

Consultation response form

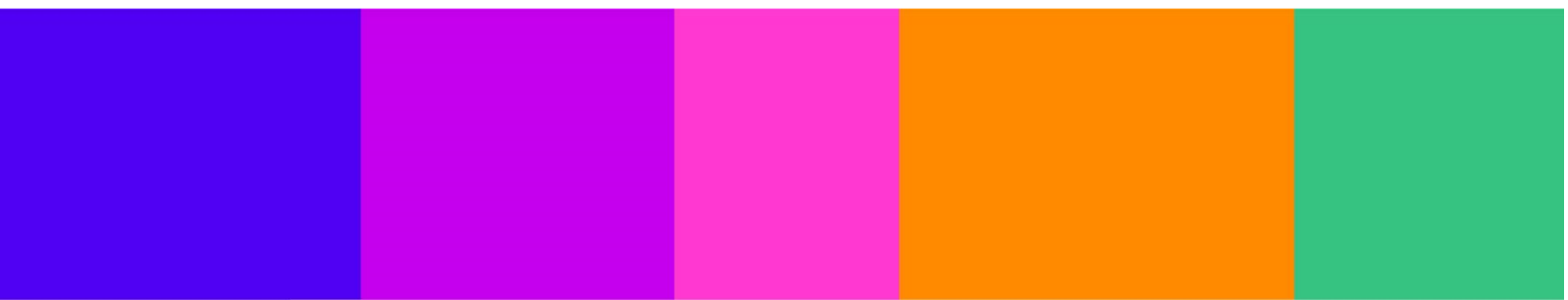
Please complete this form in full and return to 080review@ofcom.org.uk.

Consultation title	Free-to-Caller Wholesale Regulation Review
Representing (delete as appropriate)	Organisation
Organisation name	Federation of Communication Services

Confidentiality

We ask for your contact details along with your response so that we can engage with you on this consultation. For further information about how Ofcom handles your personal information and your corresponding rights, see [Ofcom's General Privacy Statement](#).

Your details: We will keep your contact number and email address confidential. Is there anything else you want to keep confidential? Delete as appropriate.	Nothing / Your name / Organisation name / Whole response / Part of the response (you will need to indicate which question responses are confidential)
Your response: Please indicate how much of your response you want to keep confidential. Delete as appropriate.	None
For confidential responses, can Ofcom publish a reference to the contents of your response?	Yes



Your response

Question	Your response
<p>Question 4.1: Do you agree with our provisional assessment of the results of imposing the access conditions? Please set out your reasons and supporting evidence for your response.</p>	<p>Confidential? – N</p> <p>Yes, in part. There is though one area where Ofcom’s assertions might be flawed. Ofcom states that the lack of disputes indicate that the access conditions have achieved their aim and that pricing levels are therefore “fair and reasonable”.</p> <p>A lack of formal disputes does not in itself indicate this. Ofcom rightly recognises potential power imbalances within the market, and it is difficult for smaller providers to challenge the prevailing prices/conditions, so they are unlikely to initiate a dispute.</p> <p>The FCS believes that there should be a review of the pricing to meet Ofcom’s objective of ensuring that origination payments are fair and reasonable across the market.</p> <p>The current pricing levels were set and defined at a time when there was a different landscape, and some FCS members believe that there is no longer justification for such a large differential between fixed and mobile origination payments.</p> <p>Ofcom states that they do not believe it is proportionate to review costs. The FCS disagrees with this position and believes that Ofcom should require Mobile Network Operators to confirm the cost of mobile origination for these calls.</p> <p>Ofcom states that, when taking into account inflation, prices have reduced across the period. However, it is also clear that the number of calls from mobile numbers, which have higher originating charges, has increased dramatically and this needs to be factored into the calculation.</p>
<p>Question 4.2: Do you agree with our provisional conclusion that it would be necessary to maintain the access conditions to avoid the potential consequences of market failures set out in Section 4? Please set out your reasons</p>	<p>Confidential? – N</p> <p>Yes. The FCS supports Ofcom’s position. It is important that customers have trust in numbers, and we agree that 080/116 calls should be free to both consumer and business customers. We agree that access conditions are the right way to regulate the wholesale element and were pleased to see that Ofcom acknowledged the potential</p>

Question	Your response
and supporting evidence for your response.	<p>power imbalance in the market that could cause issues for the complex supply chain.</p> <p>The number of operators subject to the access conditions apply has increased and contain a range of providers in terms of size and market power. It is important that all providers, irrespective of size, can operate effectively in this market and consistent and transparent access conditions can help them to do so.</p>
<p>Question 5.1: Do you agree with our proposed amendments to the access conditions in Section 5? Please provide reasons for your response and supporting evidence.</p>	<p>Confidential? – N</p> <p>Yes, though please see our response to question 4.1 where we urge Ofcom to review costs of call origination.</p>
<p>Question A4.1: Do you agree with our assessment of the likely impact of our proposals? Please set out your reasons and supporting evidence for your response.</p>	<p>Confidential? – N</p> <p>Yes, though please see our response to question 4.1 where we urge Ofcom to review costs of call origination.</p>
<p>Question A4.2: Do you agree with our assessment of the potential impacts on specific groups of persons? Please set out your reasons and supporting evidence for your response.</p>	<p>Confidential? – N</p> <p>No comment</p>
<p>Question A4.3: Do you agree with our assessment of the potential impacts on the Welsh language? Please set out your reasons and supporting evidence for your response.</p>	<p>Confidential? – N</p> <p>No comment</p>

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