



## Information Notice

### **Pan-European Access to Irish Non-geographic Numbers**

#### **The feasibility of opening access**

<b>Document No:</b>	<b>11/68</b>
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## 1 Introduction

Article 28 of the Universal Services Directive<sup>1</sup> (USD) requires that end-users throughout the EU shall be able to access non-geographic numbers in Member States' national numbering plans, *where technically and economically feasible*. This requirement has been implemented in Ireland as Regulation 23 of the Universal Service Regulations<sup>2</sup>. The precise text of these two legal measures can be found in Appendix A.

Most Irish non-geographic numbers commence with the digit '1'<sup>3</sup>, which is also the area code for Dublin. Therefore the potential exists for a dialling clash in the case of many Irish non-geographic numbers, should these be dialled from abroad. For example, consider a Dublin telephone number (01 - 890 1231) and a non-geographic 1890 shared cost number. When dialled from abroad, the non-geographic number could be indistinguishable from a Dublin number until the last two digits, resulting in a number clash, as illustrated here:

	<b>Example</b>
<b>Dublin number, dialled within Ireland</b>	01.890 1231 (or 890 1231)
<b>Non-geographic number, dialled within Ireland</b>	1890 123123
<b>Dublin number, dialled from abroad</b>	<b>+353.1.890 1231</b>
<b>Non-geographic number, dialled from abroad</b>	<b>+353.1890 123123</b>

In practice, entire non-geographic ranges commencing with digit '1', are often restricted by the international gateways in order to avoid such a clash from occurring, and they are often restricted by originating operators in order to avoid billing problems. The choice of digit "1" for Irish non-geographic numbers was a historical one, made in the days before telecommunications liberalisation and when the need for international access to these number ranges was not foreseen. Notwithstanding its origins, the choice of digit "1" for Irish non-geographic numbers has not created any particular problems; indeed no demand for external access to these numbers has been seen.

Callers seeking cross-border access to services provided nationally, on non-geographic numbers, can usually avail of alternative routings, such as Irish geographic numbers, Universal Access Numbers (i.e. 0818 numbers), or international numbers (e.g. Universal International Freephone +800 numbers). Equally, Irish service providers are able to use those ranges as alternatives to the national ranges, in order to ensure their services are available to overseas clients.

<sup>1</sup> Directive 2002/22/EC, as amended

<sup>2</sup> S.I. No. 337 of 2011

<sup>3</sup> For the remainder of this notice the simple term "non-geographic numbers" will be used as shorthand for such numbers commencing with lead digit "1", even though some non-geographic numbers with other lead digits also exist. The latter (Universal access numbers (0818) and VoIP numbers (076)) are already internationally accessible and are therefore not of consequence for the purposes of this notice.

In response to past European Commission questionnaires, ComReg has explained that Ireland has difficulties with fully implementing the open access foreseen by Article 28 and ComReg has provided the explanation for this. In respecting the Commission's objectives with regard to Article 28, ComReg has commissioned a cost-benefit analysis on the economic feasibility of opening access to Irish non-geographic numbers commencing with the digit "1".

The report by Europe Economics is published with this Information Notice<sup>4</sup>. It describes six different approaches to how a numbering clash might be averted, while opening the number ranges at risk, and describes the implications of each approach. Some approaches are more feasible than others but all carry prohibitive cost and, where an initial analysis shows an approach to have merit, it has been necessary to weigh the cost of that approach against the potential benefits of opening the numbers. This task was essential in order to ensure a fair assessment as to the economic feasibility of each approach, having regard to the provisions of Article 28 of the USD. The report also highlights other commercial and policy barriers that exist at international level for certain non-geographic ranges, but particularly those used for providing premium rate services.

ComReg welcomes the views of interested parties regarding this matter.

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<sup>4</sup> ComReg Document 11/68a

## 2 The options for Addressing Article 28(1)

Europe Economics considered the available options and arrived at the following initial list. Following preliminary analysis, Europe Economics concluded that only options 1, 2 and 4 can be considered viable, for reasons set out in its report.

- **Option 1:** *Change Dublin telephone numbers. An additional digit would be inserted before all subscriber numbers in Dublin and thus no clash would arise with non-geographic numbers when dialled from abroad.*
- **Option 2:** *Change non-geographic numbers. All non-geographic numbers with lead digit '1' would be given a new lead digit that would not clash with any national number when dialled from abroad.*
- **Option 3:** *Hybrid number change. For each range of non-geographic numbers that clash with Dublin numbers either the non-geographic numbers, or the Dublin numbers, would be changed, depending on the scale of the impact.*
- **Option 4:** *Require full number analysis by international gateway exchanges. This would not involve a number change, and instead would require Irish international gateway exchanges to analyse incoming calls to a sufficient degree to avoid a dialling clash between geographic and non-geographic calls.*
- **Option 5:** *'Close' the Irish dialling plan. The Irish dialling plan would move from an open to a closed plan. This would require a '0' to be inserted after the international dialling code on all geographic numbers in Ireland, thus removing the clash between Dublin and non-geographic numbers when dialled from abroad.*
- **Option 6:** *Issue additional internationally accessible non-geographic numbers. Non-geographic numbers that were accessible from cross borders would be issued to businesses that perceived sufficient cross-border demand for their services. The current inaccessible numbers would remain.*

Option 4, upon detailed consideration, was also deemed to not be viable, leaving just options 1 and 2. The costs and benefits of those two remaining options have been fully modelled and compared in the Europe Economics report.

### 3 Conclusions

Europe Economics has comprehensively analysed the costs and benefits of a range of options for opening pan-European access to Irish non-geographic numbers that are currently not generally accessible from outside Ireland. Europe Economics concluded that the benefits of each of the six options were outweighed by the costs to such extent as to render the option economically unfeasible. Therefore, pursuant to the caveat “*where technically and economically feasible*” in Article 28(1) of the USD (Regulation 23(1) of the Universal Service Regulation), ComReg considers that no further steps should be undertaken to make more ranges of Irish non-geographic numbers accessible from outside Ireland. This shall not disadvantage Irish businesses wishing to attract cross-border customers as suitable alternative number ranges, which are internationally accessible, already exist (e.g. such as 0818). Bearing in mind Europe Economics’ recommendations, ComReg considers it important that businesses be made more aware of these options. As an initial step, ComReg encourages operators to explicitly incorporate the issue of international access into their marketing and sales processes and literature, for services that are provided using non-geographic numbers.

It should be noted that only Article 28(1)(a) of the USD (and the corresponding Irish Regulation) presents a difficulty in the above respect, as it concentrates solely on the numbers themselves (See Annex). Article 28(1)(b) (and its corresponding Irish Regulation) on the other hand refers to access to **services** using non-geographic numbers and clearly it is the services that are of interest to users rather than the numbers. In general, holders of Irish non-geographic numbers who wish to make their services available to overseas contacts can do so by publishing a geographic or Universal Access number (i.e. a 0818 number) alongside their non-geographic number or by using one of the ITU-T’s Universal International Premium Rate Service, Freephone or Shared Cost numbers.

Finally, it should be noted that merely making non-geographic numbers available internationally would not resolve the billing, accounting and other difficulties that arise<sup>5</sup> in actually bringing those numbers into use. There are currently no international settlements arrangements in place that can cope adequately with the complexities of typical non-geographic numbers supporting premium rate services, shared cost services and freephone services. These typically involve reverse payment flows (i.e. from called to caller parties) and/or they involve retail charge levels that vary significantly from standard (e.g. geographic) calls.

In practice, where such calls are even possible<sup>6</sup>, international settlements are typically based on treating the calls as standard calls. This could provide potential for arbitrage and the risk of significant losses, but is tolerated due to the (normally) very low number of such cross-border calls. It is indeed probable that the absence of such an international settlements regime is a main reason the ETNS<sup>7</sup> has remained unused and why the ITU’s

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<sup>5</sup> See Section A1.23 of the Europe Economics report.

<sup>6</sup> Many operators or countries simply block calls to foreign non-geographic numbers, presumably to protect themselves or their consumers from the risks involved.

International Premium Rate, Shared Cost and Freephone services have had such a limited take-up.

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<sup>7</sup> The European Telecommunications Telephony Space was foreseen as a pan-European telephony space, based on the regional code 388-3 that has since been recovered by ITU-T.

## 4 Comments

ComReg welcomes written comments from all interested parties to this document and/or to the Europe Economics report.

In particular, ComReg would welcome views on whether you agree with Europe Economics' conclusions that opening access to the remaining Irish non-geographic numbers is not economically feasible.

ComReg will publish all respondents' submissions, subject to ComReg's guidelines on the treatment of confidential information (ComReg document 05/24). We request that electronic submissions be submitted in an-unprotected format so that they can be appended into an overall ComReg submissions document for publishing electronically.

All responses to this Info should be clearly marked:-

“Reference: Submission re ComReg 11/68” as indicated above, and sent by post, facsimile or e-mail to arrive on or before 17:00, Friday, 28 October 2011, to:

**Mr. Freddie McBride**  
**Commission for Communications Regulation**  
**Irish Life Centre**  
**Abbey Street**  
**Freepost**  
**Dublin 1**  
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## Appendix A: Article 28 of the Universal Service Directive and Regulation 23 of the Universal Service Regulations

### **Article 28 of the Universal Service Directive states as follows:**

#### *Access to numbers and services* [emphasis added]

1. Member States shall ensure that, where technically and economically feasible, and except where a called subscriber has chosen for commercial reasons to limit access by calling parties located in specific geographical areas, relevant national authorities take all necessary steps to ensure that end-users are able to:
  - (a) access and use **services** using non-geographic numbers within the Community; and
  - (b) access **all numbers** provided in the Community, regardless of the technology and devices used by the operator, including those in the national numbering plans of Member States, those from the ETNS and Universal International Freephone Numbers (UIFN).
2. Member States shall ensure that the relevant authorities are able to require undertakings providing public communications networks and/or publicly available electronic communications services to block, on a case-by-case basis, access to numbers or services where this is justified by reasons of fraud or misuse and to require that in such cases providers of electronic communications services withhold relevant interconnection or other service revenues.

### **Regulation 23 of the Universal Service Regulations states as follows:**

#### *Access to numbers and services* [emphasis added]

- (1) The Regulator may, where technically and economically feasible and except where a called subscriber has chosen for commercial reasons to limit access by calling parties located in specific geographical areas, specify requirements for compliance by an undertaking operating a public telephone network or providing publicly available telephone services for the purpose of ensuring that end-users are able to—
  - (a) access and use **services** using non-geographic numbers within the European Union, and
  - (b) access **all numbers** provided in the European Union, regardless of the technology and devices used by the operator, including those in the national numbering plans of Member States, those from the European Telephony Numbering Space (ETNS) and Universal International Freephone Numbers (UIFN).
- (2) The Regulator may require undertakings providing public communications networks or publicly available electronic communications services to block, on a case by case basis, access to numbers or services where this is justified by reason of fraud or misuse and to require undertakings to withhold relevant interconnection or other service revenues.