



Case T-037

Directory Information Services: strategic review of regulation

Call for information

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1 Overview

Directory Information Services have been a mainstay of public telecommunications for over 100 years. Being able to find telephone numbers has been considered an essential service for many, whether through calling an operator, consulting a printed directory or, more recently, accessing a web portal.

This situation is rapidly changing, however, driven by advancing technology and shifting consumer behaviour. Demand for traditional Directory Information Services is broadly declining, which will likely result in commercial pressure on organisations providing them and may ultimately lead to service diminishment or even loss.

The trend could impact on islanders or organisations that may still rely on Directory Information Services or regard their availability as important.

Among the Jersey Competition and Regulatory Authority's (the **Authority**) duties is monitoring development of telecommunications systems, technology and demand, and assessing whether potential changes, advances or trends may affect islanders. As a result, the Authority may consider reviewing its approach to regulating certain services or enabling technologies from time-to-time, if doing so supports the general interests of islanders.

The Authority is therefore planning to undertake a review of local Directory Information Services and the associated regulation. The review's purpose is determining whether any trends in local Directory Information Services usage could affect islanders, and what, if any, actions the Authority should take as a result.

This 'Call for Information' document is the first step of the review, containing an introduction and setting out background information, proposed purpose and scope. It includes several questions for consideration by islanders and interested organisations, with responses received helping the Authority shape the direction and focus of the review.

These questions are summarised below:

Question 1: Do you have any comments on the Authority's plan to carry out a review of local Directory Information Services?

Question 2: Do you have any comments on the Authority's definition of Directory Information Services for the purpose of this review?

Question 3: Do you have any comments on local Directory Information Services and whether or not the island is well-served by the present range available?

Question 4: Do you have any views on the importance or otherwise of maintaining Directory Information Services within the island, now or in the future?

Question 5: Do you have any views on the existing regulation relating to local Directory Information Services and its suitability for present and future regulatory purposes?

Question 6: Do you agree the Authority's duties under the law require it to carry out the planned review. If not please set out your reasons why and propose any alternative approaches you believe the Authority should take.

Question 7: Do you have any comments on the Authority's planned purpose and approach in carrying out a strategic review of local Directory Information Services?

The Call for Information remains open until 5.00 pm on 28 January 2022 following which the Authority will review responses and may publish a Non-statutory Draft Decision proposing next steps.

2 Introduction and background

2.1 This section introduces the review and provides context on Directory Information Services. It is structured as follows:

- Introduction
- Defining Directory Information Services
- National developments and trends
- The provision and availability of local Directory Information Services
- Present service regulation

Introduction

2.2 The Authority is carrying out a review of Directory Information Services, which broadly allow users to find the telephone number of an individual or organisation they want to call. Changes in technology and consumer behaviour is leading to a broad decline in the use of certain Directory Information Services, which may result in them becoming diminished or even discontinued.

2.3 This trend could impact on Directory Information Services availability in Jersey, as market and commercial pressures affect the organisations providing them. While any change may not be universally detrimental, there may be some islanders or local organisations that still rely on Directory Information Services or regard them as important.

2.4 The review will inform the Authority on present local demand for and use of Directory Information Services and evaluate existing associated regulation to determine whether any changes are required to better align with market trends and demands.

2.5 This Call for Information document commences the review by setting out background, the proposed purpose and scope of the review and a call for information from interested stakeholders to help fully shape the direction and focus on the review.

Question 1: Do you have any comments on the Authority's plan to carry out a review of local Directory Information Services?

Defining Directory Information Services

2.6 Users wanting to find a telephone number can presently access a range of services, which include calling a human operator, requesting a web-portal look-up or searching a printed telephone directory.

2.7 While each service involves different access approaches, features and pricing mechanisms, and has relative advantages and disadvantages, they all serve broadly the same need and can be considered substitutive. For completeness, therefore, and for the purpose of this review, the Authority proposes to define Directory Information Services as encompassing:

Telephone directory enquiries	Where a user calls and speaks to an operator to gain information about a telephone number. Provided by JT via calling 118534, for example, or BT via 118500.
Paper directory	Printed publication typically containing 'white pages' with subscriber telephone numbers and 'yellow pages' with advertised business numbers. Provided in Jersey by Yabsta Limited as the 'Jersey Directory', for example, or BT in the UK as 'The Book'.
Online directory enquiries	Where a user searches for information about telephone numbers via a website. Provided in Jersey by JT at www.jtdirectory.com , for example, or BT at www.thephonebook.bt.com .

Question 2: Do you have any comments on the Authority's definition of Directory Information Services for the purpose of this review?

National developments and trends

- 2.8 The UK liberalised the telephone directory enquiries market in the early 2000s, providing a new 118xxx number range in place of short code 192, which was used for national directory enquiries, and 153 used for international. The change led initially to intense competition as numerous new service providers entered the market.
- 2.9 Since that time, the UK communications regulator Ofcom has undertaken periodic reviews of national Directory Information Services, as part of planned changes or in response to issues affecting the market.
- 2.10 By the time of an Ofcom review in 2008¹, demand for telephone directory enquiries had reportedly declined by around 50 percent². Online directory enquiries was experiencing a rapid take-up by contrast.
- 2.11 A further Ofcom report found telephone directory enquiries in 'steep' decline by 2018, being only used by approximately 2% of the UK population. Call volumes had reduced from 7.14 million in Q3 2014 to 1.95 million in Q2 2017, representing an average decline of 38% per annum. The same report noted that people over 65 were on average four times more likely than younger age groups to use telephone directory enquiries.³
- 2.12 Evidence exists of declining national demand for paper directories. Thomson Local ceased the production and delivery of printed directories in 2016⁴. After 51 years of publication, Yell ceased

¹ <https://www.ofcom.org.uk/consultations-and-statements/category-1/dirinfo>.

² Specifically from fixed line services.

³ Ofcom directory enquiries review (Nov 2018)

https://www.ofcom.org.uk/__data/assets/pdf_file/0017/128420/Directory-Enquiries-118-Review-statement.pdf.

⁴ <https://www.thomsonlocal.com/blog/news-and-updates/thomson-local-directory-distribution>

printing the 'Yellow Pages' in 2019, swapping to a solely online offering⁵. Among reasons given was the environmental cost of production and distribution.⁶

The provision and availability of local Directory Information Services

- 2.13 JT presently provides a telephone directory enquiries service, using the 118534 access number. Islanders can also access UK-based telephone directory enquiries services using a range of 118xxx numbers.
- 2.14 It is possible to obtain details of Jersey fixed line numbers from UK-based providers through data sharing arrangements in place between JT and BT, with the latter operating a centralised directory enquiries database called OSIS⁷ containing all listed fixed line UK phone numbers. Access to OSIS is made available to Directory Information Services providers via commercial agreement.
- 2.15 The 'Jersey Directory', which continues being published and locally distributed each year, contains a mix of 'white pages' featuring subscriber fixed and mobile numbers and 'yellow pages' featuring advertising content. Following a sale by JT in 2017, it is now provided by a private company, Yabsta Limited.
- 2.16 JT provides an online directory enquiries service in conjunction with Yabsta Limited called the 'JT Directory' available at www.jtdirectory.com. Alongside advertising it has a 'white pages' function allowing search for local numbers.
- 2.17 The Authority does not gather and analyse information on local Directory Information Services usage, so has no statistics on their present availability or usage, nor clear understanding of local usage trends.

Question 3: Do you have any comments on local Directory Information Services and whether or not the island is well-served by the present range available?

Question 4: Do you have any views on the importance or otherwise of maintaining Directory Information Services within the island, now or in the future?

Present service regulation

- 2.18 The Authority issues licences to operators wanting to offer telecoms services in Jersey. These include Class II and Class III licences for operators offering public telecoms services, with Class III obliging those designated as possessing 'Significant Market Power' (SMP) to provide additional services and features designed to help create a level playing field among all licensed operators or to protect consumer interests.
- 2.19 Within these licences, Directory Information Services are defined as meaning:

⁵ <https://www.simplybusiness.co.uk/knowledge/articles/2017/12/yellow-pages-to-stop-printing-from-january-2019/>

⁶ After 51 years of publication, Yell ceased printing the Yellow Pages in 2019, swapping to a solely online offering. Among reasons given was the environmental cost of production and distribution.

⁷ Operator Services Information System Database.

'... services offering information concerning the name, number, address, customer type and directory type in respect of customers who have been provided with telecommunications directories and/or services relating to directory information...'

2.20 Both Class II and Class III licences have identical provisions on Directory Information Services, which are to:

- (a) maintain a complete and accurate database of its Subscribers' Numbers and make the data available to Other Licensed Operators who become obliged to provide Directory Information Services (but only to facilitate the provision of Directory Information Services);*
- (b) co-operate with all such Other Licensed Operators in the supply or compilation of comprehensive and accurate directory information;*
- (c) not use any directory information provided to it by any Other Licensed Operator for any purpose other than for providing Directory Information Services unless specifically authorised to do so by the Other Licensed Operator concerned; and*
- (d) provide access to a range of Directory Information Services in order to provide subscribers with a choice of services to be compliant with the Numbering Conventions or as directed by the JCRA.*

2.21 Under these arrangements and terms the Authority believes that no licensed operator is specifically obliged to provide local Directory Information Services, nor maintain a single island-wide Directory Information Services database, nor ensure local telephone numbers are available within a national Directory Information Services database and therefore available to UK-based Directory Information Services providers.

Question 5: Do you have any views on the existing regulation relating to local Directory Information Services and its suitability for present and future regulatory purposes?

4 Legal background and regulatory framework

- 4.1 This section establishes the legal framework and powers under which the Authority proposes to undertake this review.
- 4.2 Article 7 of the Telecommunications (Jersey) Law 2002 (the **Law**) requires the Authority to carry out its functions in such manner as it considers is best calculated to ensure that (so far as is reasonably practicable) telecommunication services are provided, both within Jersey and between Jersey and the rest of the world, as satisfy all current and prospective demands for them.
- 4.3 Article 9 of the Law gives the Authority, so far as it considers it practicable to do so, the obligation to keep under review, and gather information about, the provision of telecommunication services in Jersey and elsewhere.

Question 6: Do you agree the Authority's duties under the law require it to carry out the planned review. If not please set out your reasons why and propose any alternative approaches you believe the Authority should take.

5 Purpose and scope of review

5.1 This section sets-out the Authority's proposed approach to undertaking this review. It is structured as follows:

- Purpose of the review
- Scope of the review

Purpose of the review

5.2 By undertaking the review, the Authority intends to:

- (a) Gain a clear understanding of the present situation with Directory Information Services provision and usage in Jersey;
- (b) Gauge views of islanders and interested organisations towards the availability and future requirements of local Directory Information Services; and
- (c) Identify and assess any potential steps the Authority could take to support any identified needs of islanders and interested organisations, which may include to do nothing, to change operator licence conditions, to issue guidance to operators or to make policy recommendations to Government.

Scope of the review

5.3 The Authority plans to use its standard consultation framework, which starts with this 'Call for Information', from which a 'Non-statutory Decision' may be derived and published for comment. Subject to comments received, a statutory 'Initial Notice' and 'Final Notice' may be published to confirm any proposed outcomes.

5.4 Within this consultation framework, the Authority may:

- Request structured information from licensed operators on present and past Directory Information Services usage trends;
- Carry out a structured survey of public opinion to understand views on the present and future of local Directory Information Services; and
- Engage local organisations or their representative bodies to understand the importance or otherwise of local Directory Information Services to communications and commerce.

Question 7: Do you have any comments on the Authority's planned purpose and approach in carrying out a strategic review of local Directory Information Services?

7 Next steps

- 7.1 The Authority invites written views and comments on the issues and questions raised in this document. All responses to this Call for Information should be submitted in writing, clearly marked 'T-037 Directory Information Services Review', and received by the Authority before 5.00 pm on 28 January 2022. Submissions can be sent by email to info@jcra.je or alternatively in writing to:

Jersey Competition Regulatory Authority
2nd Floor Salisbury House
1-9 Union Street
St Helier
Jersey
JE2 3RF

- 7.2 It would be helpful if any response includes direct answers to the questions asked in this document. It would also help if you can explain why you hold your views and how the Authority's proposals would impact on you, supported by any quantitative or qualitative evidence that you hold.
- 7.3 In accordance with Authority policy, non-confidential responses to the consultation will be made available on its website (www.jcra.je). Any material that is confidential should be put in a separate annex and clearly marked as such.
- 7.4 Once this Call for Information has closed, the Authority will review responses and may publish a 'Non-statutory Draft Decision' setting out analysis of comments received and proposing next steps, with an opportunity for further public comment before any final decision is taken and subsequently implemented through statutory notices.