



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

EE Limited (EE) welcomes the opportunity to respond to Ofcom's consultation on the designation of the three-digit number '105' for access to the national power cut and electricity network safety service, following a request from the Energy Network Association (ENA).

Summary

- EE is generally supportive of the concept of a single memorable number that will make it easier for the general public to call their electricity network operator to report a power cut, an associated welfare issue or an electricity network safety concern.
- However Ofcom's consultation document and the supporting application from the 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, albeit that there is likely to be benefit in the adoption of a single memorable 0800 number (coupled potentially with e.g. forwarding / announcements where a legacy number is dialled instead). Further evidence on this should be provided before Ofcom makes a final decision to allocate one of the only fourteen available three-digit numbers for this service.
- EE notes that Ofcom is only consulting on the proposed designation of '105' and is expressly not consulting "about other communications issues, such as the price of calling the service or the provision of access to the service" (§1.7). EE agrees that such matters need to be the subject of commercial negotiations between communications providers (CPs) and all parties in the value chain, including the service provider at the end of the value chain. Clearly, it would not be appropriate to expect CPs to subsidise the costs of calls to '105' or a suitable alternative 0800 number. Currently, Ofcom has left unquantified the potential costs to consumers and CPs associated with the adoption of a new three-digit number (e.g. to CPs to cover access, routing



and interconnection arrangements and Payphone access and to consumers if pursuant to commercial negotiations agreement is unable to be reached to make the calls free-to-caller). Without this analysis, Ofcom cannot logically support its preliminary conclusion that “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” (§4.51(iii)). This would suggest that further commercial discussions between the ENA and CPs should take place prior to any final decision on designation being taken by Ofcom.

Consultation Questions

Question 1: 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.

EE is a socially responsible company which already provides free-to-caller and low cost access to various helplines, including the 101 and 111 services. EE fully supports the invaluable work of organisations providing the services behind these numbers.

Three-digit numbers are a very scarce resource and Ofcom is right to give careful consideration as to whether a three-digit number should be allocated for this purpose.

Currently, Ofcom’s consultation document and the supporting application from the 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 supplied¹. 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, albeit that there is likely to be benefit in the adoption of a single memorable 0800 number (coupled potentially with e.g. forwarding / announcements where a legacy number is dialled instead). Further evidence on this should be provided before Ofcom makes a final decision to designate one of the only fourteen available three-digit numbers for this service.

¹ For example, we understand that SSE Power Distribution currently uses the number “0800 300 999” for the reporting of power cuts in North Scotland –which could potentially be a suitable choice.



In the event that Ofcom does, on further consideration, decide to allocate a three-digit number (and not a 0800 number) in this case, EE has no objection to the choice of the number '105'.

Question 2: 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?

Ofcom has a duty to ensure that the best use is made of telephone numbers and to encourage efficiency and innovation for that purpose. As part of its assessment, Ofcom must consider the costs of both number options – which it has not yet done. This includes costs that will be incurred by networks providing access to the service, such as:

- Origination of the call;
- transiting the call;
- terminating the call;
- routing to different parts of the country; and
- potential network development required to route the call to different destinations.

ENA's application discloses only some very preliminary thinking on this important issue, and does not indicate that any firm commercial agreement with CPs on costs has yet been reached:

- Understandably, ENA's application suggests that it is yet to enter into a contract with a provider of the proposed service.
- ENA states that potential service providers will be required to provide ENA with a tariff / tariff structure for the calls – and that this will be a key commercial consideration during the tender evaluations. No details of ENA's requirements or any proposals by potential service providers are given.
- ENA states that the selected service provider will charge ENA for calls in accordance with the agreed tariff / tariff structure. They will be responsible for pre-negotiating and agreeing tariffs with the range of CPs that could carry the calls and that this will be entirely their concern. No further details on these proposed arrangements with CPs are provided – even though they are



fundamental to an understanding of the costs of the three-digit number designation option to CPs and a comparison of those costs with the costs of the option of using a standard 0800 number.

- ENA states that it will allocate the charges from the service provider to Network Operators using the service.

EE 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. We also welcome the ENA's recognition that costs are different for mobile and fixed operators and that charges will depend on call volumes. Clearly, it would not be appropriate to expect CPs to subsidise the costs of calls to '105' or a suitable alternative 0800 number.

Due to the lack of details on these important commercial negotiations, currently Ofcom has left unquantified the potential costs to consumers and CPs associated with the adoption of a new three-digit number (e.g. to CPs to cover access, routing and interconnection arrangements and Payphone access and to consumers if pursuant to commercial negotiations agreement is unable to be reached to make the calls free-to-caller).

Without this analysis, EE considers that Ofcom cannot objectively justify its preliminary conclusion that "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" (§4.51(iii)), and thus cannot claim to have met the relevant legal tests for designation in terms of, inter alia, the best and most efficient use of telephone numbers and the proportionality of its proposals.

EE therefore recommends that further commercial discussions between the ENA and CPs should take place prior to any final decision on designation being taken by Ofcom.