

Annex 19

Sources of Evidence

- A19.1 We have noted throughout the document the evidence we have relied upon for our analysis and how we have relied upon that evidence. This annex provides a list of the main sources of evidence used and where possible the web links where the evidence used is published online. We also list all respondents to our stakeholder workshops and to our formal information requests.
- A19.2 While the Annex lists the main evidence we have relied upon, the list is for convenience only and is not intended to be exhaustive.

List of respondents to our October 2013 stakeholder workshop

- A19.3 On 23 October 2013, we held a stakeholder workshop to advise industry that we were commencing this review and allow stakeholders an early opportunity to discuss this process and input into our preliminary thinking. The workshop covered the background leading to this review, the process and milestones and Ofcom's preliminary views and questions for stakeholders. Slides presented by Ofcom during the workshop are available at: <http://stakeholders.ofcom.org.uk/consultations/mobilecallterm/workshop2015-2018/>
- A19.4 We received five written responses to our workshop from the following stakeholders:
- BT
 - H3G
 - EE
 - Telefónica
 - Virgin Media
- A19.5 Non-confidential responses have been published and are available at <http://stakeholders.acmpub.intra.ofcom.local/telecoms/policy/mobile-policy/mobile-call-termination-review-2015-2018/>

List of respondents to our January 2014 stakeholder workshop

- A19.6 On 23 January 2014 we held a workshop that was specific to our cost modelling of MTRs and provided stakeholders with an early opportunity to comment on the direction of modelling. Slides presented by Ofcom during the workshop are available at: <http://stakeholders.ofcom.org.uk/telecoms/policy/mobile-policy/mobile-call-termination-review-2015-2018/mct-review-2015-18-january2014/>
- A19.7 We received three written responses to our workshop from the following stakeholders:
- BT

- EE
- H3G

A19.8 Non-confidential responses have been published and are available at <http://stakeholders.ofcom.org.uk/telecoms/policy/mobile-policy/mobile-call-termination-review-2015-2018/responses-jan-2014/>

Information gathering using statutory powers under section 135 of the Act

A19.9 During this pre-consultation phase, we have issued a series of notices under section 135 of the Act requiring various CPs to provide specified information as set out in the notice. These information requests are listed below:

A19.10 Information requests of 8 November 2013, 14 February 2014 and 18 March 2014 regarding the provision of data to inform our cost modelling for the 2014 MCT model. Requests addressed to and responses received from:

- EE
- H3G
- Telefónica
- Vodafone

A19.11 Information requests to identify MCPs which hold mobile number ranges for which they provide mobile voice call termination services and for which they set an MTR, for the purposes of our market definition and SMP analysis. The information request was sent to all companies registered as having been allocated a mobile number range by Ofcom. The requests were sent in several tranches to the MCPs listed below.

- Information request of 21 November 2013 - this information request was sent also for the purposes of an Ofcom own-initiative enforcement programme into compliance by MCPs with SMP conditions M1 and M4 set out in Annex 1 to the March 2011 Statement, as discussed in paragraph 5.104. Requests addressed to and, except where otherwise indicated, responses received from:
 - 24 Seven Communications Ltd
 - BT Plc
 - Callax Ltd¹
 - Cheers International Sales Ltd
 - Core Telecom Ltd
 - Euro Thai Exchange Process Company Ltd²

¹ As explained in paragraph A8.9 of Annex 8, we did not receive a response from this MCP.

- Icron Network Ltd
- IV Response Ltd
- Lycamobile UK Ltd
- Magrathea Telecommunications Ltd
- Mars Communications Ltd
- Mundio Mobile Ltd
- Nationwide Telephone Assistance Ltd
- Oxygen8 Communications UK Ltd
- QX Telecom Ltd
- Resilient Networks Plc
- Sky Telecom Ltd
- Sound Advertising Ltd
- Stour Marine Ltd
- Subhan Universal Ltd
- Swiftnet Ltd
- Teledesign Ltd
- Telephony Services Ltd
- TG Support Ltd
- Truphone Ltd
- Information requests of 29 November 2013, 2 December 2013, 3 December 2013, 6 December 2013, 12 February 2014, 26 February and 9 April 2014. Requests addressed to and, except where otherwise indicated, responses received from the following MCPs:
 - 08Direct Ltd
 - Ace Call Ltd
 - Airwave Solutions Ltd
 - Alliance Technologies LLC³

² Euro Thai Exchange Process Company Ltd provided the information requested in our draft section 135 request on a voluntary basis.

³ As explained in paragraph A8.9 of Annex 8, we did not receive a response from this MCP.

- Andrews & Arnold Ltd
- (AQ) Ltd
- Bellingham Telecommunications Ltd
- BT Onephone Ltd
- CFL Communications Ltd
- Citrus Telecommunications Ltd
- Cloud9 Communications Ltd
- Compatel Ltd
- Confabulate Ltd
- Core Communication Services Ltd
- Eclipse Tel Ltd
- Edge Telecom Ltd
- Equinet Ltd
- Esendex Ltd
- FleXTel Ltd
- Globecom International Ltd
- Guernsey Airtel Ltd
- Hay Systems Ltd
- Interact Solutions Ltd
- Invomo Ltd
- IPV6 Ltd
- Jersey Airtel Ltd
- JSC Ingenium (UK) Ltd
- JT (Guernsey) Ltd
- JT (Jersey) Ltd
- LegendTel LLC⁴
- Lifecycle Software Ltd

⁴ As explained in paragraph A8.9 of Annex 8, we did not receive a response from this MCP.

- Limitless Mobile Ltd
- Lleidanet Services Telematics Ltd
- Manx Telecom Ltd
- Marathon Telecom Ltd
- Moonshado Inc⁵
- Netfuse Telecom Ltd
- Nextgen Mobile Ltd
- Nodemax Ltd
- Orca Digital Ltd
- Premium O Ltd
- Premium Routing GmbH
- Proton Telecom Ltd
- Rexcom Tech Ltd
- Spacetel UK Ltd
- SSE Energy Supply Ltd
- Sure (Guernsey) Ltd
- Sure (Isle of Man) Ltd
- Sure (Jersey) Ltd
- Synectiv Ltd
- TalkTalk Communications Ltd
- Telecom2 Ltd
- Telecom North America Mobile Inc
- Teleena UK Ltd
- Telesign Mobile Ltd
- Teleware Plc
- Test2date BV⁶

⁵ As explained in paragraph A8.9 of Annex 8, we did not receive a response from this MCP.

⁶ As explained in paragraph A8.9 of Annex 8, we did not receive a response from this MCP.

- Tismi BV
- Titanium Ltd
- UK Broadband Ltd
- Virgin Mobile Telecoms Ltd
- Voicetec Systems Ltd
- Vortex Telecom Ltd
- Voxbone SA
- Wavecrest (UK) Ltd
- Zap Communications Ltd
- Information requests of 6 March 2014 regarding the provision of data to inform our consideration of what the relevant cost standard would be in the event that significant market power is found in the relevant markets and a charge control is considered an appropriate remedy. Requests addressed to and responses received from:
 - ASDA Stores Ltd
 - Core Communication Services Ltd
 - EE
 - Giffgaff Ltd
 - H3G
 - Lycamobile UK Ltd
 - Mundio Mobile Ltd
 - TalkTalk Communications Ltd
 - Telefónica
 - Tesco Mobile Ltd
 - Truphone Ltd
 - Virgin Media
 - Vodafone

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- A19.13 Economic depreciation in the Long Run Incremental Cost Model, Ofcom 2001
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- A19.15 Ofcom, *Better Policy Making, Ofcom's approach to Impact Assessment*, 21 July 2005.
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- A19.23 Ofcom, *Wholesale mobile voice call termination*, statement, 15 March 2011.
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A19.51 *Hutchison 3G UK Ltd v Office of Communications [2009] EWCA Civ 683*, 16 July 2009.

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