

Gamma Telecom Holdings Limited response to Ofcom Reviews of Call Termination Markets and End-to-End Connectivity Condition (the ‘Consultation’).

Gamma Telecom Holdings Limited (“Gamma”) is a Public Electronic Communications Network (“PECN”) that provides wholesale fixed and mobile telephony and data services, to some 1,500 channel partners. Two of these channel partners are wholly owned subsidiaries and represent themselves over 20% of our business. In all cases, our partners and subsidiaries sell almost exclusively to all sizes of businesses and not-for-profit entities throughout the UK and increasingly to various European Union member states. This Consultation response relates to Gamma and its subsidiaries. Any conflict between the implied position of Gamma in any UK Competitive Telecommunications Association (UKCTA), Comms Council UK (CCUK) or Federation of Communication Services (FCS) responses or that of any other association in which Gamma is involved, or implies Gamma is involved, is accidental and we consider that our views in this response should prevail.

General Comments

Gamma welcomes the opportunity to respond to the Consultation.

In general Gamma broadly agrees with proposals for the WCT and MCT markets.

Where we do have concerns is with the removal of the End-to-End Connectivity (‘E2EC’) condition. The lifting of the condition does not, in Gamma’s opinion, take into account the potential consequences of the proposal, particularly in the absence of any supporting measurements to assess the impact of such a decision.

Additionally, whilst the proposed repurposing of the 070 number range is welcome it fails to address deficiencies within the current Ofcom numbering regime. A wider review of numbering has been requested for some time now by Gamma as the current National Telephone Numbering Plan is not,

in our opinion, fit for purpose for the technologies being utilised by Gamma's partners and customers or for future market requirements.

Market definitions and Online Communications Services ('OCS')

Whilst Ofcom recognise the substitutional effect that Online Communication Services are having on landline and mobile call volumes, it proposes to exclude them from the market definitions for Wholesale Call Termination and Mobile Call Termination.

Gamma's view is that this position is not sustainable given the market direction for voice communications. The growing adoption of Unified Communications solutions within the business arena has already started to dilute the boundary between E.164 services and OCS. Within the Consumer space we would argue that the adoption of OCS on mobile devices has effectively replaced the landline for a large number of Consumers.

In addition to having a significant impact on E164 based services, we are now starting to see fraudsters transferring communication onto OCS platforms, some of whom are now offering paid for services. As we move to an all-IP world of voice communication for both Consumer and business users, the distinction between OCS services and E.164 based services will start to recede from a user perspective. The erosion of this distinction will not be supported by Ofcom's continued position of OCS exclusion.

End to end connectivity

Whilst Gamma understands Ofcom's reasoning for the removal of the E2EC condition, we are of the opinion that such a decision appears to not have considered the potential for negative consequences that could arise from this proposal.

BT continues to be the default numbering provider with the majority of numbers in use today still employing a BT PAID/FROM header. This translates to BT being central to both Geographic Number Portability and number portability transit.

Indeed, we have seen the effect of BT's dominance in the numbering arena when industry has tried to implement various number management solutions, including portability and routeing proposals. Without the support of BT any such projects fail to emerge from initial proof of concept stage.

If such a centralised numbering system were ever to be implemented that supported functionality such as direct routeing then this could very well raise BT's privileged position in the interconnect and portability arena. A new entrant to the market would first and foremost seek the establishment of a portability agreement with BT.

Couple this with the fact that BT is, in the case of Number Portability, the only provider of porting transit services, there is the reality that the ability to bypass BT is extremely difficult, if not impossible.

The lifting of the E2EC has to be tempered with the introduction of measures such as guidance on areas such as interconnect and additional reporting requirements on BT.

070 – Personal Numbering

Whilst we agree with the suggestion that the 070 number range could be repurposed, this should form part of a wider reform package with respect to the National Telephone Numbering Plan (NTNP).

Firstly, with respect to 070, the lack of retail parity will continue to be problematic in the use of these numbers. There is a very real danger of bill shock due to Consumers lack of awareness on the divergence of +447x numbers. They consider them to be just another mobile number.

Whilst there are large volumes of unallocated mobile ranges sitting with the Mobile Network Operators, the accessibility of mobile number stocks remains problematic for other operators, particularly those serving customers whose requirements dictate the use of a mobile number range. Whilst the repurposing of the 070 number range could be utilised to fill those requirements the retail differentiator between 070 and 079 has to be addressed.

Ofcom could simply designate 070 as Mobile Services to remove the differentiator. However, the repurposing of the 070 range for purposes such as IoT would still contradict the mobile number requirement of capable of being used in motion.

Gamma views the re-designation of 070 as being part of a wider review of numbering, in particular +447x numbers and the ability of the NTNP to meet not only today's divergent market but that of future developments.

Network Access obligation on all WCT providers

Gamma broadly supports this proposal.

Proposal to impose additional Network Access obligations on BT

Gamma welcomes the proposal to impose additional Network Access obligations on BT and the conditions relating to maintenance and quality of service within its reference offer.

KPIs

Whilst we welcome the proposal for additional KPIs, we would expect more detail with regards to both the benchmarking and roadmap for the establishment of the KPI regime.

With industry dependent on BT interconnect, the repair time for any faults or failures relating to the interconnect services should be reported. This should include, but not be limited to, services such as signalling and number portability failures.