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Email [geoff.brighton@ofcom.org.uk](mailto:geoff.brighton@ofcom.org.uk)

Dear Geoff

### **Changes to the Numbering Plan**

This response has been prepared on behalf of the Numbering Group of the Federation of Communication Services. FCS is the trade association for the UK communications industry representing 350 companies delivering fixed, mobile and radio products and services subject to regulation by Ofcom. FCS has more than 150 members delivering a range of fixed telephony services including Wholesale Line Rental (WLR), calls packages, broadband and inbound numbering services. A list of our members can be found on the FCS website - [www.fcs.org.uk](http://www.fcs.org.uk)

We welcome Ofcom's recognition that without action to change the Numbering Plan, the VAT increase which comes into effect in January will impact negatively on the margins of CP's in the value chain and that this would be an unintended and unjustifiable consequence of the VAT change.

We also agree that it would be inappropriate to allow such numbers to become subject to PRS regulation as a result of this change. We are pleased that Ofcom has acted promptly to address this issue and we support the action proposed.

Our responses to the specific consultation questions are set out below:

**Question 1:** *Do stakeholders agree with Ofcom's proposal to modify the National Telephone Numbering Plan to enable an increase in Value Added Tax to be applied by BT to the retail prices of calls to certain 084, 087 and all 09 numbers?*

We agree with Ofcom's proposal. FCS also considers it will be necessary that Ofcom amends the tariff notes in the Numbering Scheme (for relevant 08 & 09 allocations) and modifies the s8 and s9 Numbering Application Forms that currently make reference to retail prices inclusive of VAT.

**Question 2:** *Do stakeholders agree with the proposed modification to exclude calls to 0843/4 numbers costing in excess of 5ppm or per call, inclusive, of VAT from the definition of Controlled PRS in the PRS Condition?*

We agree with Ofcom's assessment that there is no need for additional regulation of these ranges and believe that the proposal set out in the consultation will effectively address the unintended consequence.

However, we believe that a better approach may be to modify the PRS Condition in the same way as the Numbering Plan to express the threshold as a value exclusive of VAT. This will then preclude the need for any similar changes in the price points of specific ranges which may arise in the future.

FCS also urges Ofcom to ensure that PhonepayPlus publishes advice to Premium Rate Service Providers with respect to their pricing information obligations and the VAT change.

We trust that the comments in this brief response are helpful. Our members would be happy to discuss any of the issues raised in greater detail.

Yours sincerely

A handwritten signature in blue ink that reads "Michael Eagle". The signature is written in a cursive, flowing style.

Michael Eagle  
General Manager