these issues and that Ofcom had left these costs unquantified.

### Ofcom's response

- 3.43 We have considered stakeholders' comments on aspects of CP implementation of the service and three-digit number. We note that while BT and EE agree that communication issues (apart from those relevant to our decision on whether to designate 105 for the service) should be resolved through commercial negotiation, there is some apprehension expressed by CPs on how agreement would be reached. We note that some CPs in their submissions have called upon Ofcom to consider intervention on issues of interconnection and provision of access should we decide to designate 105 for the service.
- 3.44 Our view remains that communications issues, such as the price of calling the service and provision of access to the service, should be resolved through commercial negotiation between the provider that ENA selects to run the service and other CPs. This process of commercial negotiation was undertaken successfully for the implementation of the 101 and 111 numbers. On the provision of access to 105, we anticipate that CPs will want to provide their customers with access to this socially valuable service. If CPs were unable to agree arrangements, and if it proves necessary for us to consider regulatory measures on these issues in the future, we would need to carry out a further consultation on the specific issues and proposals.
- 3.45 We recognise that some CPs have concerns about the technological and cost aspects of ENA's plans for calls to 105 to be routed directly to the relevant Electricity Network Operator without the use of a central call centre. This matter is outside the scope of Ofcom's consultation on designating 105 for the service. Call routing and handling processes will be developed by the provider that ENA selects to run the service and we are not in position to expand on the details provided in ENA's application.<sup>29</sup>

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<sup>29</sup> See footnote 5.

## Implementation by Electricity Network Operators

### Stakeholders' comments

- 3.46 A number of respondents supported the proposal but stated that certain deliverables would be needed from the electricity industry for the service to be a success.

#### *Consumer awareness of the number and what the service covers*

- 3.47 A number of respondents consider that effective communication, clear branding and marketing of the service and number to consumers was crucial in ensuring awareness.
- 3.47.1 Ofgem stated that *“many of the benefits of the new, three digit number are dependent on the Distributors increasing customer awareness and memorability of the number. It is therefore crucial that the DNOs get the branding and marketing of the new “105” number right”*.
- 3.47.2 npower commented that *“consumers must be made aware of this change; it will need to be suitably advertised, above and beyond existing means. Perhaps through some form of local or national media”*.
- 3.47.3 Telecom Cloud suggested that Electricity Network Operators print the 105 number on meters and fuse boards for reference.
- 3.48 Respondents also considered that clarity on what the service delivers and the situations when a consumer should call that service need to be made clear to consumers.
- 3.48.1 The Gas Task Group stressed that *“it is very important that the consumer awareness initiatives that will accompany the three-digit number service should make it very clear that the service is just for electricity. We would wish to avoid the situation where customers call the 3 digit number when they have a gas leak – mistakenly thinking the service covers gas also”*.
- 3.48.2 Energy UK also commented that consumers need to be made very clear about the services the number should and should not be used to access, stating that *“we particularly want to avoid our customers calling the three digit number under the misapprehension that it is for energy retail related issues”*.
- 3.48.3 Mr Slater asked *“who will answer the calls? Will they be ‘selling’ electricity as a means of energy vs (say) gas? Could this be a sales pitch”*.

#### *Continuity and standards of customer service*

- 3.49 Some respondents stressed the importance of Electricity Network Operator’s existing customer service and fault reporting numbers continuing to work alongside the new national number.
- 3.49.1 Ofgem wrote *“all of the Distributors have existing telephone numbers for customers to call in the event of a power cut or an incident involving the safety of the electricity network. For those customers that are unaware of the new number, it is important that the existing numbers continue to work for an interim period”*.



- 3.49.2 Telecom Cloud Ltd also considered it important for the existing numbers to continue to work for a period of time (e.g. five to ten years) to be certain that public awareness and printed material was focussed on the new number.
- 3.50 The need to ensure good quality of service was also mentioned in submissions.
- 3.50.1 Ofgem noted that there are currently differences in the quality of the services provided by Electricity Network Operators. It added that *“it is important that the establishment of a single emergency number does not lead to deterioration in performance to the standards of the worst performers. Instead we encourage all Distributors to ensure that the national, three digit emergency number provides all customers with excellent service”*.
- 3.50.2 npower also wrote that *“standards of customer service during a call must be maintained or improved upon, above existing levels”*. npower commented that the service provider selected must be robust and be able to manage peak call levels, such as those seen over the winter period 2013/14.

#### *Meeting the needs of vulnerable consumers*

- 3.51 Some respondents mentioned that the service needs to deal appropriately with calls from vulnerable consumers and consumers in vulnerable situations.
- 3.51.1 Ofgem noted that Electricity Network Operators currently provide specific telephone services for customers in vulnerable situations and certain consumer groups that may require additional assistance (e.g. where English is not the first language or when consumers call from a text phone). Ofgem added that *“it is important that the new, single national power cut and electricity network safety service considers how it will engage with customers in vulnerable situations”*.
- 3.51.2 Telecoms Cloud Ltd suggested that the service could proactively contact consumers in vulnerable situations (for instance, consumers on the Priority Services Register<sup>30</sup>) to inform them that a power cut was occurring and provide related information on power restoration timescales etc.

#### *Routing calls to the appropriate Electricity Network Operator*

- 3.52 Some respondents commented on the need to ensure that calls are routed correctly to the appropriate Electricity Network Operator, including independent DNOs.
- 3.52.1 npower commented that *“there must be a suitable mechanism to ensure consumers are given information from the correct distributor, even if the caller does not have access to much information, e.g. place name but no postcode”*.
- 3.52.2 Ofgem pointed out that *“some customers may call the service about a power cut or electricity network safety issue in a different region to where they call from (for example, the customer may call from work about a power*

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<sup>30</sup> Electricity Network Operators maintain a Priority Services Register to help identify vulnerable customers who may need additional support during a power cut.

*cut at home). The Distributors need to consider how they will handle these calls”.*

### Ofcom's response

3.53 We have sought information from ENA on its plans for implementing the service and we summarise the information received below.

#### *Consumer awareness of the number and what the service covers*

3.54 ENA and the electricity industry recognise that consumer awareness is critical to the success of the service. ENA and the Electricity Network Operators are committed to delivering an effective national awareness campaign to ensure that consumers are aware of the service and of the number to call.

3.55 ENA also recognises that clarity is required on what the service is and is not intended to cover to ensure that consumers use it to contact their Electricity Network Operator in the right circumstances, know what to expect from the call, and do not use it when trying to contact other energy related organisations or for retail issues.

3.56 To this end, a Consumer Awareness Working Group has been established - comprising communications and media experts from the Electricity Network Operators, as well as representatives from ENA and DECC.

3.57 The high level plan for ensuring consumer awareness of the number and what the service covers includes:

- formulating the overall consumer awareness strategy;
- building the service and number brand, identity and messaging;
- designing the awareness campaigns;
- executing the awareness campaigns; and
- maintaining consumer awareness.

3.58 ENA anticipates that specialist agency support will be commissioned to support these activities.

#### *Continuity and standards of customer service*

3.59 ENA has stressed that the fundamental driver of a single memorable number is to improve the service provided to customers, primarily by making it easier for them to contact their Electricity Network Operator when they need to, but also by ensuring that the overall experience of doing so is positive.

3.60 ENA has explained that when customers call 105, they will be routed to the existing 0800 number 'emergency and power loss' service call handling platform of the appropriate Electricity Network Operator, so that existing safety, welfare and fault management procedures can be invoked promptly. ENA informs us that the customer experience during this process has been considered very carefully. There will be a small (anticipated to be less than a second) delay as the call is routed. For some calls, IVR will be required to establish the correct Electricity Network Operator to answer the call.

3.61 ENA recognises that the increased awareness and ease of contact is likely to result in a higher volume of calls arriving at call centres, both generally and at peaks when

there are storm events. The call centres will need to be resourced appropriately to accommodate the anticipated call levels.

#### *Meeting the needs of vulnerable consumers*

- 3.62 Call operatives at the call centres are trained to deal with situations appropriately, including welfare and safety aspects, which can be very urgent at times. However, the service will not be promoted as a number for customers on the Priority Services Register.<sup>31</sup> These customers currently have a dedicated number to call to access priority services and this will continue to be the case. Nevertheless, if a call from a customer on the Priority Services Register is detected, the customer's call will be moved to the top of the queue, just as they are now.
- 3.63 ENA has also engaged with 'Action on Hearing Loss' so that hearing and speech impaired customers can access the service effectively. ENA has assessed the options available and its provisional conclusion is that New Generation Text Relay Service is the most appropriate method of engagement.
- 3.64 The IVR (when required for accurate routing to the appropriate Electricity Network Operator) will operate in English throughout Great Britain, and in both English and Welsh where the call originates and is routed to a destination in Wales. ENA will also look at support for other common languages used in Great Britain.

#### *Routing calls to the appropriate Electricity Network Operator*

- 3.65 We note respondents' comments on call routing. It is not Ofcom's role to specify how ENA operates the service. However, ENA has informed us that it plans for call routing to take into consideration that the location of the caller could be close to or far away from the location of the incident being reported; and that the location of the call and / or the incident could be close to the border between two Electricity Network Operators or in a small network located within a larger network area. ENA states that various technical means will be employed to achieve this and that the service is also designed to "self-learn" over time, with incoming calls updating and improving the information upon which subsequent routing is based. The details will be progressed by ENA with the provider that it selects to run the service.

## **Responses to Question 2**

- 3.66 In the consultation document we asked stakeholders the following question:

*Do you have any comments on how we consider that we have met the legal tests and/or on the proposed modification to the Numbering Plan set out in Annex 2 [of the consultation document]?*

- 3.67 Our proposal to designate 105 for the service requires a modification to the Numbering Plan. When modifying the Numbering Plan, we must show how we consider that the proposal complies with the legal tests and with our duties, as set out in the Act (see Annex 2 for further information on the legal framework).
- 3.68 Three respondents (Energy UK, Ofgem and Vodafone) commented briefly on how our proposal would meet the legal tests and/or on the proposed modification to the Numbering Plan. All were in agreement with our assessment.

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<sup>31</sup> See footnote 30.

## Reaching our decision

- 3.69 We have taken account of all stakeholders' comments on the proposals put forward in the consultation and have set out our responses to the key points raised in Section 3 above.
- 3.70 In Section 4 we set out our analysis of whether designating a three-digit number for the service would likely constitute best use of the number while promoting the interests of citizens and consumers. We then set out our decision and the action we are taking to implement it, and explain how we consider that our approach complies with the relevant legal tests and duties in the Act.

## Section 4

# Ofcom's decision

## Introduction

- 4.1 As explained in the preceding sections of this document, ENA requested that we make the three-digit number 105 available for the national power cut and electricity network safety service to be launched by the electricity industry in April 2016.
- 4.2 While ENA's preference is to provide the service on a three-digit number, other number options are available to be used to provide the service without request to Ofcom. In the consultation document we considered whether the service would make the best use of a three-digit number, taking into account other number options available for use in the Numbering Plan and whether they would be suitable alternatives. Our proposal was that designation of 105 for service would likely make best use of the number and we proposed making 105 available for the service. We sought stakeholders' comments on our proposal.
- 4.3 In this section we set out our decision in light of the views expressed in responses to the consultation.

## ENA's reasoning for a three-digit number

- 4.4 ENA has presented its case for a three-digit number for the service founded on the themes of consumers' urgent need to make contact; issues currently experienced in making contact with the correct organisation; and the need for number memorability. The ENA's key points from its application can be summarised as follows:
  - 4.4.1 There are many circumstances when members of the public may need to contact their Electricity Network Operator as a matter of urgency, where any delay in contact could have serious welfare or electricity network related safety implications or could delay the restoration of power following a cut;
  - 4.4.2 The vast majority of the public do not know who or what number to call in the event of an electricity power cut, associated welfare issue or electricity network safety concern. Many have difficulty finding this out quickly in the circumstances that they find themselves in. As a consequence, they are often either delayed in contacting their Electricity Network Operator, contact the incorrect organisation, or do not make contact at all;
  - 4.4.3 In order that members of the public can make prompt contact with their Electricity Network Operator in times of need, they need to know the number to call. The situations in which it may be necessary to make contact are diverse, and prompt interaction will often be hindered by having to look the number up. The number therefore needs to be memorable and communicated effectively so that members of the public are aware of it;
  - 4.4.4 ENA does not consider it realistic to expect the public to recall the 0800 numbers currently used by each of the Electricity Network Operators, or even for them to remember a single 0800 number – no matter how well it is advertised. However, ENA considers that it is realistic to expect the public

to recall a single three-digit number and the service that it accesses if it is branded and advertised appropriately;

- 4.4.5 ENA considers that a three-digit number provides for the creation of a strong brand, enabling more effective use of communication channels to promote awareness, including television, radio, internet and billboards; and
- 4.4.6 Consequently, ENA considers that a three-digit number would enable significantly more members of the public to contact their Electricity Network Operator when necessary and without delay than a standard digit length number.

## Number options

- 4.5 We now consider what alternatives to a three-digit number are available in the Numbering Plan.
- 4.6 In identifying potential number options for assessment, we take into account the key features of the service as proposed by ENA. In particular, we note that the service would require:
  - a single number that can be used across Great Britain and is not associated with a specific geographic location; and
  - a number that is free for consumers to call from fixed lines and mobile phones.
- 4.7 Given the above features that ENA consider are essential for delivery of the service, the following number options in the Numbering Plan are not considered to be appropriate:
  - Geographic 01/02 numbers: these have location significance inherent in the area code. A geographic number with a specific area code may be confusing for consumers calling from other areas covered by the service;
  - non-geographic numbers (apart from 080 freephone numbers): these have a call cost associated; and
  - the 116XXX range for harmonised European services of social value: 116 numbers are the European Commission's initiative for 'same number – same service' harmonisation across European for services that answer a specific social need and are potentially of value to visitors from other countries. The Commission decides which services should be reserved 116 numbers and attaches conditions relating to the use of those numbers. These numbers are free-to-caller in the UK.

However, there is not a 116 number currently reserved by the European Commission for this type of service and it is unlikely that it could be considered to meet the eligibility criteria of being potentially of value to visitors from other countries, as the service is more associated with residents' needs.
- 4.8 We consider that the best alternative number option for the service currently available in the Numbering Plan is a 080 freephone number. 080 numbers are non-geographic, meaning that they do not provide location significance, and therefore a single 080 number would be suitable for use across Great Britain. Although callers currently may be charged for calling a 080 freephone number (provided that the

caller is notified by an announcement at the start of the call), Ofcom regulation coming into force on 1 July 2015<sup>32</sup> will require calls to 080 numbers to be free-to-caller from fixed line and mobile phones. Therefore, by the time the service is launched next year, calls to 080 numbers will be free-to-caller. Freephone 080 numbers would, therefore, meet the service criteria of being a single number used across Great Britain which is free-to-caller.

- 4.9 Therefore we assess ENA's request for a three-digit number (which we refer to as Option 1) taking into account the suitability of an alternative 080 freephone 11-digit number (which we refer to as Option 2).

## Assessment of number options

### Criteria for our assessment

- 4.10 We have a duty under section 63(1) of the Act to ensure that the best use is made of telephone numbers and to encourage efficiency and innovation for that purpose. We also have a general duty under section 3 of the Act to further the interests of citizens and consumers in relation to communications matters.
- 4.11 In assessing whether the designation of a three-digit number would be consistent with these duties, we have taken into account the service eligibility criteria for designation of a three-digit number established in our final statement on the designation of 101 (see paragraph 2.32).
- 4.12 As part of our assessment, we also consider the costs, competition effects, distribution and equality impact effects, additional risks and unintended consequences of both number options.

### Promotion of citizen and consumer interests

- 4.13 The aim of the service is to improve citizens' experience of contacting their Electricity Network Operator during a power cut. Numbering arrangements can further the success of communications services, and thereby promote citizen and consumer interests. For this service, we consider that citizen and consumer interests would be promoted by the selection of the most memorable, distinctive, easily promoted and easy to dial number, increasing the likelihood that when required, it can be recalled and used by consumers. We assess below how each option could promote citizen and consumer interests.
- 4.14 **Memorability of the number:** We consider it reasonable to assume that the fewer digits in a number, and the fewer numbers of that type in use, the easier it will be for consumers to remember the number correctly when required. Option 1, with three digits, would be considerably shorter than Option 2, with 11 digits. Also, there are very few three-digit numbers in use, whereas there are many thousands of 080 numbers in use.
- 4.15 ENA's research found that 84 per cent of the general public surveyed said that a three-digit number would be easier to remember than a standard length 0800 number. The research also found that only 15 per cent of those surveyed favoured a

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<sup>32</sup> For more information on Ofcom's work on simplifying non-geographic numbers, of which our work on making 080 free-to-caller is part, see a series of documents published on our website [here](#). Of particular relevance is *Simplifying non-geographic numbers: Final statement on the unbundled tariff and making the 080 and 116 ranges free-to-caller*, Ofcom statement published 12 December 2013.

0800 freephone number compared to 65 per cent in support of a three-digit number, the main reason being that a 0800 number would not be as easy to remember, which may delay reporting a problem.

- 4.16 **Distinctiveness of the number:** The distinctiveness of Option 1 may help to raise the service's profile and elevate its importance, encouraging consumers to engage with the service and report electricity power cuts and network related safety issues, which would be in the interest of all citizens. ENA's research found that 86 per cent of those surveyed agreed that a three-digit number is more closely associated with an emergency service, indicating that a three-digit number is associated with the provision of an important service.
- 4.17 We consider that under Option 2 it may be difficult for ENA to find a 080 number that is sufficiently distinct from other 080 customer service numbers to become part of consumers' consciousness. 080 numbers have been in use for many years and the most distinctive digit combinations are likely to be in use for services already. It should also be noted that 0800 10-digit numbers (i.e. in the format 0800 plus six-digits) are not available for use for new services.
- 4.18 We note that some respondents suggested obtaining one of the distinctive 0800 numbers already used by Electricity Network Operators for customer service contact and using this for the national service. However, we do not consider this to be a viable option. The service is designed to complement rather than replace existing customer communication channels for each Electricity Network Operator. Each operator will therefore need to retain its 0800 fault and emergency service number.
- 4.19 **Ease of promoting the number:** Option 1 boasts a highly memorable short number format, which makes it easier to communicate and lends itself more readily to branding and marketing than Option 2. Effective communication of the number and the service, so that it is understood and known by consumers, is vital for meeting the objective of improving consumers' experience of reporting and gaining information in relation to power cuts and electricity network safety issues.
- 4.20 **Ease of dialling the number:** there may be an increased possibility of callers misdialling a number when in the dark and/or under stress. By having fewer digits, Option 1 would reduce the likelihood of misdialled calls compared to Option 2.

#### Best use of telephone numbers

- 4.21 It is our duty, with regard to numbering functions, that we secure what appears to be the best use of telephone numbers. The aim of the service is to improve citizens' experience of contacting their Electricity Network Operator. Numbering arrangements can further the success of communications services and best use is made of numbers where they promote citizen and consumer interests.

#### **Assessment of best use of numbers under Option 1**

- 4.22 Securing what appears to be the best use of telephone numbers is particularly relevant where the type of number is scarce, as with three-digit numbers. Therefore, under Option 1, we must be satisfied that the service would make appropriate use of this limited resource.
- 4.23 As described in paragraph 2.32, we have developed through consultation a set of eligibility criteria that we consider a service should meet in order to be considered as



potentially making best use of a three-digit number. Below we set out our assessment of the proposed service against the four eligibility criteria.

There is an overwhelming public interest argument (i.e. the service is of extreme social value and meets a high level of social value or need)

- 4.24 The Civil Contingencies Act<sup>33</sup> recognises electricity as one of the “*essentials of life*” and encompasses the disruption of energy supply (e.g. electrical supply) in its definition of ‘emergency’. Consumers have an increasingly high dependency on electricity, with power cuts affecting the welfare and lifestyle of most members of the public, with many direct and indirect impacts.
- 4.25 The service would generally meet a vital and/or extremely urgent need for consumers at a time of disruption to the electricity supply, potentially offering a ‘lifeline’ for people in a position of distress or vulnerability. The calling process needs to be straightforward and barriers to making the call should be removed where possible (recognising that storm damage or power cuts could have an impact on telephony provision and/or phone functionality<sup>34</sup>).
- 4.26 If calls to the service are either not made or delayed, there could be serious consequences, including:
- longer restoration time in the event of a power cut;
  - greater impact of welfare related issues; and
  - a higher risk of injury when there is an electricity network safety related matter.
- 4.27 In terms of power restoration, ENA has informed us that only 6.3 per cent of 2013 fault incidents were on parts of the electricity network infrastructure with automatic fault detection mechanisms. The remaining 93.7 per cent of faults required customer notification to the Electricity Network Operator before fault identification and supply restoration processes could commence. However, we note a point raised in a submission to the consultation that with “*the emergence of smart meter technology, the internet of things and connected devices, along with the upgrade of the national grid to a smarter grid, the networks will know of a localised power failure at the same time or before the consumer*”.<sup>35</sup>
- 4.28 In terms of welfare, ENA has set out in its application how power cuts can have differing impacts on members of the public depending on their disposition and situation. Most find them very inconvenient but for some they are a serious welfare issue – causing distress, risk of illness or, in extreme cases, risk of death. Examples of where a power cut can cause a serious welfare issue include situations where consumers are:
- on dialysis machines or requiring electrically powered breathing apparatus;
  - in need of hoists for their bath, bed or chair, with the risk of being left stranded in a dangerous position part way through a lifting procedure; and

<sup>33</sup> Civil Contingency Act 2004 available [here](#).

<sup>34</sup> For example, storm damage may have brought down telephone lines. Also, cordless landline telephones are very unlikely to work in a power cut, even if fully charged, as they need mains power to operate and rarely have a back-up battery. According to Ofcom research, eight in ten homes in the UK use a cordless landline phone. See Ofcom web article [here](#).

<sup>35</sup> Submission from Telecoms Cloud Ltd.

- required to keep medication cool in their fridge.
- 4.29 Power cuts can also cause consumers significant distress, for example situations where consumers experience:
- loss of heating and hot water: a power cut precludes all electrified heating and a significant proportion of gas heating, leaving households vulnerable to the effects of cold, particularly babies and older members of the public;
  - inability to use a stair lift or lifts in blocks of flats: a power cut could either trap consumers upstairs/downstairs or indoors, and may lead to people taking risks using the stairs; and
  - searching for telephone numbers in the dark.
- 4.30 In terms of electricity network safety, calls reporting incidents to Electricity Network Operators include those concerning dangerous situations such as overhead lines below a certain height, damage to underground cables and the impact of metal theft. ENA's application states that there were in excess of 10,000 electricity network safety incidents in the year from May 2013 to April 2014.

The proposed service has a national impact and/or national provision

- 4.31 There is a commonality of power cut and electricity network related welfare and safety issues across the UK. The service will be available in England, Scotland and Wales from launch.
- 4.32 We accept that 105 would not be used in Northern Ireland. As explained in its submission to the consultation (see paragraph 3.31), NIE has no plans to change its customer service helpline number to 105. Nevertheless, designating 105 in the Numbering Plan would make it available for use in Northern Ireland if the situation changes in the future.

The proposed service is not only for the public good but also used only where there is a high demand based on high call volume

- 4.33 When a power cut occurs, there is potential for a high demand for the service and a high call volume from the section of the public experiencing the power cut. There were in excess of 4.3 million calls made to the different Electricity Network Operators' current 'emergency and power loss' services between August 2013 and July 2014, peaking at over 800,000 calls in December 2013. During 2013, there were 442,613 fault incidents, collectively impacting millions of consumers across England, Scotland and Wales.
- 4.34 ENA research has shown that consumers are generally unaware of who to call and the appropriate contact number in times of a power cut. Therefore it is reasonable to presume that demand for the service is higher than currently experienced and the number of calls is suppressed. ENA estimates that, with the memorability of a three-digit number, existing call volumes could double, with a forecast volume peak of 14,000 concurrent calls.

The proposed service provision benefits everyone or at least a very wide part of society

- 4.35 In excess of 29 million premises across Great Britain are supplied with electricity – covering the homes of almost everyone – meaning that any citizen could experience

a situation where they may want to contact the service. As most of the national electricity infrastructure is above ground, it is susceptible to damage in severe weather, and faults occur. As well as experiencing domestic power cuts, people may be subject to electricity network safety situations outside the home, for example as a result of metal theft or damage to overhead cables.

- 4.36 ENA expects Electricity Network Operators' customer service to improve as a result of having a single national number that is easy to remember in times of need.

### Summary

- 4.37 As set out in paragraphs 4.24 to 4.36 above, we have considered how the service as described by ENA would meet the four criteria that we take into account when considering whether a service is likely to make best use of a three-digit number.
- 4.38 We consider that two points in particular support the case for a three-digit number for the service. The first is the likely situation of callers when they may need the service, for instance in the dark and without power, so looking up the number may be particularly difficult and the experience stressful. The number therefore needs to be memorable so that it can be recalled at the time of need. The second is that the Civil Contingencies Act recognises electricity as one of the "essentials of life" and encompasses disruption to power supply in its definition of 'emergency'.

### **Assessment of best use of numbers under Option 2**

- 4.39 Option 2 would not require any action from Ofcom in order to provide a number for the service. It would be a suitable use of a 080 number as it is intended for calls to the service to be free-to-caller, which meets the characteristics of the 080 freephone number range at the time the service is launched.
- 4.40 However, the choice of number within the 080 number range would be restricted to those available, and these are unlikely to be particularly memorable as the number range has been in operation for many years and the most memorable numbers are likely to be in use already. The 0800 numbers currently used by the electricity industry will continue to be used for direct communication and would not be free to be used for the service. Also, using a single 080 number for the service may not provide any significant benefit over the existing 080 standard digit length numbers currently used for calling the Electricity Network Operators. Therefore Option 2 is unlikely to represent the best use of the UK's numbering resource for this particular socially valuable service.

### Costs of the options

#### **For consumers**

- 4.41 ENA intends for the service to be free-to-caller. This is possible under both options. However, there is no tariff associated with Option 1, so this would be subject to commercial negotiation. There is the potential that some CPs would not agree terms to make calls to the three-digit number free-to-caller and therefore call costs could vary. In addition, while ENA's research found that 89 per cent of those surveyed would expect a three-digit number to be free-to-caller, consumers may not be certain of the call price and this may deter some from making the call. A complicating factor in tariff transparency is that 101 and 111 have different call costs applied, with 101 currently 15 pence per call and 111 free-to-caller.

- 4.42 Under Option 2, regulatory changes coming into force on 1 July 2015 would ensure clarity and consistency on the cost of calling 080 freephone numbers.<sup>36</sup> By service launch, calls to 080 numbers will always be free from fixed line and mobile phones and consumers will become increasingly aware that 080 numbers are always free to call.

### **For CPs**

- 4.43 ENA has stressed the importance of the overall customer experience in calling the service. Calls will be routed to the appropriate Electricity Network Operator based on the location of the caller, with the use of IVR only where necessary to increase call routing accuracy. The provision of this call routing arrangement may have different costs for ENA's chosen service provider depending on the number option chosen
- 4.44 Option 1 would require commercial negotiation between ENA's chosen service provider and other CPs to set up access, routing and interconnection arrangements for a new three-digit number. A number of CPs raised the issue of associated costs and uncertainties of this process in their submissions, noting that Ofcom left the potential costs unquantified in the consultation document. CPs stressed that commercial negotiations should conclude with the costs fairly and appropriately apportioned to the relevant parties in the call supply chain.
- 4.45 There would also be the need for modifications to public payphones to accept the new three-digit number and to not charge for the call. This may be costly for the relevant CPs, although we understand from implementation of the 101 and 111 numbers that the ability to modify most payphones remotely meant that the majority of the potential costs were avoided.
- 4.46 Access from private payphones (for example, payphones provided in hospitals, pubs, rented/shared accommodation) and PBXs<sup>37</sup> would not be automatic. Payphone owners would need to reprogramme their units to accept calls to 105.<sup>38</sup> Similarly, action may need to be taken by PBX users, maintainers and installers to allow calls to 105.
- 4.47 Option 2 would be relatively simple to implement as 080 numbers are already available for use, with interconnection arrangements determined. Option 2 would therefore involve no additional costs for CPs beyond 'business as usual' processes for making a new number available.

### **Competition effects**

- 4.48 We consider that the choice of number for the service is unlikely to result in any significant competition effects in telecommunications markets. We are mindful that under Option 1, CP(s) that already act as service providers for existing three-digit numbers could have some advantages in terms of having already incurred the set-up costs and developed solutions for handling and routing calls to three-digit numbers. However, we consider that the level of costs involved is unlikely to represent a particular barrier to entry such that competition for service provision would not be effective.

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<sup>36</sup> See paragraph 4.8.

<sup>37</sup> Private Branch Exchange (PBX) – a private telephone network used within a company.

<sup>38</sup> Submission from Solitaire Payphones Ltd.

### Distributional and equality impact effects

- 4.49 Under both options the number would be the same in all geographic areas across Great Britain and there should be no differing impacts by geographic area.
- 4.50 We considered whether we are required to undertake a full Equality Impact Assessment for this consultation. On the basis of our Initial Equality Impact Assessment Screening we have determined that this is not required. Under both options the number should be equally accessible to all and we would therefore not expect any differing impacts.

### Additional risks and unintended consequences of the options

- 4.51 We have outlined some risks of the two options in the paragraphs above. Option 1 has the additional risk that CPs may not open access to the new three-digit number, particularly as call cost and interconnection arrangements would need to be agreed. Commercial negotiations may be protracted or fail, and access to the service may not be provided by some CPs who consider that the arrangements are not favourable. Consumers may therefore find that access provision is dependent on the network used to make the call, and whether that network has chosen to provide access to the service. However, our experience of CPs' implementation of the 101 and 111 numbers found there to be no significant issues in this respect. We would anticipate that CPs' recognition of the social value of the service would help to ensure that access is provided to their customers. It should be noted that CPs could also decide not to provide access to the service if it used a 080 number, although there may be less likelihood of this occurring as interconnection arrangements for 080 numbers are more established.
- 4.52 As three-digit numbers are a particularly scarce resource, there is also a potential opportunity cost with Option 1. If following designation of the number for a service, that service did not launch or provision subsequently failed, it may be considered unsuitable to use the number for a different service due to the consumer confusion that it might cause. Designation of 105 for the service therefore carries the risk that it would exclude an alternative use of that particular three-digit number in the future. However, although there is a very limited supply of three-digit numbers, there would still be a further 13 available for other services that meet the eligibility criteria.
- 4.53 We are also mindful that the more three-digit numbers that we designate, the less memorable each one becomes, and the more difficult for consumers to recall which 10X or 11X number is for which service. However, we do not consider that the designation of an additional three-digit number is likely to have a material effect at this time.
- 4.54 There is also the risk that even if a three-digit number is made available, the anticipated benefits to consumers of the service and/or the number do not transpire. ENA research has shown that consumers do not understand the structure of the electricity supply market and are generally unaware of the role of Electricity Network Operators, having a retail relationship with their electricity supplier. Therefore, the service concept may be difficult to convey to consumers. This risk applies to both options, but due to the scarcity of three-digit numbers, it would have a more detrimental effect for Option 1. However, this risk is recognised by ENA and its Consumer Awareness Working Group (see paragraphs 2.25 and 3.56 to 3.58) will seek to address consumer understanding of the role of Electricity Network Operators in the communications campaign associated with the service and number.

- 4.55 Finally, despite the memorability of a three-digit number, consumers typically find themselves only infrequently in a situation where they might need to contact the service,<sup>39</sup> so some callers may still struggle to remember the number at a time of need. To secure best use of the number, the service would therefore need to be accompanied by a substantial communications campaign to inform consumers of the number, the purpose of the service and what can be expected in response to a call. ENA has confirmed the electricity industry's commitment to adequately promoting the service and number on a national and Electricity Network Operator regional basis, in particular at service launch and in the annual lead-up to winter.

## Ofcom's decision

### Appropriateness of a three-digit number

- 4.56 Taking into account our assessment of the two number options for the service and the 19 responses to the consultation, we have decided that it would be appropriate to designate a three-digit number for the service.
- 4.57 We consider that the significant public value of the service means that a three-digit number is more appropriate than the other possible option of a 080 11-digit number, in that:
- (i) it is more likely to promote the interests of citizens and consumers by being more memorable, distinctive, easier to promote and to dial, and thereby more likely to become part of consumers' consciousness and be remembered and called correctly at a time of need;
  - (ii) it would constitute best use of telephone numbers, in that the service meets the eligibility criteria for a three-digit number and justifies use of this scarce resource; and
  - (iii) although the costs and risks associated with a three-digit number cannot be quantified reliably at this stage of the service's development, we do not consider that they would outweigh the benefits to consumers of designating a three-digit number for the service.

### Appropriateness of 105

- 4.58 ENA has selected 105 as its preferred choice from the 14 three-digit numbers available for designation (see paragraph 2.29). In choosing this number, we understand that ENA has taken into account the research into the benefits of particular three-digit numbers undertaken by the Home Office when it selected its choice of three-digit number for its service in 2005.<sup>40</sup> The Home Office research found that an 'up/down/up' finger movement across a telephone keypad can reduce misdials and make the number less likely to be dialled accidentally. Also, the raised pips on the digit '5' key can act as a reference point to the rest of the keypad and assist navigation in the dark and for blind or partially sighted people.

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<sup>39</sup> According to call records for Electricity Network Operators' existing 'emergency and power loss' services for their networks, a customer contacts their Electricity Network Operator once every 6.74 years on average.

<sup>40</sup> See paragraphs A5.17 and A5.18 in Ofcom consultation *National Single Non-Emergency Number: Proposals for number and tariff* published 27 October 2005 available on our website here: <http://stakeholders.ofcom.org.uk/binaries/consultations/snen/summary/snen.pdf>.

- 4.59 ENA conducted a survey to canvass the views of organisations that support sections of the general public with particular needs and that are more likely to experience welfare issues in the event of a power cut.<sup>41</sup> The selection of 105 as the three-digit number received very strong support in the survey based on its ease of use due to the raised pips on the digit '5' key. All organisations who expressed a view supported this.
- 4.60 Three respondents to the consultation commented on ENA's choice of 105.
- 4.60.1 Telecoms Cloud Ltd agreed that the inclusion of the digit '5' would help people to navigate the keypad in the dark.
- 4.60.2 EE had no objection to the number choice.
- 4.60.3 Vodafone considered 105 to be a reasonable option.
- 4.61 Having decided that it is appropriate to designate a three digit number for the service, Ofcom considers that it is appropriate in this case to designate 105 on the basis of ENA's preference for that number.

### Implementing our decision

- 4.62 As a consequence of the analysis in this statement, we have decided to modify the Numbering Plan to designate 105 for "Access to the national power cut and electricity network safety service". We consider that the modification to the Numbering Plan meets all the required legal tests in the Act for the reasons set out below. The modification is unchanged from that on which we consulted in Annex 2 of the consultation document.

### Legal tests and duties

- 4.63 Our decision requires a modification to the Numbering Plan. It is our duty, when modifying the Numbering Plan, to show how we consider that the proposal complies with our legal tests and duties in the Act (see Annex 2 for further information on the legal framework).
- 4.64 The modification to the Numbering Plan will add 105 and the service designation to 'Part C1: Public Communications Network Numbers not individually Allocated'.
- 4.65 We are satisfied that the modification to the provisions of the Numbering Plan meets the tests set out in sections 60(2) and 49(2) of the Act being:
- **objectively justifiable**, in that it relates to Ofcom's general duty to secure that the best use is made of the UK's telephone numbers. We are responding to a request to modify the Numbering Plan to make 105 available for a service that should further the interests of citizens and consumers;
  - **not unduly discriminatory**, in that all CPs may provide subscriber access to the national power cut and electricity network safety service through the use of 105 without application to Ofcom;

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<sup>41</sup> See *Support Organisation Survey* Appendix B of the ENA application supporting document (see footnote 5).

- **proportionate**, in that it is the least intrusive way of making the number 105 available for the service, in line with our statutory duties; and
- **transparent**, in that the Notification proposing the modification to the Numbering Plan, and its effects, was set out in the consultation document and the final Notification is provided in Annex 3 of this document.

4.66 We consider that we are fulfilling our general duty as to telephone number functions as set out in section 63 of the Act in making the modification by:

- **securing the best use of appropriate numbers**, in that the national power cut and electricity network safety service is considered to be a service of significant public value, which we believe would make the best and appropriate use of a three-digit number and which has met the criteria to be eligible for a three-digit number (see paragraphs 4.24 to 4.36); and
- **encouraging efficiency and innovation**, in that provision of the 105 number aids the delivery of an innovative service that is designed to further the interests of citizens and consumers by improving their experience of contacting their Electricity Network Operator about a power cut, associated welfare issue or electricity network safety concern.

4.67 We consider that our decision to modify the Numbering Plan is consistent with our general duties in carrying out our functions as set out in section 3 and 4 of the Act. In particular, we consider that the modification will further the interests of citizens in relation to communications matters and consumers in relevant markets by providing the most appropriate number for a service of significant public value.

### **Implementation of our decision to designate the number**

4.68 We have modified the Numbering Plan in accordance with the notification set out in Annex 3 of this document in order to give immediate effect to our decision.



## Annex 1

# Consultation respondents

- A1.1 We received 19 responses to the consultation.
- A1.2 Two respondents asked for their responses and their names to be treated as confidential.
- A1.3 Two respondents asked for their names to be withheld. Their responses are published under the titles of 'Name Withheld 1' and 'Name Withheld 2'.
- A1.4 The non-confidential responses are available on our website [here](#).
- A1.5 Non-confidential responses were submitted by:
  - 1.5.1 Representatives from the electricity and gas industries
    - Energy UK
    - Gas Task Group
    - Northern Ireland Electricity (NIE)
    - npower
    - The Office of Gas and Electricity Markets (Ofgem)
  - 1.5.2 Representatives from the communications industry
    - BT plc
    - EE Limited
    - Sky UK Limited
    - Solitaire Payphones Limited
    - Telecoms Cloud Limited
    - Vodafone UK
  - 1.5.3 Individuals:
    - Draper, Mr T
    - Radford, Mr M
    - Reed, Mr K
    - Slater, Mr G

## Annex 2

# Legal Framework

A2.1 The Act provides, amongst other things in relation to numbering, for the publication of the Numbering Plan and the setting of General Conditions of Entitlement relating to Telephone Numbers ("Numbering Conditions"). It also sets out statutory procedures governing the modification of the Numbering Plan and the giving of directions under conditions such as the Numbering Conditions.

## The Numbering Plan

A2.2 Section 56(1) of the Act states that:

"It shall be the duty of OFCOM to publish a document (to be known as "the National Telephone Numbering Plan") setting out–

(a) the numbers that they have determined to be available for allocation by them as telephone numbers;

(b) such restrictions as they consider appropriate on the adoption of numbers available for allocation in accordance with the plan;

(ba) such requirements as they consider appropriate, for the purpose of protecting consumers, in relation to the tariff principles and maximum prices applicable to numbers so adopted or available for allocation; and

(c) such restrictions as they consider appropriate on the other uses to which numbers available for allocation in accordance with the plan may be put."

A2.3 The Act provides for Ofcom to review and revise the Numbering Plan. Section 56(2) states that:

"It shall be OFCOM's duty –

(a) from time to time to review the National Telephone Numbering Plan; and

(b) to make any modification of that plan that they think fit in consequence of such a review; but this duty must be performed in compliance with the requirements, so far as applicable, of section 60."

A2.4 Section 60 of the Act provides for the modification of documents referred to in the Numbering Conditions (which includes the Numbering Plan) and explains the procedures to be followed in order to conduct this review. Section 60(2) of the Act provides that:

"OFCOM must not revise or otherwise modify the relevant provisions unless they are satisfied that the revision or modification is –

(a) objectively justifiable in relation to the matters to which it relates;

- (b) not such as to discriminate unduly against particular persons or against a particular description of persons;
- (c) proportionate to what the modification is intended to achieve; and
- (d) in relation to what it is intended to achieve, transparent."

A2.5 Section 60(3) further provides that:

"Before revising or otherwise modifying the relevant provisions, OFCOM must publish a notification –

- (a) stating that they are proposing to do so;
- (b) specifying the Plan or other document that they are proposing to revise or modify;
- (c) setting out the effect of their proposed revisions or modifications;
- (d) giving their reasons for making the proposal; and
- (e) specifying the period within which representations may be made to OFCOM about their proposal."

## **Ofcom's general duty as to telephone numbering functions**

A2.6 Ofcom has a general duty under section 63(1) of the Act in carrying out its numbering functions:

- “(a) to secure that what appears to them to be the best use is made of the numbers that are appropriate for use as telephone numbers; and
- (b) to encourage efficiency and innovation for that purpose."

## **General duties of Ofcom**

A2.7 The principal duty of Ofcom to be observed in the carrying out of its functions is set out in section 3(1) of the Act as the duty:

- “(a) to further the interests of citizens in relation to communications matters; and
- (b) to further the interests of consumers in relevant markets, where appropriate by promoting competition.”

A2.8 As part of the fulfilment of these principal duties, it is Ofcom's responsibility to secure the availability throughout the UK of a wide range of numbering arrangements, having regard to the interests of consumers in respect to choice, price awareness, and consumer protection.

## **Duties for the purpose of fulfilling Community obligations**

A2.9 In addition to its general duties as to telephone numbers, when considering revisions to the Numbering Plan, Ofcom must also take into account the six

A three-digit number for the national power cut and electricity network safety service

Community requirements in carrying out its functions as set out in section 4 of the Act. These include the requirement to promote competition in the provision of electronic communications networks and services, and the requirement not to favour one form of network, service or associated facility or one means of providing or making available such network, service or associated facility over another, as well as the requirement to promote the interests of European citizens.

### Annex 3

## Notification of modification to the provisions of the Numbering Plan under section 60 of the Act

1. Ofcom, in accordance with section 60 of the Act, hereby makes the following modification to the provisions of the Numbering Plan.
2. The Condition has effect by reference to provisions of the Numbering Plan.
3. The modification to the Numbering Plan is set out in the Schedule to this Notification.
4. The reasons and effect of making the modification are set out in the document accompanying this Notification.
5. Ofcom considers that the modification complies with the requirements in section 60(2) of the Act.
6. In making the modifications referred to above Ofcom have considered and acted in accordance with the six Community requirements in section 4 of the Act as well as performed their general duties under section 3 of the Act and their duty as to telephone numbering in section 63 of the Act.
7. In the draft Notification and the accompanying consultation document, Ofcom invited representations about the proposed modification therein by 27 March 2015.
8. Copies of the draft Notification were made available to the Secretary of State.
9. In this Notification-

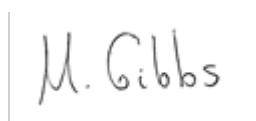
‘Act’ means the Communications Act 2003;

‘Condition’ means General Condition 17 of the General Conditions of Entitlement set by the Director by way of publication of a Notification on 22 July 2003;

‘Ofcom’ means the Office of Communications; and

‘Numbering Plan’ means the National Telephone Numbering Plan published from time to time by Ofcom.

Signed by

A rectangular box containing a handwritten signature in black ink that reads "M. Gibbs".

Marina Gibbs  
Competition Policy Director

A person authorised by Ofcom under paragraph 18 of the Schedule to the Office of Communications Act 2002.

12 June 2015

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## Schedule

The following addition shall be made in numerical order to 'Part C: Telephone Numbers not available for Allocation' of the Numbering Plan. The changes are set out in bold.

C1: Public Communications Network Numbers not individually Allocated	
Numbers beginning or in entirety where marked *	Designation
<b>105*</b>	<b>Access to national power cut and electricity network safety service (Type A Access Code)</b>