



Commission for
Communications Regulation

Numbering Conditions of Use and Application Process

Consultation

Reference: ComReg 15/60

Date: 26/06/2015

Legal Disclaimer

This Consultation is not a binding legal document and neither does it contain legal, commercial, financial, technical or other advice. The Commission for Communications Regulation is not bound by it, nor does it necessarily set out the Commission's final or definitive position on particular matters. To the extent that any inconsistency might exist between the contents of this document and the due exercise by it of its functions and powers, and the carrying out by it of its duties and the achievement of relevant objectives under law, such contents are without prejudice to the legal position of the Commission for Communications Regulation. Inappropriate reliance ought not therefore to be placed on the contents of this document.

Content

Section	Page
1 Introduction.....	5
2 Types of numbering conditions	10
3 Proposed Clarifications and Changes to the Conditions of Use	13
3.1 Provision of Geographic Numbers to end-users.....	13
3.2 Review of Permitted Quantity of Geographic Numbers Provided to End-Users.....	15
3.3 Fixed-Mobile Convergence	18
3.4 Calling Line Identification	20
3.5 Mobile Numbers and Mobile Network Codes (MNC).....	23
3.6 Revenue Sharing	25
3.7 Messaging and Payment Short Codes.....	26
3.8 Numbers and Short Codes for charities	27
3.9 Removal of obsolete classes of numbers.....	28
3.9.1 Data Network Identification Codes	28
3.9.2 Personal Numbers.....	28
3.10 Number assignment process.....	29
3.11 Activation of numbers.....	29
3.12 Transfer of numbers between operators	30
3.13 Other issues	32
4 RIA.....	33
5 Next Steps	42

Appendix

Section

Page

Appendix: 1	Questions	43
-------------	-----------------	----

1 Introduction

1. Under section 10 of the Communications Regulation Act 2002 (“2002 Act”)¹ the Commission for Communications Regulation (“ComReg”) has the statutory function to manage the national numbering resource. This is done in accordance with any applicable directions issued by the Minister for Communications, Energy and Natural Resources under section 13 of the 2002 Act, and subject to ComReg’s objectives as mainly set out in section 12 of the 2002 Act and regulation 16 of the Framework Regulations.²
2. To date, ComReg has performed its number management function principally by granting individual rights of use for classes or types of numbers to authorised undertakings which apply for same. ComReg has also attached conditions to such rights of use, under regulations 13 and 14 of the Authorisation Regulations.³
3. ComReg now proposes to alter the existing number management regime by deeming certain number conditions to be conditions of the General Authorisation⁴, rather than conditions of rights of use for numbers.
4. ComReg considers that this approach would be in accordance with the modern framework for regulation of electronic communications. This framework is grounded on an undertaking having to notify ComReg of its intent to provide an electronic communications network or service, pursuant to regulation 4 of the Authorisation Regulations, at which point the undertaking is deemed to be authorised to provide that network or service, subject to certain conditions.
5. Having regard to the framework, ComReg considers that numbering conditions which are intended to have general effect - meaning that they are intended to apply to all undertakings or to some category or group of undertakings - should form part of the General Authorisation. As against this, the conditions attached to an individual right of use for a number should only apply to the undertaking which was granted that right of use.

¹Communications Regulation Act, 2002 -

<http://www.irishstatutebook.ie/2002/en/act/pub/0020/index.html>

² S.I. No. 333 of 2011 - <http://www.irishstatutebook.ie/2011/en/si/0333.html>

³ S.I. No. 335 of 2011 - <http://www.irishstatutebook.ie/2011/en/si/0335.html>

⁴ Doc 03/81R4 - http://www.comreg.ie/_fileupload/publications/ComReg0381R4.pdf

6. ComReg has prepared a draft paper based on the proposed new regime which is published alongside this consultation paper.⁵ Its full title is the “Numbering Conditions of Use and Application Process” and it is referred to herein as the “Numbering Conditions”. It is proposed that this single document would merge and replace the two current documents relating to number management - the “National Numbering Conventions”⁶ and the “Numbering Application Procedures and Application Forms”.⁷
7. Interested parties will quickly note that the draft Numbering Conditions appears quite different to the two documents which it would replace. This is partly because many of the conditions in the new document would attach to the General Authorisation rather than to individual number rights of use. In addition, the draft Numbering Conditions omits much of the text from the existing documents which, in ComReg’s view, makes them overly duplicative and repetitive. It also seeks to set out the conditions more clearly and concisely in order that undertakings may have greater certainty as to their obligations.
8. The draft Numbering Conditions is also structured so as to clearly distinguish between (a) statutory obligations in respect of numbers which are imposed by the legislature, and (b) regulatory conditions in respect of numbers which are imposed by ComReg (through the General Authorisation or through individual granted rights of use). The conditions are further divided between those which apply to all classes of numbers and those which apply only to specific classes of numbers.
9. Despite the alteration in structure and the amended text, ComReg considers that the overall effect of the Numbering Conditions is largely unchanged. In terms of their purpose and effect, the conditions in the draft Numbering Conditions are, for the most part, essentially the same as those in the current National Numbering Conventions. The main difference is that some of the conditions are now presented as being conditions of the General Authorisation, rather than conditions of individual rights of use for numbers. The overall text has also been substantially revised to make the conditions more concise and clear. ComReg therefore views this consultation as being essentially about the form and content of the document which imposes the numbering conditions rather than the conditions themselves which, for the most part, are unchanged. In respect of those conditions which, if imposed, would be new conditions, these are considered in the Regulatory Impact Assessments in section 4.

⁵ ComReg Document 15/60a – Numbering Conditions of Use and Application Process – Published 26 June 2015, www.comreg.ie/fileupload/publications/ComReg1560a.pdf

⁶ ComReg Document 11/17 – National Numbering Conventions v7.0 – published 09 March 2011, www.comreg.ie/fileupload/publications/ComReg1117.pdf

⁷ ComReg Document 11/18 – Numbering Application Procedures and Application Forms v3.0 – published 09 March 2011, www.comreg.ie/fileupload/publications/ComReg1118.pdf

10. Section 3 of the Numbering Conditions sets out the numbering conditions which would attach to all classes of numbers. Sections 4 and 5 set out the conditions which would attach to the different classes of numbers and to short codes, respectively. Section 6 together with Appendices 1 – 6 sets out the proposed administrative process for applying for rights of use for numbers. Again, this process is essentially unchanged from the current process, save that the text describing same has been revised.
11. Appendix 7 of the draft Numbering Conditions describes the key statutory provisions relating to number management.⁸ ComReg would note in this regard that in addition to having greater regard to the General Authorisation, the draft Numbering Conditions also takes full account of the framework for regulating Premium Rate Services, established in 2011.⁹ Appendix 8 of the Numbering Conditions contains a glossary of key terms, many of which are defined terms contained in relevant statutes or statutory instruments.
12. The draft Numbering Conditions also takes into account any changes to the rules governing the administration of the National Numbering Scheme and technology innovation since the last publication of the National Numbering Conventions in 2011.
13. In ComReg document 14/130¹⁰, ComReg indicated that it had identified a number of concerns regarding retail tariffs associated with Non-Geographic Numbers. ComReg signalled that it would carry out a review of the functioning of different classes of Non-Geographic Numbers at a retail level. ComReg would note that it does still intend to conduct this review but that it is not being done as part of this consultation and no changes have been made to the conditions related to retail tariff principles for Non-Geographic Numbers.
14. Through the draft Numbering Conditions, ComReg proposes to amend the wording of the following existing conditions:
 - Provision of Geographic Numbers to end-users (Section 3.1)
 - Calling Line Identification (Section 3.4)
 - Eligibility criteria for Mobile Numbers and Mobile Network Codes (Section 3.5)
 - Use of Messaging and Payment Short Codes (Section 3.7)

⁸ See the Authorisation Regulations 2011 (S.I. 335/2011), the Framework Regulations 2011(S.I. 333/2011), and the Universal Service Regulations 2011 (S.I. 337/2011)

⁹ Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act 2010 and Code of Practice for Premium Rate Services

¹⁰ ComReg Document 14/130 – Update on the Treatment of Non-Geographic Numbers – published 5 December 2014.

- Activation of numbers (Section 3.11)
 - Transfer of numbers between operators (Section 3.12)
15. ComReg further proposes to make material amendments to existing conditions, or to introduce new conditions, in relation to the following:
- Amended condition on the permitted quantity of Geographic Numbers assigned to end-users (Section 3.2)
 - New ECAS condition for Fixed-Mobile convergence (Section 3.3)
 - Charging condition for Fixed-Mobile convergence (Section 3.3)
16. Section 4 sets out a draft Regulatory Impact Assessment (RIA) in for each of the three amended/new conditions outlined above.
17. ComReg also proposes to remove obsolete sections contained in the National Numbering Conventions, including personal numbering services, data network identification codes, standards for alphanumeric keypads, and other obsolescent annex/guidance material (Section 2.10).
18. The draft Numbering Conditions now refer throughout to the granting of a right of use for a number to an undertaking and such a recipient undertaking is described as a “holder”. The draft Numbering Conditions also distinguish between “holders” and other undertakings which use numbers but were not granted the rights of use for those numbers. The terms “allocation” and “sub-allocation” are no longer used.
19. ComReg is required to specify whether a number right of use may be transferred and under what conditions such a transfer may take place. In general, the conditions attached to transferred rights of use for numbers will apply to the undertaking in receipt of same, who must be authorised and otherwise eligible to hold the class of numbers being transferred. ComReg proposes to develop a new process by which undertakings will notify ComReg of any transfers of rights of use for numbers, which will be recorded in a published database. ComReg will consult on this process in due course.
20. ComReg is of the overall view that the proposed changes to the current regime for number management are in keeping with the overall framework for regulation of electronic communications and that the draft Numbering Conditions is a shorter, clearer, and more user-friendly document. It is hoped that the draft Numbering Conditions, if put into effect, would clearly inform any interested party of (i) the key statutory provisions which apply to numbers, (ii) the general and specific conditions which apply to numbers, and (iii) the administrative process for applying for rights of use for numbers.

21. Interested parties should also note that the GA Conditions set out in the draft Numbering Conditions, if implemented, would constitute a sub-set of the conditions contained in ComReg's *General Authorisation - Conditions for the provision of Electronic Communications Networks and Services*.¹¹ This means that this is a consultation on revising Document 03/81R4 though only one short paragraph of that actual document (paragraph 15.1) would be amended. This is described in more detail in section 2 of this document.
22. Interested parties are now invited to comment on the draft Numbering Conditions by answering the questions set out herein. Interested parties are also asked to explain their comments and to provide any supporting information that they may possess.

¹¹ ComReg Document 03/81R4 – latest revised version published on 6 August, 2013

2 Types of numbering conditions

23. To date, ComReg has performed its number management function principally by granting individual rights of use for classes or descriptions of numbers to authorised undertakings which have applied for same, pursuant to regulation 13 of the Authorisation Regulations, and by specifying non-discriminatory, proportionate and transparent conditions which shall attach to such rights of use, pursuant to regulation 14 and Part C of the Schedule to the Authorisation Regulations.
24. ComReg now proposes to attach certain conditions relating to numbers to the General Authorisation, pursuant to regulation 8 and Part A of the Schedule to the Authorisation Regulations.
25. This would effectively mean that whereas the current regime for number management is almost exclusively based on conditions attached to individual rights of use for numbers granted to specific undertakings, the new regime would be based on:
- (i). conditions attached to individual rights of use for numbers granted to specific undertakings, *and*
 - (ii). conditions attached to the General Authorisation which would apply to all undertakings (or to specified categories or groups of undertakings).
26. ComReg considers that this proposed adjustment would best reflect the modern harmonised framework for regulation of electronic communications which is grounded on undertakings notifying ComReg, pursuant to regulation 4 of the Authorisation Regulations, and thereby immediately becoming authorised to provide the electronic communications network and/or service concerned, subject to conditions. ComReg considers that conditions should attach to the General Authorisation wherever appropriate and that the only conditions which should attach to an individual right of use for a number are those which are intended to apply only to the undertaking which applied for, and was granted, that individual right of use.
27. ComReg considers that numbering conditions which are intended to have “general effect” - in that they are intended to apply equally to all undertakings or to some specified category or group of undertakings - should attach to the General Authorisation. Conditions which are intended to apply only to a specific undertaking ought to be attached to individual rights of use for numbers, granted to that specific undertaking.

28. The conditions in Section 3 of the draft Numbering Conditions would apply to all classes of numbers while the conditions in Sections 4 and 5 would apply only to specific classes of numbers, as indicated. In addition, each condition in Sections 3, 4 and 5 falls into one of two categories. It is either a condition attached to the General Authorisation (a “GA Condition”) or a condition attached to a right of use (RoU) for a number granted to an individual undertaking (an “RoU Condition”). These two categories of conditions exist under different statutory provisions, as described below:
- (i). “*GA Conditions*” – some conditions in the draft Numbering Conditions would attach to the General Authorisation, pursuant to Regulation 8 and Part A of the Schedule to the Authorisation Regulations. GA Conditions would apply to all authorised undertakings (or to specified categories or groups of authorised undertakings). Any authorised undertaking which uses a number would be required to comply with the GA conditions which relate to use of that number.
 - (ii). “*RoU Conditions*” - the remainder of the conditions in the draft Numbering Conditions would attach to individual rights of use for numbers, granted by ComReg to authorised undertakings pursuant to Regulations 13 & 14 and Part C of the Schedule to the Authorisation Regulations. An RoU Condition would apply only to the authorised undertaking which applied for and was granted the right of use to which the RoU condition is attached.
29. With regard to monitoring and enforcing compliance with numbering conditions, the same statutory provisions would apply regardless of whether it is a GA Condition or an RoU Condition. These provisions are mainly set out in Regulations 16, 17 and 18 of the Authorisation Regulations and are described in greater detail in Appendix 7 of the draft Numbering Conditions.
30. ComReg has attempted to construct the draft Numbering Conditions in such a way that any undertaking should, from this single document, be able to ascertain the complete set of conditions which apply to that undertaking when using any number. In Section 3, the GA Conditions and the RoU Conditions are under separate sub-headings. In Sections 4 and 5, the two types of condition are not separated in this manner but are mixed. This has been done for the sake of readability and ease of reference. However, each condition in Sections 4 and 5 is clearly identified as being either a GA Condition or an RoU Condition in Appendix 7 of the draft Numbering Conditions.

31. Finally, and for the avoidance of any doubt, it should be noted that the GA Conditions set out in the draft Numbering Conditions, if implemented, would constitute a sub-set of the conditions contained in ComReg's *General Authorisation - Conditions for the provision of Electronic Communications Networks and Services* (Document 03/81R4). ComReg considered whether to insert all numbering "GA Conditions" into Document 03/81R4 but formed the preliminary view that, on balance, it would be better to have all conditions relating to numbers and number usage in the one place.
32. ComReg thus proposes to replace paragraph 15.1 of Document 03/81R4 with new text. Section 15.1 currently states as follows:

The criteria and procedures for the accessibility of numbers from the national numbering plan to end-users including conditions in conformity with the Universal Service Regulations are described in the National Numbering Conventions.

33. The proposed new text, to be inserted into paragraph section 15.1 of Document 03/81R4, would state as follows:

The conditions attached to this General Authorisation, relating to numbers from the national numbering scheme and use of those numbers by any undertaking, are set out in ComReg Document [XX/XX]. For the purposes of monitoring and/or enforcing compliance, this General Authorisation document and ComReg Document [XX/XX] shall be cited together and shall be read together as one.

- Q. 1 Do you agree that numbering conditions imposed on undertakings should be divided between (1) conditions attaching to the General Authorisation pursuant to regulation 8 and Part A of the Schedule to the Authorisation Regulations, and (2) conditions attaching to rights of use for classes or description of numbers granted by ComReg to individual undertakings, pursuant to Regulations 13 & 14 and Part C of the Schedule to the Authorisation Regulations? Please explain the basis for your response in full and provide any supporting information.
- Q. 2 Do you agree with ComReg's proposals as to which numbering conditions should be "GA Conditions" and which should be "RoU Conditions", as indicated in the draft Numbering Conditions document? Are there any changes which you consider should be made and if so, why? Please explain the basis for your response in full and provide any supporting information.

3 Proposed Clarifications and Changes to the Conditions of Use

3.1 Provision of Geographic Numbers to end-users

34. The current National Numbering Conventions include the following condition:

“A Geographic Number shall only be allocated to an entity whose address, as registered with ComReg or its network operator, is within the designated Geographic Numbering area for that number.”

35. The purpose of this condition is to require undertakings to assign any Geographic Number only to an end-user whose primary business premises or residential premises is located within the designated Minimum Numbering Area (MNA). However, no process has been developed for end-users to register their addresses with ComReg nor is it clear what the purpose of such registration might be. In addition, addresses that could be registered with a network operator would be billing addresses and in the case of fixed line and cable operators an installation address would also be registered.

36. ComReg wishes to remove any ambiguity by revising the existing condition so that it would read as follows:

“A Geographic Number shall only be assigned to an end-user whose residential/business premises is physically located within the designated minimum numbering area (MNA) for that Geographic Number.”

37. ComReg considers that this ought to remain an “RoU Condition” which would attach to individual rights of use for Geographic Numbers granted by ComReg to undertakings, upon application for same.

38. ComReg is further of the view that operators of traditional fixed-line and cable-based networks generally comply with the existing condition for their own customers, since an appropriate Geographic Number can be assigned based on the installation address. However, ComReg is concerned as to whether “Over-the-Top” (OTT) service providers are putting in place sufficient checks to ensure that end-users are being assigned with Geographic Numbers that are appropriate to the physical location of the customer’s premises, or indeed have any address validation measures or other assurance measures in place.

39. This issue was addressed in a 2013 consultation on Geographic Numbers carried out by ComReg¹². It was apparent from that consultation that the existing condition relating to number assignment needed to be clarified, to remove any ambiguity as to the obligation imposed for the purposes of ensuring that there are enough Geographic Numbers to meet current and future demand. The amended condition should also ensure that the geographic significance of the Geographic Number is maintained as this remains an important feature of the number, for example, for consumers seeking a local business service. In addition, it would appear that many consumers continue to take some assurance as to the *bone fides* of a business based on the fact that it has a Geographic Number which should indicate the existence of a physical premises to which that number is attached.

Q. 3 Do you agree with ComReg's proposed amendment to the existing condition relating to provision of Geographic Numbers to end-users? Please explain the basis for your response in full and provide any supporting information.

¹² ComReg Document 13/121 - The Evolution of Geographic Telephone Numbering in Ireland - published 19 December 2013

3.2 Review of Permitted Quantity of Geographic Numbers Provided to End-Users

40. Electronic communications services are currently being provided which allow multiple numbers to be used on the same line or channel. Such services could significantly increase demand for numbers, especially in more popular ranges such as “01” Geographic Numbers. In this regard, ComReg has always taken account of the fact that number ranges are finite and must be conserved to the greatest extent possible, in order to minimise or prevent future number changes. Such changes are generally costly and disruptive, both to end-users and to operators, and so they are to be avoided where possible.
41. ComReg currently specifies in the National Numbering Conventions that no more than two Geographic Numbers may be assigned to end-users:
- “Geographic number allocations shall not exceed a maximum of two numbers per registered user (in the case of consumers) or per business line”.*
42. This condition is considered to represent a compromise between supporting innovation and safeguarding a finite resource. ComReg considers that this condition has, up until now, broadly met the requirement to conserve numbers but that it is becoming less suitable in light of industry developments. ComReg is not aware of any operator which allows registration of multiple users with different Geographic Numbers on a single residential/consumer account, and so this element of the current condition does not seem to align with operators’ current business processes. In addition, associating numbers with lines for business customers seems inappropriate, in light of VoIP services and other market developments.
43. A 2013 consultants’ report¹³ commissioned by ComReg and published alongside Consultation 13/121¹⁴ recommended that ComReg amend the current condition so as to mandate an upper limit of two Geographic Numbers *per household or per employee* only. The responses¹⁵ to that consultation indicated that industry was in broad agreement that such measures were necessary, in order to conserve numbers and avoid costly and disruptive number changes. Respondents thus generally supported the proposal though some expressed concern that it could cause certain difficulties and they expressed a preference for such limits to be expressed as guidelines, rather than being imposed as an actual condition.

¹³ ComReg Document 13/122 - The Evolution of Geographic Telephone Numbering in Ireland Consultant’s Report - published 19 December 2013

¹⁴ ComReg Document 13/121 - The Evolution of Geographic Telephone Numbering in Ireland - published 19 December 2013

¹⁵ ComReg Document 14/41 - Publication of non-confidential submissions to ComReg Document 13/121 Consultation on The Evolution of Geographic Telephone Numbering in Ireland – published 02 May 2014

44. ComReg agrees with the consultants' rationale for assigning a maximum of two Geographic Numbers *per household or per employee* only but believes that the proposed quantification measures would be almost impossible to enforce as the proposal currently stands, as each operator is only concerned with its own services and ComReg is not in a position to determine if a household or employee is receiving services from multiple operators nor can ComReg aggregate and control quantities of numbers assigned in individual locations.
45. However, ComReg considers that a condition which would build on the consultants' recommendation and be more practical for operators to implement is one which would ensure that each operator may assign a maximum of two Geographic Numbers per residential customer/consumer account or per employee. ComReg thus proposes to amend the wording of the current condition, by replacing it with two conditions which would state as follows:
- "A holder may assign a maximum of two Geographic Numbers to a residential customer."*
- and
- "A holder may assign a maximum of two Geographic Numbers per employee to a business customer."*
46. Because these conditions relate to assigning of numbers, which can only be done by the holder of the number, it is proposed that the new conditions would remain "RoU Conditions" and would not become "GA Conditions".
47. ComReg considers that these proposed conditions represent a good compromise between number conservation and promoting innovation, taking note of the broad support from respondents for the proposals in the consultants' 2013 report and the widely appreciated need to conserve numbers and avoid costly changes. In the case of business customers, the move from "two numbers per line" to "two numbers per employee" seems to be a technology neutral and pragmatic approach and appears to be more aligned with current industry practice.
48. ComReg nevertheless appreciates that operators may need time to fully factor the proposed new condition into sales practices and business processes, in order to fully ensure compliance. ComReg would therefore propose a 6 month lead time for this condition, but would welcome feedback from respondents as to the practical implications of the proposed condition and whether a longer lead time might be required before this condition would come into force.

Q. 4 Do you agree with ComReg's proposed amendment to the condition on the number of Geographic Numbers that an undertaking may assign to a residential or business customer account? If so, what lead time should apply? Please explain the basis for your response in full and provide any supporting information.

3.3 Fixed-Mobile Convergence

49. Fixed-mobile convergence (FMC) describes a mobile network which adopts certain features of a fixed network, in order that end-users may benefit from seamless connectivity between fixed and mobile networks. An example of an FMC service, currently provided by a number of Irish MNOs, is where a Geographic Number and a Mobile Number can both be used on a mobile handset (this is sometimes referred to within industry as a “Landline on Mobile” service).

50. The National Numbering Conventions require an undertaking to terminate calls to a Geographic Number within its designated minimum numbering area (MNA):

“Calls to Geographic Numbers shall be routed to a fixed destination in the appropriate discrete geographical area (an MNA).”

51. The National Numbering Conventions further explain that the above condition “means that calls to the number concerned must be fully terminated to the end-user within that geographic area”.

52. In an effort to promote competition and innovation, ComReg is now proposing to amend the wording of the current condition with that below, effectively removing the constraint on where the call terminates in certain defined instances:

“A call to a Geographic Number shall terminate at the network termination point (NTP) in the called party’s premises which, in accordance with condition 4.1.2 shall be located within the designated MNA, except where the called party:

(a) forwards a call to a fixed destination outside of the designated MNA; or

(b) uses a fixed-mobile convergence or VoIP product which allows termination of the call outside of the designated MNA”

53. In addition, ComReg proposes that the amended condition should be a “GA Condition” on the basis that it should apply generally to all undertakings which use any Geographic Number, and not just to the specific undertaking which was granted the right of use for that Geographic Number.

54. With regard to FMC products, ComReg is particularly concerned to ensure that inaccurate or incorrect caller location information is not provided to the Emergency Call Answering Service (ECAS). Towards this objective, ComReg proposes to create a new numbering condition which would prohibit a provider of any FMC product/service from presenting a Geographic Number to the ECAS provider, when the call is made from a mobile device. This proposed condition should ensure that the ECAS provider is never given the impression that an emergency call is being made from the specific premises to which an assigned Geographic Number is attached, when the emergency call is in fact being made from a mobile device.

55. The draft text of the proposed new condition reads as follows:

“Fixed/mobile convergence services that support the presentation of a Geographic Number CLI or a Mobile Number CLI shall, in respect of any such service, ensure that only the Mobile Number CLI shall be presented for any emergency call made from a mobile device (using the “112” or “999” access number).”

56. ComReg further proposes that the amended condition should be a “GA Condition” on the basis that it should apply to any undertaking which uses numbers.

57. ComReg also proposes to insert wording in the Numbering Conditions specifying that calls to a Geographic Number on an FMC service shall be charged the same as calls to a Geographic Number on a traditional fixed-line service. ComReg does not consider this to be a new condition *per se* but considers that it is merely a clarification of what is permissible under the new FMC services and to be consistent with the current condition related to retail tariff principles for VoIP products. ComReg proposes the following wording by which to capture this point:

“Calls to a Geographic Number which is used with a fixed-mobile convergence or VoIP product and which terminate outside of the Geographic Number’s designated MNA, shall not be charged differently to calls that terminate within the Geographic Number’s designated MNA”

58. ComReg understands that the proposed amended condition and new condition, outlined above, reflect current industry practice for FMC products and that they therefore should provide assurance to all concerned that such practices will remain in place without imposing any new substantive regulatory obligations. However ComReg has nevertheless carried out RIAs in respect of the proposed amended condition and new condition – please see section 4.

59. ComReg further proposes that the amended condition should be a “GA Condition” on the basis that it should apply generally to all undertakings which uses numbers.

60. ComReg seeks the views of respondents on the proposed new conditions and the proposed added clarifications to the existing conditions.

Q. 5 Do you agree with ComReg's proposed new conditions for fixed-mobile convergence services and its proposed clarification of the existing conditions? Please explain the basis for your response in full and provide any supporting information.

3.4 Calling Line Identification

61. The current condition regarding Calling Line Identification (CLI) states:

“All authorised undertakings shall ensure that any CLI transmitted with a telephone call is the assigned geographic, mobile or IP-based number for the calling party, except in clearly justified cases where permission has exceptionally been given by ComReg.”

62. ECC Recommendation (11)02¹⁶ was published in 2011 and provides National Regulatory Authorities (NRAs) with a set of recommendations to ensure the correct usage of CLIs by undertakings and recommends that NRAs should develop their own regulations/guidelines to cover the generating and handling of CLIs.

63. ComReg is of the view that the current condition for CLI ought to be expanded to take account of the recommendations put forward by ECC Recommendation (11)02 notwithstanding they are implicit elements of the existing condition and reflect industry practice. The proposed expansion of the current CLI condition should provide added clarity on the correct usage of CLI for all operators involved in carrying a call, for the avoidance of doubt.

64. ComReg proposes to revise the condition in relation for CLI in the Numbering Conditions, as follows:

“The following conditions apply in respect of Calling Line Identification (“CLI”):

(a) the CLI information in an E.164 number shall be provided, or transported and forwarded, in a manner which adheres to applicable ITU-T and ETSI standards and any other international standards as may apply;

(b) the CLI for a call shall present either a Geographic, Nomadic or Mobile Number, as assigned to the calling party, and shall not present any other class or type of number;

¹⁶ ECC Recommendation (11)02 - Calling Line Identification And Originating Identification – Published 12 May 2011

(c) the following classes of numbers shall not be presented as a CLI: Customer Support Short Codes, Directory Enquiry Access Codes, Freephone Numbers, Internet Access Numbers, Network-Use Short Codes, Premium Rate Numbers, Premium Rate Short Codes, Shared Cost Numbers, and Universal Access Numbers;

(d) Fixed/mobile convergence services that support the presentation of a Geographic Number CLI or a Mobile Number CLI shall, in respect of any such service, ensure that only the Mobile Number CLI shall be presented for any emergency call made from a mobile device (using the “112” or “999” access number).

(e) the undertaking which originates a call shall ensure that the CLI for that call is the assigned Geographic, Nomadic or Mobile Number for the calling party;

(f) for international calls originating outside of the State, the CLI may be modified with appropriate prefixes including “00”, “+” and the relevant country code; and

(g) a CLI may be marked as “Caller ID unknown” or equivalent if an operator cannot ensure that the CLI information is valid.”

65. ComReg further proposes that the amended condition should be a “GA Condition” on the basis that it should apply to any undertaking which uses numbers.

66. ComReg seeks the views of respondents on the proposed amendment to the existing condition.

Q. 6 Do you agree with the proposed expansion of the condition for Calling Line Identification usage? Please explain the basis for your response in full and provide any supporting information.

67. The National Numbering Conventions refer to exceptional cases in which ComReg could grant permission to use a CLI other than a geographic, mobile or nomadic number. Guidance on such cases was developed in co-operation with industry over a decade ago with reference to the European Telecommunications Platform guidelines on CLI, published in 2002.
68. Rather than review and update an exceptions process, ComReg is now of the preliminary view that any exceptions should be considered for entire classes of numbers (e.g. Freephone) rather than developing a new process, managed by ComReg, for considering exceptions for individual numbers on a case-by-case basis. In the event that further classes of numbers could be presented as a CLI, consideration would need to be given to any broader implications, including operator requirements for Call Detail Records (CDRs) for accurate billing purposes, the need of the Emergency Call Answering Service (ECAS) provider to determine caller location, and lawful interception capability.
69. ComReg considers that it would never be appropriate to present a Premium Rate Number as a CLI, since a missed call could result in the called party making a return call, thereby incurring premium rate charges. Similarly, since 0818 and 1890 numbers are generally not included in retail bundles, a return call could currently cost up to €0.40 per minute for some mobile users.
70. There may be merit in considering whether 1800 Freephone numbers and 1850 Shared Cost numbers could be presented as CLIs, since a return call is free to the caller for the former and the calling party charge is capped for the latter, regardless of the duration of the call. In the event that any additional class of number is considered suitable for presentation as a CLI, the prior consent of the end-user assigned the number may also be required.
71. ComReg now seeks the views of respondents on both the proposal not to provide an exceptions process for individual CLIs going forward, and whether consideration should instead be given to extending CLI presentation to certain classes of non-geographic numbers.

Q. 7 Do you agree with ComReg's proposal that an exceptions process for individual CLIs is no longer appropriate? Please explain the basis for your response in full and provide any supporting information.

Q. 8 Should further consideration be given to permitting the presentation of CLI for certain classes of non-geographic numbers? If so, which classes of numbers should be considered and why? Please explain the basis for your response in full and provide any supporting information, including the implications for ECAS, billing and other considerations.

3.5 Mobile Numbers and Mobile Network Codes (MNC)

72. Annex 1.3 of the National Numbering Conventions sets out the current eligibility criteria for any undertaking applying to be granted a right of use for a Mobile Number or a Mobile Network Code (MNC). The criteria are predicated on the following definition of a “Mobile Network” in the National Numbering Conventions:

“mobile network” means a 2nd, 3rd or 4th Generation digital wireless network, or any intermediate evolution of those, using mobile numbers, in which seamless handover and roaming features are provided.”

73. ComReg considers that the current text should be amended in order to provide greater clarity as to which undertakings may be granted rights of use for Mobile Numbers and/or MNCs, specifying that such rights of use shall only be granted to (1) mobile network operators (MNOs) who own or control their own mobile network that operates on appropriate licensed spectrum, or (2) mobile virtual network operators (MVNOs) who, through contractual agreements with an MNO, have access to the MNO’s mobile networks. ComReg thus proposes to amend the wording of the eligibility criteria to read as follows:

“Rights of use for Mobile Numbers and MNCs shall only be granted to MNOs and MVNOs. A right of use for one MNC shall be granted upon first application and the basis for any request for an additional right of use for an MNC must be fully set out.”

74. To take account of future technology developments in areas such as OTT services, machine-to-machine (M2M) communications and the Internet of Things (IoT), ComReg will engage with industry in due course to consult on the eligibility criteria for Mobile Numbers and MNCs. An example of an area where there may be a need to grant Mobile Number and MNC resources to service providers that are not MNOs or MVNOs is the automotive industry. The introduction of the European Commission’s requirements for the deployment of the eCall in-vehicle system¹⁷ will require all new cars from April 2018 to be equipped with eCall technology for making automated emergency calls in the event of a collision. Mobile Numbers and MNCs may be required to enable the eCall in-vehicle system to make calls to the ECAS provider.
75. ComReg seeks the views of respondents on the proposal to clarify current eligibility criteria for Mobile Numbers and MNCs and to consult further in due course on the possible broadening of eligibility criteria in line with developments in technology, markets, standards and legislation.

¹⁷ Directive 2007/46/EC, as amended

Q. 9 Do you agree with the proposed clarification of the eligibility criteria for Mobile Numbers and MNCs and the commitment to a further consultation on this topic? Please explain the basis for your response in full and provide any supporting information.

3.6 Revenue Sharing

76. In ComReg's view, revenue sharing should only occur on those number ranges that are designated for Premium Rate Services. No other number ranges should be subject to revenue sharing.
77. In addition, ComReg would refer interested parties to the Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act 2010 ("PRS Act") which requires that any "premium rate service provider", as defined therein, must be licensed by ComReg to provide any "premium rate service", which term is also defined. A licensed premium rate service provider is also bound by the Code of Practice for Premium Rate Services¹⁸ which sets out, amongst other things, requirements for how premium rate services may be advertised to ensure full transparency of charges that apply to calls.
78. The National Numbering Conventions currently state that revenue sharing is prohibited on all classes and types of number other than those designated for premium rate services, except where an announcement is played at the commencement of the call, informing the calling party that the service provider will receive part of the revenue from the call charge. ComReg proposes to remove the current condition relating to the playing of such announcements from the Numbering Conditions, on the basis that it is considered incompatible with the regime for regulating premium rate services established in 2010 by the PRS Act. In addition, ComReg proposes to introduce an amended condition which would explicitly state that revenue sharing is prohibited on all classes and types of number other than those specifically designated for licensed premium rate services. The draft text of proposed amended condition states as follows:

"An undertaking shall not use any class or type of number to provide an electronic communications service involving any form revenue sharing, except for designated Premium Rate Numbers and Premium Rate Short Codes."

79. ComReg further proposes that the amended condition should be a "GA Condition" on the basis that it should apply generally to all undertakings which uses numbers.
80. ComReg seeks the views of respondents on the proposed amendment to the existing condition.

Q. 10 Do you agree with ComReg's proposed amended condition on revenue sharing? Please explain the basis for your response in full and provide any supporting information.

¹⁸ ComReg Document 14/45 – Code of Practice (Premium Rate Services) – published 15 May 2014

3.7 Messaging and Payment Short Codes

81. When the 5XXXX number range was first introduced¹⁹ for value added SMS services it was intended, in the interests of consumer protection, that each 5-digit sub-range would be designated for a specific service and would have a clearly defined tariff ceiling.
82. It was, and still is, considered fundamental that end-users should be able to recognise and associate each sub-range with a particular service - for example, end-users should be able to understand that the "50XXX" sub-range is designated for free rate services and the "59XXX" sub-range is designated for adult services. Each sub-range also has its own tariff ceiling, so that end-users are aware of, and can calculate, the charge for sending and receiving a message for a particular service.
83. The 5XXXX number range was introduced with the intention that both the Mobile Originated (MO) leg and Mobile Terminated (MT) leg of a message transaction sequence would be completed on the same Messaging and Payment Short Code sub-range. This is to ensure that service providers do not mislead end-users into subscribing to - for example, an adult service by inviting them to send a message to a number in the 50XXX sub-range, which is designated for free rate service, and receiving a reply from the service provider on a 59XXX sub-range or any other premium rate service sub-range.
84. In ComReg's view, a message transaction sequence should be completed on the same sub-range. For the avoidance of any doubt as to the manner in which operators may use these sub-ranges, ComReg now proposes to include in the Numbering Conditions a condition that clarifies how the MO and MT legs of a message transaction sequence must be completed. The proposed new condition states as follows:
- "The MO leg and MT leg of any message transaction sequence shall be completed on the same Messaging and Payment Short Code sub-range."*
85. ComReg further proposes that the amended condition should be a "GA Condition" on the basis that it should apply generally to all undertakings.
86. ComReg seeks the views of respondents on the proposed added clarification to the existing conditions.

¹⁹ ODTR Document 02/14 - A Framework for Value-added Text Messaging (SMS) Services – published 28 January 2002

Q. 11 Do you agree with ComReg's proposed clarification on the condition of use for message transaction for Messaging and Payment Short Codes? Please explain the basis for your response in full and provide any supporting information.

3.8 Numbers and Short Codes for charities

87. In ComReg Document 11/51²⁰, ComReg noted the general support expressed by respondents for its proposal to designate a short code range for fundraising by charitable organisations, for reasons that included compatibility with operators' billing and accounting systems. ComReg's stated position in Document 11/51 was that it would consider opening sub-ranges within the 5XXXX short code range and the 15XX PRS range for use by registered charities.
88. ComReg also took note of the Charities Act 2009²¹ which aims to establish a public register of charities that will be subject to regulation by a designated authority. Until such a register is established, ComReg proposed in Document 11/51 that it would grant short codes from the new sub-ranges only to organisations that have been granted charitable tax exemption and a charity reference number by the Revenue Commissioners, pursuant to the Taxes Consolidation Act of 1997.
89. At the time of publication of Document 11/51, ComReg understood that a key driver for the expressed need a designated short code range for charities was to enable operators to more easily identify call traffic that was to be rated as VAT-exempt²². ComReg understands that mobile operators have now largely addressed this issue.
90. In addition, the current National Numbering Conventions were based upon a legislative provision which has since been revised. The Authorisation Regulations 2003²³ were revoked and replaced by the Authorisation Regulations 2011. Regulation 13(1) of the Authorisation Regulations 2011 empowers ComReg "*to grant a right for any class or description of number to any undertaking as [ComReg] considers appropriate ...*" The provision is limited to granting rights of use for numbers to undertakings, as defined, which would not include charities. Where an authorised undertaking applies for and hosts a number or short code on behalf of a third-party that is not authorised, then the authorised undertaking, which holds the rights of use for the number or short code, is responsible for ensuring that the third-party complies with the conditions of use for the classes of number or short code.

²⁰ ComReg document 11/51 – Response to Consultation Document No. 10/92a, and further consultation on the Code of Practice for Premium Rate Service Providers – Published 22 July 2011

²¹ <http://www.irishstatutebook.ie/pdf/2009/en.act.2009.0006.pdf>

²² Revenue eBrief No. 100/14 – <http://www.revenue.ie/en/practitioner/ebrief/archive/2014/no-1002014.html> provides further details of the VAT treatment of donations to charity.

²³

91. ComReg nevertheless considers that there may be still be merit in having a designated short code range for charity donations, so as to make such donations distinguishable from short code payments. ComReg is, however, also mindful of the sometimes significant costs and other resource implications of introducing new number ranges.
92. If responses to this consultation indicate that there is still general widespread support for a designated short code range for charity donations then ComReg will conduct a separate, follow-up consultation on this specific issue. Such a consultation would consider, amongst other things, the ranges to be used, any maximum retail tariffs that may apply, whether subscription services would be permitted, and qualifying criteria.
93. ComReg seeks responses to the following question.

Q. 12 Do you support the introduction of a new 5XXXX short code range and a new 15XX number range designated for use only for charitable donations? Please provide reasons for your views.

3.9 Removal of obsolete classes of numbers

3.9.1 Data Network Identification Codes

94. Requirements in respect of Data Network Identification Codes (DNICs), which are associated with X.25 networks, have been specified in the National Numbering Conventions since version 2 (they are in Section 10.8.6 of the current version 7). Today, it appears that networks based on X.25 today are limited to use for private applications such as ATM and credit card verification networks, and some mainframe terminal/server applications. It does not appear that such networks have been used for public services in Ireland for some years (the service run by the former Postgem was possibly the last such service). Accordingly, ComReg proposes to not make any reference to DNICs in the Numbering Conditions.

Q. 13 Do you agree with ComReg's proposal to remove Data Network Identification Codes (DNICs) from the Numbering conditions? Please explain the basis for your response in full and provide any supporting information.

3.9.2 Personal Numbers

95. Please note that following withdrawal of all granted 0700 numbers, which was completed on 03/06/2011, the Personal Number category will not be included in the Numbering Conditions.

3.10 Number assignment process

96. ComReg currently issues a hard copy 'Schedule of Allocation' to any undertaking which has applied for, and been granted, rights of use for numbers. The Schedule of Allocation lists those numbers for which the rights of use have been granted to the undertaking.
97. Following the introduction of ComReg's e-Licensing process for radio frequencies rights of use²⁴, and having regard to the e-government initiatives and the objective of achieving a higher standard of customer service and internal efficiencies, ComReg intends to develop a process whereby future applications for rights of use for numbers will be processed electronically. It is envisaged that authorised undertakings will be able to submit their applications online and that they will receive the 'Schedule of Allocation' electronically and in accordance with the Electronic Commerce Act of 2000²⁵.
98. ComReg proposes to phase in this process over several stages, with the first stage consisting of ComReg no longer issuing Schedule of Allocation in hard copy but in an electronic format. Later stages should enable applicant undertakings to complete and submit applications online, rather than in hard copy.
99. ComReg seeks the views of respondents on creating an electronic process for applying for and granting rights of use for numbers.

Q. 14 Do you support the introduction of an electronic process for the granting of rights of use for numbers? Please provide reasons for your views.

3.11 Activation of numbers

100. When an undertaking has been granted a right of use for numbers, the undertaking must activate those numbers within one year (or within 3 months for transferred numbers). Numbers not activated within one year may be recovered by ComReg. These conditions have been carried over from the existing Numbering Conventions to the draft Numbering Conditions. In addition, ComReg proposes that heretofore unspecified timelines for all operators to open up numbers on their networks should now be specified.

²⁴ <https://www.licensing.comreg.ie/>

²⁵ S.I. No.27 of 2000 - <http://www.irishstatutebook.ie/2000/en/act/pub/0027/index.html>

101. To ensure that numbers are activated on networks or associated facilities in a timely manner, ComReg proposes to introduce two new conditions that (1) would require holders to notify, within two weeks, all relevant undertakings of any number which the holder has activated, and (2) would require those undertakings to activate numbers on their networks or associated facilities within two weeks of being notified by a holder.

102. ComReg is of the view that a requirement that undertakings must activate numbers on their networks and associated facilities within two weeks is not overly burdensome, given modern network management capabilities. The proposed new conditions states as follows:

“A holder shall notify all relevant undertakings of any number which the holder has activated, as soon as possible and in any event no more than two weeks after the date of activation.”

And

“Where an undertaking is notified, by a holder, of numbers which the holder has activated, the undertaking shall activate those same numbers on its electronic communications network or associated facility, as soon as possible and in any event within two weeks of the date of notification.”

103. ComReg further proposes that the new condition for notifying operators should be a “RoU Condition” on the basis that it should apply to the holder and that new condition for activating numbers should be a “GA Condition” on the basis that it should apply generally to all undertakings.

104. ComReg seeks the views of respondents on the proposed new conditions for notifying operators and activating numbers on networks or associated facilities.

Q. 15 Do you support the proposed two week requirement for both notifying operators of numbers activated and the activating of numbers on networks or associated facilities? Please provide reasons for your views.

3.12 Transfer of numbers between operators

105. In order to be aligned with the Authorisation Regulations, the draft Numbering Conditions refer to the transfer of number rights of use between undertakings. The terms and concepts “sub-allocation” or “secondary allocation” are not supported by legislation and are no longer used.

106. ComReg is required to specify whether a number right of use may be transferred and under what conditions such a transfer may take place. In general, the conditions attached to transferred rights of use for numbers will apply to the undertaking in receipt of same, who must be authorised and otherwise eligible to hold the class of numbers being transferred.
107. ComReg proposes to develop a new process by which undertakings will notify ComReg of any transfers of rights of use for numbers, which will be recorded in a published database. Consideration will also need to be given to establishing a record of historical transfers. Such records should help clarify which undertaking is the “holder” of the right of use for the number, responsible for complying with the conditions attached to same. ComReg will consult further with industry in due course on a straightforward process for transferring number rights of use.
108. The National Numbering Conventions currently states that no charge should be made for the secondary allocation of rights of use for numbers. However, ComReg recognises that there may be an administrative cost associated with the transfer of numbers between operators. Therefore, ComReg proposes to introduce a new condition that allow the holders transferring numbers to recover the administrative cost of the transfer. The proposed new condition states as follows:
- “No charge of any kind shall be made for transferring a right of use for a number, other than a charge limited to covering administrative costs.”*
109. ComReg further proposes that the new condition should be a “RoU Condition” on the basis that it should apply to the holder transferring the numbers to another operator.
110. ComReg seeks the views of respondents on number transfers and on the proposed new condition allowing holders transferring numbers to recover the administrative cost of the transfer.

- Q. 16 Do you have any views on the practical implications of transferring rights to use numbers, rather than the previous concept of sub-allocation? Please explain the basis of your response in full and provide any supporting information.
- Q. 17 Do you support the proposed new condition for allowing holders transferring numbers to recover the administrative cost of the transfer? Please provide reasons for your views.

3.13 Other issues

111. Given that the draft Numbering Conditions represent a significant revision of the current National Numbering Conventions, and that ComReg wishes to create a set of numbering rules which are binding on industry but are also non-discriminatory, proportionate and transparent, and reflective of the manner in which numbers are actually used, ComReg encourages all interested parties to respond to this consultation to comment on any issues not discussed in this document and/or on issues which they feel are appropriate to the draft Numbering Conditions. Please provide such views, again explaining your reasoning and providing any supporting information.

Q. 18 Do you have any views on any issues not discussed in this document and/or on issues which you feel are appropriate to the draft Numbering Conditions? Please explain the basis of your response in full and provide any supporting information.

4 RIA

112. This chapter sets out ComReg’s RIAs on its proposals to attach certain new conditions to numbers. Some of these would be “GA Conditions” imposed pursuant to regulation 8 and Part A of the Schedule to the Authorisation Regulations, while others would be “RoU Conditions” imposed pursuant to regulation 14 and Part C of the Schedule to the Authorisation Regulations. All such conditions must be non-discriminatory, proportionate and transparent and they may be amended from time to time.
113. Interested parties should note that a RIA is being conducted only in relation to those proposed conditions which, if introduced, would be new conditions. A RIA is not being conducted in respect of any existing condition in the National Numbering Conventions. While many of the existing conditions would be substantially re-worded if the proposed Numbering Conditions are introduced, ComReg considers that they would remain substantially unaltered as to their purpose and effect and for this reason ComReg considers that a RIA is not required. Similarly, certain existing conditions are presented as “RoU Conditions” but would, under the Numbering Conditions, become “GA Conditions”. In such instances, while the statutory basis for the condition would change, the actual condition would remain substantially unaltered as to its effect. For this reason, ComReg again considers that a RIA in respect of such changes is not necessary. A RIA is therefore only being conducted in respect of those proposed conditions which, if introduced, would be new conditions in that they constitute the imposition of a regulatory obligation which had not previously been imposed.
114. The RIAs herein have been prepared in accordance with ComReg’s published RIA Guidelines (Doc 07/56a) and having regard to the RIA Guidelines issued by the Department of An Taoiseach in June 2009 (“the Department’s RIA Guidelines”) and relevant Policy Directions issued to ComReg by the then Minister for Communications, Marine and Natural Resources under Section 13 of the 2002 Act on 21 February 2003 (the “Policy Directions”).
115. ComReg’s RIA Guidelines set out, amongst other things, the circumstances in which ComReg considers that a RIA might be appropriate. In summary, ComReg will generally conduct a RIA in any process that might result in the imposition of a regulatory obligation (or the amendment of an existing regulatory obligation to a significant degree), or which might otherwise significantly impact on any relevant market or on any stakeholders or consumers. As set out in ComReg’s RIA Guidelines, there are five steps to a RIA which are as follows:
- Step 1: Identify the policy issue and identify the objectives;
 - Step 2: Identify and describe the regulatory options;

- Step 3: Determine the impacts on stakeholders;
 - Step 4: Determine the impacts on competition; and
 - Step 5: Assess the impacts and choose the best option.
116. The proposed numbering conditions which ComReg considers to be new are those relating to the following:
- ECAS condition for Fixed-mobile Convergence;
 - Charging Condition for Fixed Mobile Convergence; and
 - Permitted quantity of geographic numbers.

RIA 1 - ECAS condition for Fixed-mobile Convergence

Step 1: Identify the policy issue and objectives

117. Fixed-mobile Convergence (“FMC”) describes a mobile network which adopts certain features of a fixed network, in order that end-users may benefit from seamless connectivity between fixed and mobile networks. An example of an FMC service, currently provided by a number of Irish MNOs, is where a geographic number and a mobile number can both be both used on a mobile handset (this is sometimes referred to within industry as a “Landline on Mobile” service).
118. The current National Numbering Conventions require an undertaking to terminate calls to a geographic number within its designated minimum numbering area (MNA) and state that this condition “means that calls to the number concerned must be fully terminated to the end-user within that geographic area“. In an effort to promote competition and innovation, ComReg is now proposing to replace the existing condition with the following:
- “A call to a Geographic Number shall terminate at the network termination point (NTP) in the called party’s premises which, in accordance with condition 4.1.2 shall be located within the designated MNA, except where the called party:*
- (a) forwards a call to a fixed destination outside of the designated MNA; or*
 - (b) uses a fixed-mobile convergence or VoIP product which allows termination of the call outside of the designated MNA.”*
119. ComReg considers that the proposed new condition, intended to facilitate FMC services, is a relaxing of the existing condition and that no new regulatory obligation is being imposed. Hence no RIA is being conducted in relation to this proposed new condition.

120. However, in facilitating FMC services ComReg is particularly concerned to ensure the accuracy of caller location information provided to the Emergency Call Answering Service (ECAS). The draft wording of the proposed new condition, described herein as the “ECAS condition, is as follows:

“Fixed/mobile convergence services that support the presentation of a Geographic Number CLI or a Mobile Number CLI shall, in respect of any such service, ensure that only the Mobile Number CLI shall be presented for any emergency call made from a mobile device (using the “112” or “999” access number)”

121. The policy issue and objective relating to this proposed condition is to ensure that inaccurate or incorrect information is not provided to the ECAS. The condition would prohibit a provider of any FMC product/service from presenting a Geographic Number to the ECAS provider when the call is in fact being made from a mobile device. The should ensure that the ECAS in never given the impression that an emergency call is being made from the specific premises or residence to which a assigned Geographic Number is attached, when the call is actually being made from elsewhere on a mobile device.

Step 2: Identify and describe the regulatory options

122. ComReg considers that two regulatory options are available to it:

Option 1: Attach the ECAS condition to number rights of use in respect of fixed-mobile convergence products that support the presentation of either a Geographic Number CLI or a Mobile Number CLI on outgoing calls

Option 2: Do not attach the ECAS condition to number rights of use in respect of fixed-mobile convergence products that support the presentation of either a Geographic Number CLI or a Mobile Number CLI on outgoing calls.

Step 3: Determine the impacts on stakeholders

123. There are two main stakeholder groups for the purposes of considering the proposed ECAS condition – providers of FMC services, and end-users.

124. Under Option 1, providers of FMC services would be required to ensure that users of those services could access the emergency services and, most importantly, that the ECAS in never given the impression that an emergency call is being made from the specific premises or residence to which an assigned Geographic Number is attached, when the call is actually being made on a mobile device.

125. ComReg considers that Option 1 would have a minimal impact upon providers of FMC services, noting that the ECAS condition is being proposed primarily in order to facilitate the provision of FMC services. In forming this view, ComReg has had particular regard to the existing statutory obligations imposed by regulations 20(1) and 20(4) of the Universal Service Regulations, which state as follows:

“20. (1) An undertaking providing end-users with an electronic communications service for originating national calls to a number or numbers in the national numbering scheme (including public pay telephones) shall ensure that such end-users are able to call the emergency services free of charge and without having to use any means of payment by using the single European emergency call number “112” and any national emergency call number that may be specified by the Regulator.”

“20. (4) An undertaking providing end-users with an electronic communications service for originating national calls to a number or numbers in the national telephone numbering plan (including public pay telephones) shall make caller location information available free of charge to the authority handling emergency calls as soon as the call reaches that authority. This obligation shall apply to all calls to the single European emergency call number “112” and any national emergency call number that may be specified by the Regulator.”

126. The proposed ECAS condition is essentially ancillary and supportive of the above existing statutory obligations. In this regard, ComReg proposes to attach the ECAS condition largely for the avoidance of any doubt as to what is required of operators, given that reliable and free of charge access to the emergency services is a fundamental, universal right which goes to the heart of safety of life and health and cannot be compromised in any way. Further, given the statutory obligations which already exist, ComReg does not consider that the ECAS condition should impact on providers of FMS services to any significant extent.

127. ComReg considers that Option 1 would support the existing rights of end-users of FMC services to call the emergency services free of charge while it should also give added assurance that neither the ECAS, nor the particular emergency service, will be given the wrong impression as to where any caller is located.

128. ComReg considers that Option 2 would not impact on the existing responsibilities of providers of FMC services regarding access to the emergency services, as specified in the Universal Service Regulations. However, given the importance of this issue, ComReg does not consider that Option 2 would provide sufficient clarity as to exactly what is required of providers of FMC services.

Step 4: Determine the impacts on competition

129. For largely the same reasons as set out under Step 3, ComReg does not consider that Option 1 or Option 2 would have any significant impact on competition in any market, as the proposed ECAS condition would essentially be an ancillary condition intended to support and clarify what is required under existing statutory obligations.

Step 5: Assess the impacts and choose the best option

130. In light of the above, ComReg is of the preliminary view that Option 1 - the imposition of an ECAS condition – far outweighs Option 2. ComReg considers that Option 1 would be a justified, non-discriminatory, proportionate and transparent regulatory measure which would not have any significant negative impact on providers of FMC services, particularly as it would essentially be an ancillary condition intended to support and clarify existing statutory obligations. ComReg also considers that Option 1 would support the existing rights of end-users of FMC services to call the emergency services free of charge and should give added assurance that neither the ECAS, nor the particular emergency service, will be given the wrong impression as to where any caller is located.

RIA 2 - charging condition for Fixed-mobile convergence

Step 1: Identify the policy issue and objectives

131. Fixed-mobile Convergence (“FMC”) services are described in the first RIA above. ComReg would again note that its key objective is to facilitate the provision of FMC services and this is mainly being done by relaxing the existing condition which requires that calls to the number must be fully terminated to the end-user within that geographic area.
132. However, ComReg considers that it is also necessary to impose certain new conditions in order to ensure that FMC services are provided in a manner which does not have a negative impact on consumers. In this regard, in addition to the proposed condition relating to the emergency services dealt with in the first RIA, ComReg proposes an additional condition which would specify that calls to a geographic number on an FMC service shall be charged the same as calls to a geographic number on a traditional fixed-line service. The current draft of this proposed condition is as follows:

“Calls to a Geographic Number which is used with a fixed-mobile convergence or VoIP product and which terminate outside of the Geographic Number’s designated MNA, shall not be charged differently to calls that terminate within the Geographic Number’s designated MNA.”

Step 2: Identify and describe the regulatory options

133. ComReg considers that two regulatory options are available to it:

Option 1: Attach the condition set out at paragraph 132 to number rights of use for FMC products.

Option 2: Do not attach the condition set out at paragraph 132 to number rights of use for FMC products..

Step 3: Determine the impacts on stakeholders

134. There are two main stakeholder groups for the purposes of considering the proposed condition: providers of FMC services, and end-users of FMC services.

135. Under Option 1, all undertakings would be required to ensure that any end-user who calls a geographic number that is terminated using an FMC or VoIP service is charged the same amount as if the end-user had made the call to a traditional fixed-line service - the caller shall not be charged any additional or greater amount, regardless of where the call is actually physically terminating.

136. ComReg considers that this condition essentially just reflects what FMC services are designed and intended to do – they adopt certain features of fixed networks in order that end-users may benefit from seamless connectivity between fixed and mobile networks. In this regard, an end-user who calls a geographic number associated with a FMC handset can be assured that he or she will be charged in accordance with the same published tariff for calls made to geographic numbers associated with traditional fixed line phones. If they could be charged more for calls to geographic numbers on FMC handsets, then the tariff information that is inherent from the number for the calling party would be lost.

137. ComReg considers that Option 1 would not have any significant impact on providers of FMC services as the condition is entirely consistent with how FMC services are intended to operate. In terms of the impact on users of FMC services, ComReg considers that Option 1 should essentially just give those end-users added assurance as to the manner in which they may be charged.

Step 4: Determine the impacts on competition

138. For largely the same reasons as set out under Step 3, ComReg does not consider that Option 1 should have any significant impact on competition in any market, as the proposed condition is entirely consistent with what FMC services are and how they are intended to operate.

139. ComReg would further note that it does not consider that the proposed condition would restrict or prevent future competition, in terms of the development or introduction of new services. FMC services, as their name indicates, are intended to create greater convergence between fixed and mobile networks. This includes that a caller cannot be charged more for calling an FMC geographic number than for calling a traditional fixed-line geographic number. If callers could be charged more then numbers on FMC handsets could no longer be classed as geographic numbers. They would instead have to be classed as some other, perhaps new, class of non-geographic number.
140. Therefore, ComReg does not consider that the proposed condition would restrict future development of any new services which may be a variation on existing FMC services. Undertakings are free to develop and to propose new service offerings involving geographic numbers, subject to the proviso that all calls made to geographic numbers must be charged at a fixed tariff, irrespective of where the call is made from.

Step 5: Assess the impacts and choose the best option

In light of the above, ComReg is of the preliminary view that Option 1 far outweighs Option 2. ComReg considers that Option 1 would be a justified, non-discriminatory, proportionate and transparent regulatory measure which would not have any significant negative impact on providers of FMC services while it would give added assurance and protection to end-users of FMC services.

RIA 3 - permitted quantity of geographic numbers

Step 1: Identify the policy issue and objectives

141. As set out in section 2.2, electronic communications services are currently being provided which allow multiple numbers to be used on the same line or channel. Such services could significantly increase demand for numbers, especially in more popular ranges such as “01” Geographic Numbers. ComReg is conscious of its overarching statutory remit to ensure the efficient management and use of numbers, always has regard to the fact that number ranges are finite and therefore must be conserved to the greatest extent possible, in order to minimise or prevent future number changes which are generally costly and disruptive, both to end-users and to operators, and so are to be avoided where possible. Avoiding unnecessary number changes is thus the central objective in setting out the proposed condition herein, which is a small variation to the existing condition:

“Geographic number allocations shall not exceed a maximum of two numbers per registered user (in the case of consumers) or per business line”

142. The current Numbering Conventions specify that no more than two geographic numbers may be assigned “*per registered user (in the case of consumers) or per business line*”. This condition represents a compromise between supporting innovation and safeguarding a finite resource. ComReg considers that up until now, this condition has broadly met the requirement to conserve numbers, but that it is becoming less suitable in light of industry developments. In this regard, ComReg is unaware that any operators allow registration of multiple users with different geographic numbers on a single residential/consumer account. In addition, associating numbers with lines for business customers seem inappropriate in light of VoIP services and other market developments.
143. A 2013 consultants’ report, commissioned by ComReg and published alongside Consultation 13/121, recommended that ComReg amend the current condition so that it would mandate an upper limit of two geographic numbers per household or per employee. Responses to that consultation indicated broad agreement with such a condition though some respondents expressed concern that it could cause certain difficulties and expressed a preference that such limits be set out as guidelines rather than as an actual condition.
144. ComReg sees merit in the consultants’ recommendation but believes that the proposed quantification measures would be almost impossible to enforce as each operator is only concerned with its own services and ComReg is not in a position to determine if multiple operators exist nor can ComReg aggregate and control quantities of numbers assigned in individual locations. However, ComReg considers that a variation on the recommended condition would be more practical, as follows:

“A holder may assign a maximum of two Geographic Numbers to a residential customer.”

and

“A holder may assign a maximum of two Geographic Numbers per employee to a business customer.”

Step 2: Identify and describe the regulatory options

145. ComReg considers that two regulatory options are available to it:

Option 1: impose the two conditions set out at paragraph 144.

Option 2: do not impose the two conditions set out at paragraph 144.

Step 3: Determine the impacts on stakeholders

146. ComReg favours Option 1 and considers that the impact of the proposed condition on stakeholders, and in particular on holders of rights of use for geographic numbers, should be minimal as the proposed condition represents a small slight variation to an existing condition, on which ComReg previously consulted. ComReg has also had regard to the general broad support from respondents for the proposals in the 2013 consultant's report and the widely appreciated need to conserve geographic numbers in order to minimise or prevent future number changes which are to be avoided where possible.
147. In the case of business customers, ComReg considers that amending the existing condition so that it would refer to two numbers per employee, rather than two customers per line, is a technology neutral and pragmatic approach and it also more likely to be aligned with current industry practice.
148. Hence the impact on industry stakeholders and on end-users is considered to be minimal. However, ComReg does appreciate that operators may need time to factor the proposed new condition into their operations and ComReg therefore proposes that there would be a 6-month lead time for this condition, before it would take effect.

Step 4: Determine the impacts on competition

149. ComReg considers that the impact on competition resulting from the proposed conditions are negligible as the condition is essentially a small variation to an existing condition and is also more likely to be aligned with current industry practice, nor does ComReg envisage that the proposed condition would hinder or distort current competition or the development of any new products or services.

Step 5: Assess the impacts and choose the best option

Having regard to the points set out above, ComReg considers that the proposed condition set out in Option 1 is a slight amendment of, and improvement on, an existing condition and that it should not have any negative impact on any stakeholders or on competition and that it should promote the central objective, shared by ComReg and stakeholders alike, of conserving geographic numbers to the greatest extent possible in order to avoid unnecessary future number changes.

5 Next Steps

150. ComReg invites and welcomes the views of all interested parties and will consider all information submitted to it on foot of this consultation. Upon completion of this consultation, which will include a review of all responses received and publication of ComReg's response to this consultation, the Conditions of Use and Application Process document will be published.

Submitting comments

151. The period for submitting responses to this consultation will run until 5pm on 24 July 2015.

152. ComReg requests that all responses reference the relevant question numbers and/or paragraph numbers from this document. ComReg also requests that respondents set out the rationale for their submitted views, to include any supporting information.

153. ComReg will publish all responses to this consultation in due course in accordance with its policy. Respondents are therefore asked to provide confidential and non-confidential versions of any document in respect of which any confidentiality is claimed (e.g. commercially sensitive information). In this respect, please see ComReg's *Consultation Procedures* (ComReg 11/34) and *Guidelines on the Treatment of Confidential Information* (ComReg 05/24).

154. ComReg requests that electronic responses to this consultation be submitted in an unprotected format in order that they can be appended into ComReg's submissions document for electronic publication.

155. All responses to this consultation should be clearly marked:- "Reference: Consultation 15/60 - Review of the Numbering Conditions of Use and Application Process", and sent by post, facsimile or e-mail to arrive on or before 5pm, on 24 July 2015, to:

Mr. Brendan O'Brien
Freepost
Commission for Communications Regulation
Block DEF,
Abbey Court,
Abbey Street,
Dublin 1,
Ireland.
Ph: +353-1-804 9605
Fax: +353-1-804 9680
Email: marketframeworkconsult@comreg.ie

Appendix: 1 Questions

Section	Page
Q. 1 Do you agree that numbering conditions imposed on undertakings should be divided between (1) conditions attaching to the General Authorisation pursuant to regulation 8 and Part A of the Schedule to the Authorisation Regulations, and (2) conditions attaching to rights of use for classes or description of numbers granted by ComReg to individual undertakings, pursuant to Regulations 13 & 14 and Part C of the Schedule to the Authorisation Regulations? Please explain the basis for your response in full and provide any supporting information.	12
Q. 2 Do you agree with ComReg’s proposals as to which numbering conditions should be “GA Conditions” and which should be “RoU Conditions”, as indicated in the draft Numbering Conditions document? Are there any changes which you consider should be made and if so, why? Please explain the basis for your response in full and provide any supporting information.	12
Q. 3 Do you agree with ComReg’s proposed amendment to the existing condition relating to provision of Geographic Numbers to end-users? Please explain the basis for your response in full and provide any supporting information.....	14
Q. 4 Do you agree with ComReg’s proposed amendment to the condition on the number of Geographic Numbers that an undertaking may assign to a residential or business customer account? If so, what lead time should apply? Please explain the basis for your response in full and provide any supporting information.....	17
Q. 5 Do you agree with ComReg’s proposed new conditions for fixed-mobile convergence services and its proposed clarification of the existing conditions? Please explain the basis for your response in full and provide any supporting information.	20
Q. 6 Do you agree with the proposed expansion of the condition for Calling Line Identification usage? Please explain the basis for your response in full and provide any supporting information.....	21
Q. 7 Do you agree with ComReg’s proposal that an exceptions process for individual CLIs is no longer appropriate? Please explain the basis for your response in full and provide any supporting information.	22
Q. 8 Should further consideration be given to permitting the presentation of CLI for certain classes of non-geographic numbers? If so, which classes of numbers should be considered and why? Please explain the basis for your response in full and provide any supporting information, including the implications for ECAS, billing and other considerations.....	22
Q. 9 Do you agree with the proposed clarification of the eligibility criteria for Mobile Numbers and MNCs and the commitment to a further consultation on this	

topic? Please explain the basis for your response in full and provide any supporting information.....	24
Q. 10Do you agree with ComReg’s proposed amended condition on revenue sharing? Please explain the basis for your response in full and provide any supporting information.....	25
Q. 11Do you agree with ComReg’s proposed clarification on the condition of use for message transaction for Messaging and Payment Short Codes? Please explain the basis for your response in full and provide any supporting information.	27
Q. 12Do you support the introduction of a new 5XXXX short code range and a new 15XX number range designated for use only for charitable donations? Please provide reasons for your views.	28
Q. 13Do you agree with ComReg’s proposal to remove Data Network Identification Codes (DNICs) from the Numbering conditions? Please explain the basis for your response in full and provide any supporting information.....	28
Q. 14Do you support the introduction of an electronic process for the granting of rights of use for numbers? Please provide reasons for your views.	29
Q. 15Do you support the proposed two week requirement for both notifying operators of numbers activated and the activating of numbers on networks or associated facilities? Please provide reasons for your views.....	30
Q. 16Do you have any views on the practical implications of transferring rights to use numbers, rather than the previous concept of sub-allocation? Please explain the basis of your response in full and provide any supporting information.....	31
Q. 17Do you support the proposed new condition for allowing holders transferring numbers to recover the administrative cost of the transfer? Please provide reasons for your views.	31
Q. 18Do you have any views on any issues not discussed in this document and/or on issues which you feel are appropriate to the draft Numbering Conditions? Please explain the basis of your response in full and provide any supporting information.	32