#### Annex 14

# Sources of Evidence

- A14.1 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 available the web links where the evidence used is published online. We also list all respondents to our stakeholder workshops, consultation and formal information requests.
- A14.2 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

- A14.3 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: <a href="http://stakeholders.ofcom.org.uk/consultations/mobilecallterm/workshop2015-2018/">http://stakeholders.ofcom.org.uk/consultations/mobilecallterm/workshop2015-2018/</a>
- A14.4 We received five written responses to our workshop from the following stakeholders:
  - BT
  - H3G
  - EE
  - Telefonica
  - Virgin Media
- A14.5 Non-confidential responses have been published and are available at <a href="http://stakeholders.acmpub.intra.ofcom.local/telecoms/policy/mobile-policy/mobile-call-termination-review-2015-2018/">http://stakeholders.acmpub.intra.ofcom.local/telecoms/policy/mobile-policy/mobile-call-termination-review-2015-2018/</a>

# List of respondents to our January 2014 stakeholder workshop

- A14.6 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: <a href="http://stakeholders.ofcom.org.uk/telecoms/policy/mobile-policy/mobile-call-termination-review-2015-2018/mct-review-2015-18-january2014/">http://stakeholders.ofcom.org.uk/telecoms/policy/mobile-policy/mobile-call-termination-review-2015-2018/mct-review-2015-18-january2014/</a>
- A14.7 We received three written responses to our workshop from the following stakeholders:
  - BT

- EE
- H3G
- A14.8 Non-confidential responses have been published and are available at <a href="http://stakeholders.ofcom.org.uk/telecoms/policy/mobile-policy/mobile-call-termination-review-2015-2018/responses-jan-2014/">http://stakeholders.ofcom.org.uk/telecoms/policy/mobile-policy/mobile-call-termination-review-2015-2018/responses-jan-2014/</a>

# List of respondents to our June 2014 Consultation

- BT
- CFL Communications Ltd
- Communication Consumer Panel and ACOD
- Core Communication Services Ltd.
- EE
- [※]
- H3G
- Isle of Man Communications Commission
- Manx Telecom Trading
- [※]
- Telefonica
- Verizon
- Virgin Media
- Vodafone
- [%]
- A14.9 Non-confidential responses have been published and are available at <a href="http://stakeholders.ofcom.org.uk/consultations/mobile-call-termination-14/?showResponses=true">http://stakeholders.ofcom.org.uk/consultations/mobile-call-termination-14/?showResponses=true</a>.

# Information gathering using statutory powers under section 135 of the Act

- A14.10 During this market review, we 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:
  - 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. Further information requests of 19 September 2014 (in order to refresh

the data obtained by means of the notices of 8 November 2013, 14 February 2014 and 18 March 2014), 3 October 2014 and 4 November 2014 in order to carry out our cost modelling for the 2015 MCT cost model. These requests were addressed to, and responses were received from:

- EE
- H3G
- Telefonica
- Vodafone
- A14.11 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 2011 MCT Statement. Requests addressed to and, except where otherwise indicated, responses received from:
    - o 24 Seven Communications Ltd
    - o BT Plc
    - Callax Ltd<sup>1</sup>
    - Cheers International Sales Ltd
    - o Core Telecom Ltd
    - Euro Thai Exchange Process Company Ltd<sup>2</sup>
    - o Icron Network Ltd
    - o IV Response Ltd
    - Lycamobile UK Ltd
    - Magrathea Telecommunications Ltd
    - Mars Communications Ltd
    - o Mundio Mobile Ltd

<sup>1</sup> As explained in the June 2014 Consultation, paragraph A8.9 of Annex 8, we did not receive a response from this MCP.

<sup>&</sup>lt;sup>2</sup> Euro Thai Exchange Process Company Ltd provided the information requested in our draft section 135 request on a voluntary basis.

- Nationwide Telephone Assistance Ltd
- o Oxygen8 Communications UK Ltd
- o QX Telecom Ltd
- o Resilient Networks Plc
- o Sky Telecom Ltd
- Sound Advertising Ltd
- o Stour Marine Ltd
- o Subhan Universal Ltd
- Swiftnet Ltd
- o Teledesign Ltd
- o Telephony Services Ltd
- o TG Support Ltd
- o Truphone Ltd
- Information requests of 29 November 2013, 2 December 2013, 3 December 2013, 6 December 2013, 12 February 2014, 26 February 2014, and 9 April 2014. Requests addressed to and, except where otherwise indicated, responses received from the following MCPs:
  - o 08Direct Ltd
  - o Ace Call Ltd
  - o Airwave Solutions Ltd
  - Alliance Technologies LLC<sup>3</sup>
  - o Andrews & Arnold Ltd
  - o (AQ) Ltd
  - o Bellingham Telecommunications Ltd
  - o BT Onephone Ltd
  - o CFL Communications Ltd
  - o Citrus Telecommunications Ltd
  - o Cloud9 Communications Ltd

<sup>&</sup>lt;sup>3</sup> As explained in the June 2014 Consultation, paragraph A8.9 of Annex 8, we did not receive a response from this MCP.

- Compatel Ltd
- o Confabulate Ltd
- o Core Communication Services Ltd
- o Eclipse Tel Ltd
- o Edge Telecom Ltd
- o Equiinet Ltd
- o Esendex Ltd
- o FleXTel Ltd
- Globecom International Ltd
- o Guernsey Airtel Ltd
- o Hay Systems Ltd
- o Interact Solutions Ltd
- o Invomo Ltd
- o IPV6 Ltd
- o Jersey Airtel Ltd
- o JSC Ingenium (UK) Ltd
- o JT (Guernsey) Ltd
- o JT (Jersey) Ltd
- LegendTel LLC<sup>4</sup>
- o Lifecycle Software Ltd
- o Limitless Mobile Ltd
- o Lleidanetworks Serveis Telematics Ltd
- o Manx Telecom Ltd
- o Marathon Telecom Ltd
- o Moonshado Inc<sup>5</sup>

<sup>&</sup>lt;sup>4</sup> As explained in the June 2014 Consultation, paragraph A8.9 of Annex 8, we did not receive a response from this MCP.

<sup>&</sup>lt;sup>5</sup> As explained in the June 2014 Consultation, paragraph A8.9 of Annex 8, we did not receive a response from this MCP.

- o Netfuse Telecom Ltd
- Nextgen Mobile Ltd
- Nodemax Ltd
- o Orca Digital Ltd
- o Premium O Ltd
- o Premium Routing GmbH
- o Proton Telecom Ltd
- o Rexcom Tech Ltd
- o Spacetel UK Ltd
- o SSE Energy Supply Ltd
- o Sure (Guernsey) Ltd
- o Sure (Isle of Man) Ltd
- o Sure (Jersey) Ltd
- o Synectiv Ltd
- o TalkTalk Communications Ltd
- o Telecom2 Ltd
- o Telecom North America Mobile Inc
- o Teleena UK Ltd
- o Telesign Mobile Ltd
- o Teleware Plc
- o Test2date BV6
- o Tismi BV
- o Titanium Ltd
- o UK Broadband Ltd
- o Virgin Mobile Telecoms Ltd
- o Voicetec Systems Ltd

<sup>&</sup>lt;sup>6</sup> As explained in the June 2014 Consultation, paragraph A8.9 of Annex 8, we did not receive a response from this MCP.

- o Vortex Telecom Ltd
- o Voxbone SA
- Wavecrest (UK) Ltd
- o 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
  - o Core Communication Services Ltd
  - o EE
  - o Giffgaff Ltd
  - o H3G
  - o Lycamobile UK Ltd
  - o Mundio Mobile Ltd
  - o TalkTalk Communications Ltd
  - o Telefonica
  - o Tesco Mobile Ltd
  - o Truphone Ltd
  - o Virgin Media
  - o Vodafone
- Information requests of 30 September 2014, 1 October 2014, 2 October 2014, 8
   October 2014, 9 October 2014, 21 October 2014, 23 October 2014, and 20
   November 2014, to update the information from MCPs that hold mobile number
   ranges, provide mobile voice call termination services, and set an MTR, for the
   purposes of our market definition and SMP analysis. Requests addressed to and,
   except where otherwise indicated, responses received from:
  - o 08Direct Ltd
  - o 24 seven Communications Ltd
  - o Ace Call Ltd
  - o Airwave Solutions Ltd

- Alliance Technologies LLC<sup>7</sup>
- o Andrews & Arnold Ltd
- o AQL Wholesale Ltd (previously Telephony Services Ltd)
- o (AQ) Ltd
- o Bellingham Telecommunications Ltd
- o BT Plc
- o BT Onephone Ltd
- o Callax Ltd
- o CFL Communications Ltd
- o Cheers International Sales Ltd
- o Citrus Telecommunications Ltd
- o Cloud9 Communications Ltd
- o Compatel Ltd
- o Confabulate Ltd
- Core Communication Services Ltd
- o Core Telecom Ltd
- o Eclipse Tel Ltd
- o Edge Telecom Ltd
- o Esendex Ltd
- o Euro Thai Exchange Process Company Ltd8
- o FleXTel Ltd
- o Fogg Mobile AB
- o Fonix Ltd (previously Orca Digital Ltd)
- o Hay Systems Ltd
- o Icron Network Ltd
- o Invomo Ltd

As explained in paragraph A4.12 of Annex 4, we did not receive a response from this MCP.
 As explained in paragraph A4.15 of Annex 4, we did not receive a response from this MCP.

- o IPV6 Ltd
- o IV Response Ltd
- o JSC Ingenium (UK) Ltd
- o JT (Jersey) Ltd
- LegendTel LLC<sup>9</sup>
- o Limitless Mobile Ltd
- Lleidanetworks Serveis Telematics Ltd
- o Lycamobile UK Ltd
- o Magrathea Telecommunications Ltd
- o Marathon Telecom Ltd
- o Mars Communications Ltd
- o Moonshado Inc<sup>10</sup>
- o Mundio Mobile Ltd
- o Nationwide Telephone Assistance Ltd
- o Netfuse Telecom Ltd
- o Nextgen Mobile Ltd
- o Nodemax Ltd
- o Oxygen 8 Ltd
- o Premium O Ltd
- o Premium Routing GmbH
- o Proton Telecom Ltd
- o QX Telecom Ltd
- o Resilient Plc (previously Resilient Networks Plc)
- o Rexcom Tech Ltd
- Simwood eSMS Ltd
- o Sound Advertising Ltd

<sup>9</sup> As explained in paragraph A4.12 of Annex 4, we did not receive a response from this MCP.
<sup>10</sup> As explained in paragraph A4.12 of Annex 4, we did not receive a response from this MCP.

- Spacetel UK Ltd
- SSE Energy Supply Ltd
- o Stour Marine Ltd
- Swiftnet Ltd
- Synectiv Ltd
- o TalkTalk Communications Ltd
- o Telecom2 Ltd
- o Telecom 10 Ltd (previously Sky Telecom Ltd)
- o Telecom North America Mobile Inc<sup>11</sup>
- o Teleena UK Ltd
- o Telesign Mobile Ltd
- o Teleware Plc
- o Test2date BV
- o TG Support Ltd
- o Tismi BV
- o Titanium Ltd
- o Truphone Ltd
- o UK Broadband Ltd
- o Virgin Mobile Telecoms Ltd
- o Voicetec Systems Ltd
- o Vortex Telecom Ltd
- o Voxbone SA
- o Wavecrest (UK) Ltd

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<sup>&</sup>lt;sup>11</sup> As explained in paragraph A4.15 of Annex 4, we did not receive a response from this MCP.

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  <a href="http://stakeholders.ofcom.org.uk/binaries/consultations/better-policy-making/Better\_Policy\_Making.pdf">http://stakeholders.ofcom.org.uk/binaries/consultations/better-policy-making/Better\_Policy\_Making.pdf</a>
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- A14.18 Ofcom, Dispute between Mapesbury Communications and T-Mobile about mobile termination rates, determination and statement, 20 March 2009.

  <a href="http://www.ofcom.org.uk/consult/condocs/mapesbury\_tmobile/statement/mcom\_deter.pdf">http://www.ofcom.org.uk/consult/condocs/mapesbury\_tmobile/statement/mcom\_deter.pdf</a>
- A14.19 Ofcom, *Dispute between Cable & Wireless and T-Mobile about mobile termination rates*, final determination and statement, 20 May 2009.

  <a href="http://stakeholders.ofcom.org.uk/binaries/enforcement/competition-bulletins/closed-cases/all-closed-cases/cw\_01004/cwdispute.pdf">http://stakeholders.ofcom.org.uk/binaries/enforcement/competition-bulletins/closed-cases/all-closed-cases/cw\_01004/cwdispute.pdf</a>
- A14.20 Ofcom, Wholesale mobile voice call termination, Preliminary consultation on future regulation, consultation, 20 May 2009.

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  <a href="http://stakeholders.ofcom.org.uk/binaries/consultations/wmctr/summary/wmvct\_consultation.pdf">http://stakeholders.ofcom.org.uk/binaries/consultations/wmctr/summary/wmvct\_consultation.pdf</a>
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  <a href="http://stakeholders.ofcom.org.uk/consultations/draft\_deter\_stour\_marine\_o2/final\_determination/">http://stakeholders.ofcom.org.uk/consultations/draft\_deter\_stour\_marine\_o2/final\_determination/</a>
- A14.23 Ofcom, Statement on variation of 900 MHz and 1800 MHz Wireless Telegraphy Act licences, statement, 6 January 2011.

  <a href="http://stakeholders.ofcom.org.uk/binaries/consultations/900-1800mhz-wireless-telegraphy/statement/Statement.pdf">http://stakeholders.ofcom.org.uk/binaries/consultations/900-1800mhz-wireless-telegraphy/statement/Statement.pdf</a>.
- A14.24 Ofcom, *Wholesale mobile voice call termination*, statement, 15 March 2011. <a href="http://stakeholders.ofcom.org.uk/binaries/consultations/mtr/statement/MCT\_statement.nt.pdf">http://stakeholders.ofcom.org.uk/binaries/consultations/mtr/statement/MCT\_statement.nt.pdf</a>

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- A14.26 Ofcom, Wholesale mobile call termination: Guidance on dispute resolution in relation to fair and reasonable charges, statement, 5 April 2011. <a href="http://stakeholders.ofcom.org.uk/binaries/consultations/mtr/statement/guidance.pdf">http://stakeholders.ofcom.org.uk/binaries/consultations/mtr/statement/guidance.pdf</a>
- A14.27 Ofcom, Modification of SMP conditions contained in Ofcom's Notification under section 48(1) and 79(4) of the Communications Act 2003 of 15<sup>th</sup> March 2011, 25 October 2011.

  <a href="http://stakeholders.ofcom.org.uk/binaries/consultations/mtr/MCT\_SMP\_Modification.pdf">http://stakeholders.ofcom.org.uk/binaries/consultations/mtr/MCT\_SMP\_Modification.pdf</a>
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