



GUIDANCE ON THE PROVISION OF CALLING LINE IDENTIFICATION FACILITIES – T-036

SURE (JERSEY) LIMITED – 16 FEBRUARY 2023

Introduction

1. Sure (Jersey) Limited (“Sure”) is pleased to be able to respond to the Jersey Competition and Regulatory Authority’s (“the Authority’s”) consultation on Guidance for the provision of Calling Line Identification (“CLI”) facilities. We are grateful to the Authority for considering and actioning LO’s requests for further information and guidance on the new CLI Licence Condition obligations and welcome its positive engagement with industry throughout this process.
2. As requested by the Authority, we have provided direct answers to the questions asked in the consultation document. These can be found in the table below. As ever, we remain available to provide further information or explanation should the Authority require it.

Response

Question 1: Do you have any comments about our decision to issue Guidance on the Provision of CLI Facilities?
We welcome the Authority's decision to issue guidance on this topic and are grateful to the Authority for considering and actioning LO's requests for further information.
Question 2: Do you have any comments on the proposed approach to and scope of the Guidance?
We are broadly supportive of the Authority's proposal to align with the UK's General Conditions of Entitlement and associated Guidance. However, we also welcome the Authority's decision to depart from Ofcom's guidance where the Jersey context allows ¹ . In our view, this flexibility is required because, as set out in response to Question 3, there are several areas for which we would welcome clarification or further explanation for how a given guideline applies in practice, or departure from the UK approach in certain circumstances.
Question 3: Do you have any comments on the proposed Guidance?
<p>The Authority's proposed Guidance is helpful and provides useful insight into the Authority's expectation for how LOs should be complying with their new CLI Licence Condition obligations. However, there are several aspects of the Guidance that would, in our view, benefit from further explanation or clarification from the Authority. Additionally, we believe that LOs will need some time to implement some of the solutions required by this Guidance and, where possible, we have provided comments on various requirements to inform the Authority's decision of how long any future compliance window ought to be.</p> <p>It is important to note that, whilst Sure provides both fixed and mobile residential and business services in Jersey, it is not responsible for the provision of CLI for all of those services. For example, Sure's fixed residential customers in Jersey utilise JT's fixed network, via Wholesale Line Rental and Carrier Pre-Select products, to make and receive calls, and thus JT is responsible for ensuring that CLI facilities are provided to customers. Conversely, Sure mobile customers in Jersey are served by Sure's own network and thus Sure is responsible for the provision of CLI facilities to these customers. In our response below, we explain where we will and won't be responsible for delivering the CLI facilities outlined in the proposed Guidance.</p> <p><u><i>Preventing display on outbound calls</i></u></p> <p>The proposed Guidance requires that a calling party must be able to prevent the display of their number at the point where the call terminates and must be able to do so on a case-by-case or permanent basis². This is functionality that Sure already provides to its mobile customers in Jersey. Customers using mobile services can use the star codes "#31#" and "*31#" to withhold and release their presentation number respectively. Smartphone users are also able to withhold and release their presentation number in their device phone settings. As a result, we do not believe that additional time is required</p>

¹ Guidance on the provision of Calling Line Identification (CLI) Facilities - Proposed Guidance for consultation - 5 January 2023 – paragraph 3.5

² Guidance on the provision of Calling Line Identification (CLI) Facilities - Proposed Guidance for consultation - 5 January 2023 – paragraph 6.3

to fulfil this obligation for our mobile customers. Please note, however, that Sure is entirely reliant on JT to provide this service to Sure fixed line residential customers in Jersey (both those on Wholesale Line Rental and Carrier Pre-Select products). It is currently unclear whether JT enables users of its network to withhold their presentation number using the “141” or “1470” short codes, as Sure does for its fixed line customers in Guernsey. The Authority should confirm with JT whether such facilities are already available or whether JT requires additional time to implement an appropriate solution.

Preventing display on inbound calls

The Authority proposes that LOs should block the display of CLI Data relating to incoming calls so that helplines can offer an assurance of anonymity³. We would be grateful if the Authority could further explain how such a requirement should work in practice to meet the expectations of the called party and the Authority. For example, is it the expectation of the Authority that LOs provide a facility in which the called party is able to deactivate CLI facilities for all calls? Or does the Authority expect that LOs provide a facility that enables the customer to disable CLI facilities for certain numbers (such as helplines)? Understanding the outcome desired by the Authority will allow us, and other LOs in Jersey, to consider an appropriate solution (where possible). [X]. To enable us to explore potential solutions to this requirement, [X], and give us sufficient time to design, test and implement the solution, we believe that LOs will need a sufficiently large compliance window. At this early stage, we believe that a solution that enables customers to block the CLI of incoming calls could be very expensive and estimate that LOs would need at least 12 months to design, test and implement a viable solution.

We would welcome an opportunity to meet with the Authority to discuss this proposed requirement, the outcomes that the Authority expects, and what, in our experience, terminating LOs can and cannot suppress for inbound calls. In our view, preventing the display of CLI for inbound calls from helplines should be done by the originating operator, rather than by the terminating operator, and we urge the Authority to amend the Guidance to reflect this. However, we are willing to engage with the Authority to explore ways in which the Authority’s desired outcomes can be achieved.

Anonymous Call Reject

In response to this consultation, Sure’s Engineering team has engaged with our mobile network vendor to identify whether ACR can be provided to mobile customers in Jersey. [X]. JT would be responsible for providing ACR facilities for all residential fixed line services in Jersey.

Please note that ACR facilities for Sure mobile customers will not be able to stop calls where the CLI is “unavailable”.

Call return erasure

The Guidance states that called customers must be able to ‘render inaccessible received CLI Data that is stored by a LO in a form directly retrievable by an end user’⁴. Can the Authority please clarify what it means by this and explain how, in its view, such a solution may work in practice? When looking at the UK operators, we note that their call return erasure services simply enable the customer to conceal the number of your last incoming call by dialling a combination of “1470” and “1475” short codes⁵. Can the

³ Guidance on the provision of Calling Line Identification (CLI) Facilities - Proposed Guidance for consultation - 5 January 2023 – paragraph 6.4

⁴ Guidance on the provision of Calling Line Identification (CLI) Facilities - Proposed Guidance for consultation - 5 January 2023 – paragraph 6.5

⁵ For example, see [Landline call features | Virgin Media Help](#)

Authority confirm whether, similar to the services provided by the UK operators, call return erasure simply needs to erase or conceal the CLI of the last incoming call received by the customer? If the Authority's expectations extend beyond this solution, can it please provide further information on these expectations?

Please note that "1470" and "1475" short codes are not currently features for mobile (customers cannot dial 1471 and receive the last number dialled on a mobile) and, if they were, would not be able to remove call entries from a customer's mobile phone display. Can the Authority please clarify whether it expects call return erasure/1471 erasure to also be available on mobile? In our view, 1471 erasure should only be a required feature on fixed line services in Jersey.

Dialable CLI for transit or terminating operators

The Guidance requires that, where technically feasible, transit and terminating operators should ensure that the CLI on an incoming call is valid and dialable⁶. Whilst we recognise that the Guidance only requires this where it is technically feasible, we feel it is important to reiterate that an operator can only determine whether the number bears "dialable" CLI data if it is the originating operator. This is because, in our experience, only the originating LO can establish whether the number allocated to it is currently in service and capable of receiving a return call.

Transit and terminating LOs do not currently have a mechanism for establishing whether a presentation number is in service or is capable of receiving a return call. Throughout the Authority's CLI Review (T-036), Sure has engaged with its signalling firewall provider, Cellusys, in order to identify ways in which Sure, as a transit and terminating provider, can identify CLI that is non-dialable and then block such calls. [X]. We estimate that such a solution would take a significant amount of time to develop, test and implement (over 12 months) as [X], and some global operators may be unwilling to share such information. Furthermore, [X]. Given the cost and complexity of this potential solution, we believe that the Authority should remove from the Guidance the obligation on transit and terminating operators to verify whether the presentation number on an incoming call is dialable, and instead simply require transit and terminating operators to verify the validity of the CLI.

Unavailable or untrusted CLI

We are concerned that there may be a conflict between the new CLI facilities Licence Condition and the Guidance as currently drafted regarding how to deal with calls that do not have presentation numbers. We would be grateful if the Authority could resolve this conflict or correct our understanding.

Licence Condition X.5 states that LOs must take reasonable steps to identify calls with invalid or non-dialable CLI and prevent those calls from being connected to the called party⁷. However, paragraph 7.22 of the Guidance suggests that transit and terminating operators receiving international calls should mark the call presentation number as "unavailable" where it is absent or unreliable⁸ and then pass the call on to the customer. In our understanding of the Licence Condition and Guidance, these two positions conflict. Should Sure, as a transit or terminating operator, receive an international call bearing absent or unreliable CLI, then under Licence Condition X.5 Sure would be expected to block or filter such a call (especially for a call that bears no presentation number because this would be

⁶ Guidance on the provision of Calling Line Identification (CLI) Facilities - Proposed Guidance for consultation - 5 January 2023 – paragraph 7.16

⁷ Calling Line Identity Review - Non-statutory Final Decision – T-036 – page 14

⁸ Guidance on the provision of Calling Line Identification (CLI) Facilities - Proposed Guidance for consultation - 5 January 2023 – paragraph 7.22

invalid/not compliant with the Recommendation ITU-T E.164). Can the Authority please clarify how a transit and/or terminating operator should respond when receiving an international call that bears an absent or unreliable presentation number? Should it block the call, or should it pass on the call with a privacy marking that states the presentation number is unavailable? In our view, the most appropriate course of action would be for the transit or terminating operator to prevent that call from being received by the customer. If a presentation number has been considered 'unreliable' by a transit provider, then there is an increased risk that the call could be associated with fraud or misuse. Similarly, we do not believe that it is appropriate for calls that bear no presentation number to be connected to the customer. Should LOs in Jersey permit calls with no presentation number to be connect to the customer, albeit with an "unavailable" privacy marking, then fraudsters could simply make calls to Jersey victims that do not have a presentation CLI (similar to spoofing) knowing that these calls are more likely to be connected than calls which contain a presentation number of an invalid length.

Please note that, even if Sure was able to apply an "unavailable" privacy marking to calls (which is as yet unconfirmed), this does not mean that the customer will see "unavailable" on their mobile handset or fixed telephone device. The manner in which the "unavailable" privacy marking is interpreted and presented to the customer on their handset or device is decided by the handset or device manufacturer, rather than the LO.