

Keith Hatfield
OFCOM
Riverside House
2a Southwark Bridge Rd
London
SE1 9HA

Friday 22nd March 2013

Dear Keith,

Re: Response to Fixed Narrowband Services Consultation – 5th February 2013

We are writing in response to the consultation above. 4D Interactive Ltd is predominantly a carrier terminating non-geographic numbers on its platform for which we are interconnected with BT. Of the 189 number ranges that we hold, only 3 are geographic ranges which are used for NTS purposes only. For the avoidance of doubt, we do not lease or re-sell these geographic numbers to consumers or any other CPs.

Whilst your definition/assessment at paragraph 6.4, i.e. that each CP has SMP in the market for fixed geographic call termination to their number range, is correct for the majority of CPs. However, for CPs such as ourselves we have no meaningful market power. We do not determine what the calling party pays (in our case, this is always BT) and are beholden to any adjustments they may make in the fractional payment they offer to us when terminating geographic numbers on our platform.

We therefore deem that 4D does not have SMP in the wholesale provision of geographic call termination and therefore should not be obligated in this respect per the consultation.

Thank you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Godfrey', written over a horizontal line.

Sarah Godfrey
Sales & Marketing Director