



Commission for  
**Communications Regulation**

# **Numbering Conditions of Use and Application Process**

Submissions received from respondents

## **Submissions to Consultation**

**Reference:** ComReg 15/137s

**Date:** 22/12/2015

**An Coimisiún um Rialáil Cumarsáide**

**Commission for Communications Regulation**

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## Submissions Received from Respondents

Document No:	15/137s
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Consultation:	15/60
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# **1: Alternative Operators in the Communications Market**

# alto

alternative operators in the communications market

**Consultation: Numbering Conditions of Use and Application  
Process - Ref: 15/60**

**Submission By ALTO**

**Date: August 14<sup>th</sup> 2015**

ALTO is pleased to respond to the Consultation: Numbering Conditions of Use and Application Process - Ref: 15/60.

ALTO welcomes this opportunity to comment on this timely and important consultation.

As you are aware, ALTO is the leading representative group representing the interests of 9 of the alternative telecommunications companies' interests within the State. Those alternative telecommunications companies operate in the business, consumer and international carrier sectors and have done so successfully for quite some time now both locally in Ireland as well as outside the State.

ALTO generally welcomes the important reforms proposed by ComReg in this Consultation. However some of these reforms are significantly beyond the scope that ComReg set out in the Consultation - *"... 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"*. Some of the proposals made by ComReg appear to fall short of what would ordinarily be expected from regulators and State agencies tasked with supervision of numbering in other EU Member States. Other proposals will introduce unintended regulatory consequences. For example, introducing an upper limit of two Geographic Numbers per employee only, will significantly hamper the ability of undertakings to provide a workable and sustainable telephony service to large business customers who are reliant on telephony services to grow their businesses. As a result this could harm the economy as a whole. Further, for those companies who operate on a Pan-European basis, changes at State level can unduly complicate the provision of pan-European services and may in fact hinder the development of the EU Single Market, a consideration that cannot be ignored by ComReg.

## **Preliminary Remarks**

ALTO commends ComReg on its worthy work in the area of providing greater and more efficient access to numbering in Ireland. The current regime operating in Ireland has been deficient for a number of years, leading operators to apply rules within the numbering conventions to fit the Interconnection regime (such as it is) on an ad-hoc basis. Such application has led to confusion at both an inter-carrier and consumer level. Operators and consumers were often confused as to the real cost and impact of routing, receiving or making a certain type of call by reference to the National Numbering Conventions. A review of numbering was last undertaken by ComReg in 2009 and as a result, the current regime operating in Ireland is lagging behind and in some parts is deficient, leading operators and resellers to apply rules within the numbering conventions to fit the Interconnection regime (such as it is) on an ad-hoc basis. The growth of the re-seller and Over The Top (OTT) business also further complicates the market. Such application has led to confusion at both an inter-carrier and consumer level.

Operators and consumers were often confused as to the real cost and impact of routing, receiving or making a certain types of calls by reference to the National Numbering Conventions, as they were.

ALTO believes that numbering is as relevant to the communications sector as it ever was. In fact, numbering now plays a particular role in the converging worlds of Plain Old Telephony Services – POTS, Internet, or Next Generation Access – NGA, services and the Internet of Things – IoT.

ALTO recalls a time in Ireland where the natural resource that is numbering, came under pressure from the intense and uncontrolled housing boom and its resultant demand for telephone numbers. Hindsight has shown that the housing boom blighted and restrained the economy and investment in the past 6 – 10 years. At a certain point in time and as was discussed at the Numbering Allocation Panel –

NAP, meetings in ComReg, there was real risk that the Irish numbering spectrum could have been deemed to be inadequate when analysed against the demand for fixed line telephony in the State.

ALTO acknowledges ComReg's aspiration to tighten and regulate access to numbering through its proposed use of the Authorisation Directive and the State national legislative scheme. ALTO notes that such regulation may create issues for the transnational or the wider EU market that may have unknown consequences at the time of drafting this response.

ALTO submits that ComReg should always endeavour to focus its attentions on both the numbers themselves (type, rate and routing) as well as focussing on how the consumer and industry intend to utilise those numbers, in a correct and proper manner. However, this consultation appears focused on perceived "housekeeping" related changes relating to number utilisation (with numbering type, rate and routing being matters appearing to being excluded at this point at least). The reality is that the proposals in parts, as already indicated, go significantly beyond this. ALTO is aware that ComReg is seeking to look at pricing of some of the areas of numbering as part of subsequent consultations i.e., Non-Geographic numbers. ALTO strongly recommends that ComReg seek to review this key strategic area in as holistic manner as possible in order to ensure that moving forward there is no fragmented approach in numbering policy; this must be avoided if at all possible.

ALTO notes that ComReg appears to have omitted aspects of required Data Protection controls and requirements from this particular consultation. Perhaps it is ComReg implied intention to include the various aspects of Data Protection controls within a later consultation within the schedule of ComReg consultations.

As matters currently stand, ALTO believes that the current regime does not adequately address the presentation, routing and billing requirements for new



entrants and current operators within the conventions, nor does it address technological or commercial opportunities that business customers are actively seeking. The opportunity to resolve these issues now, should be taken. It is no longer adequate to simply deflect a request for detailed information to an industry technical manual, perhaps predicated on a historical national interconnection regime. This is owing to changes in the communications landscape in recent times.

Finally, in this consultation, ComReg alludes to further consultations arising although, for example, transferring rights of use, numbers and short codes for charities. It is essential that ComReg adopt an efficient approach to this reform, setting out its clear intentions and timetable in order to ensure that the industry and consumers and businesses alike are fully engaged in this.

In the next section, ALTO highlights some issues it has with ComReg's proposals as set out in the consultation paper.

#### **Response to Consultation Questions:**

**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.**

A. 1. ALTO agrees that there is room for improvement in the way conditions can be imposed on undertakings and therefore welcomes ComReg's intentions to reform the current regime. ComReg's proposal however will introduce inefficiencies and inequality, as there is the risk that certain conditions imposed on specific operators

will in fact be applied to all operators.

ALTO members believe that it may be better to standardise the day-to-day use of numbering under the General Authorisation scheme, as this should clarify and simplify as well as make the process transparent to all. In the event that there are special traits for certain number types, such as Non-Geographic numbers, then ComReg should publish clear rules from the outset as to how these numbers are to be used and as a result there will be no concessions to any party. i.e., the Rights of Usage – RoU, scheme should be replaced by very transparent rules of usage.

Such rules have been notably absent in Ireland since market liberalisation in the mid 1990s.

ALTO believe that there is a flaw in ComReg's current proposal, as a party does not have to be authorised to be allocated or use numbers in Ireland – hence regulating from the perspective of a General Authorisation is not effective and potentially discriminatory. It is critical that all operators whether providers with end-users as well as those who resell the services of others, including OTT service providers are equally affected by the numbering provisions to ensure the integrity of the numbering regime. Resellers should also be responsible for number allocation, CLI transparency and any other numbering regime affecting non-network related operators. It is ALTO's strong preference to move to a model where no discrimination arises. See also answer 12.

ALTO submits that it is also essential that ComReg clearly set out how the role of resellers is to be affected by the Numbering Regime to ensure a fair and transparent process for all.

**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.**

A. 2. ALTO considers that the use of all numbers should be published and specified in publicly available documents and fully transparent.

**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.**

A. 3. ComReg’s intentions are to remove ambiguity relating to the assignment of any Geographic Number only to an end-user whose primary business premises or residential premises is located within the designated Minimum Numbering Area – MNA.

ALTO very much supports the need for correct application of the numbering regime and does not support abuse. However, this proposal will have a negative financial impact on the economy for those business customers for example, call centres, who genuinely want to offer a geographic numbers for non-geographic destinations in order for them to be able to present a local number to Irish customers at local cost. There is no consumer harm arising under such a scenario. ALTO recognises ComReg’s concern about Over The Top - OTT service providers. Accordingly, one valid way to address this is for ComReg to introduce a new number range for this designated purpose with very clear rules on its application and well-defined enforcement action for its abuse with appropriate financial penalty. Moving to such an approach would mean that ComReg satisfies a commercial need through a modern set of regulations in a clear and transparent manner.

Further, ALTO submits that ComReg's proposals to amend the existing numbering conventions appears to re-enforce the MNA, which is at a level within the numbering structure that is perhaps not necessary given the requirements of existing and more modernised ITU-T recommendations. ComReg's concerns relating to the use of numbers by Over The Top – OTT, service providers, and in ensuring availability of telephone numbers for the future need to be taken in the context of the Minimum Numbering Areas, existing in one geographic area. ALTO submits that maintaining the MNA's will not be sustainable and that flexibility in the use of telephone numbers in geographic areas, as denoted by a Network Destination Code (as defined by ITU T Recommendation E.164), is perhaps a better approach. i.e., the geographic area could still be maintained but at a higher level. Defining a geographic area at a higher level would allow greater flexibility in the efficient use of numbers. For example, if numbers were scarce in one district of a defined geographic numbering area, then numbers could be used from another district in the same numbering area.

ALTO submits that ComReg must now review the Numbering Conditions from a more pragmatic perspective. ComReg must give adequate consideration to be charging at tandem, double tandem and local level versus that Numbering Conditions as proposed and later settled. This will remove any potential for ambiguity over and above ComReg's useful MNA extension proposal that should not be viewed as a panacea in isolation from current and historic issues experienced in the market.

Additionally it remains unclear whether having a wider geographic area would practically support improved Number Portability between operators including OTT service providers. Separately, ALTO notes and is engaged in the industry efforts to resolve both numbering repositories and porting databases in Ireland, with a view to concluding with more efficient services for the future of the market.

**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.**

A. 4. ALTO does not agree with ComReg's proposed amendment to the condition on the number of Geographic Numbers so that there will be an upper limit of two Geographic Numbers per household or per employee only.

ALTO understands the need for ComReg to have an efficient numbering regime, however the approach proposed is draconian and in reality is likely to result in an inefficient use of the number resourcing.

There are several reasons why ALTO disagrees with this at a fundamental level including:

- a) For business customers specifically, this proposal is limiting because:
  - numbering is normally allocated in blocks of 100. Business customers in particular, want to have the exclusive use of the number block. Therefore introducing this artificial limit of 60 lines per employee (i.e., 1 x 30 per ISDN x 2) will result in the remaining 40 lines being redundant or unattractive to other businesses, ultimately resulting in further number applications being required.
  - they build an internal numbering plan assigning blocks of ten or hundred numbers to each department; this proposal will therefore introduce an unnecessary administration burden on business customers too
  - In the event that ComReg seek to set up an upper limit, exceptions

should be allowed for special applications due to the volume of numbers they require (e.g. call centres)

- b) from a procedural perspective, operators will have to put in place unwanted processes to manage having multiple customers in the same number block; thereby resulting in unnecessary administrative burdens, for example, fault resolution will be more complex to deal with as a result of multiple customers being affected in the same number block. Another example is that of provisioning. Currently an operator will require one line of code when introducing a number block, whereas under ComReg's proposal there would be six lines of code required.
- c) this artificial limit will hamper small operators and new start-ups due to the administrative burdens that will arise; a contravention of the digital agenda whose priority is to encourage growth.
- d) the proposal will not future proof the potential exhaustion of the numbering spectrum. Any such limitation would inhibit growth and investment, and therefore cannot form a logical step in the development of the numbering spectrum in Ireland. This limitation would appear to be incongruous with studies to the extent that fixed lines penetration is as great as it was in the past.

It is unclear, how ComReg would police this process (it simply cannot be the case that the end-user polices this process). It is therefore essential that ComReg give sufficient thought to this and for a compliance process to be published in order to ensure a transparent and fair approach will be adopted.

**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.**

A. 5. ALTO notes that the proposal appears to only have unidirectional [and restrictive] effect and in addition has the effect of allowing calls to geographic numbers to terminate outside of the MNA (when terminated over mobile or VoIP) provided the termination rate (and the operators assumes any transit fee) is charged as if it were within the MNA. The unidirectional assumptions in ComReg's paper and the rigidity of MNA rules are both matters that require further clarification from ComReg. Currently many of the services ALTO members operate within the current numbering conventions are highly inefficient and costly, given the transit pricing and routing rules that are currently in place.

ALTO submits that as the industry will have access to a central numbering database, it will be possible to enable the hosting of mobile numbering on fixed networks.

ALTO submits that certain converged and OTT services may require greater flexibility both from a CLI and routing perspective when dealing with the ECAS. This has been an issue for some years, particularly in the area of VoIP and SIP services that may be utilising fixed or mobile CLI. ALTO agrees with the logic and the basis of ComReg's thinking, however we do not agree that ComReg should simply set restrictive Conditions in the absence of a review of what currently occurs with regard to the presentation of call types and their notified origination points to ECAS.

**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.**

A. 6. ALTO considers that the revised recommendations on CLI are incomplete, and do not take account of the nuances of the uses of CLI that are currently being

discussed, for example at the ITU. References to “*applicable ITU-T and ETSI standards*” are insufficient; in what way are these Recommendations to be applied to the deployment of CLI within Ireland?

There are a number of issues associated with the proposed new wording:

- a) There is no recognition or reference to Data Protection or Data privacy, either on inbound or outbound calls.
- b) For example, in clause (b) what format should the CLI take – national or International?
- c) In e) of the proposed text, the reference to the undertaking originating a call is not clear – is the undertaking the same as the service provider? And if yes, how does such provision compare with end user’s rights of data protection and data privacy in being able to invoke restrictions?
- d) There is no consideration for the provision of CLI from services using new technologies.

The current proposed amendment does not take account of the:

- a) Current discussions in the ITU, where CLI is being used as means of determining charges for international inbound countries. A potential consequence of current discussions will be to increase costs to stakeholders in countries originating calls. The ComReg consultation needs to further consider this aspect of the use of CLI on outbound International calls.
- b) Requirements of business customers, who should be allowed to present a CLI different from their network CLI (linked to the physical access) to allow the following applications:
  - Least cost routing
  - Disaster recovery



- “One number”: calling mobile presents fixed number for call back
- Separation of complaint take in and support: supporting service presents number of complaint take in for further complaints

In all of the above cases, the business customer must provide proof of ownership of these numbers.

On the basis that any changes in the CLI could have significant impact on ALTO members, ComReg should re-consider these proposals and re-consult the industry.

**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.**

A. 7. ALTO agrees that the exception process is unnecessary on an individual CLI basis and agrees that this should be expressly prohibited relating to high cost numbers.

In certain circumstances non-geographic numbers (such as 1800 XXX) can be used as a “presentation number” (See Answer 8 below), this then ensures that there is no consumer harm. For example the use of Freephone will not result in a charge for the consumer/end-user.

The rules governing the numbers used for CLI should be determined by the impact that such numbers would have on the called party. In our view ComReg should publish clear rules for the use of non-geographic numbers with no exception process on the basis of fair competition.

**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.**

A. 8. As stated in A.7 above, ALTO believes that the use of certain non-geographic numbers as the CLI would be beneficial, for example the use of Freephone numbers

ALTO submits that there is benefit in considering the use of alternative CLI, in the form of a “presentation number”. This would, we believe, go some way to address concerns over ECAS and to allow flexibility and greater choice to consumers. We would agree that premium rate and those ranges that support revenue share should not be used as either CLI or “presentation” numbers.

**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 Review of the topic? Please explain the basis for your response in full and provide any supporting information.**

A. 9. ALTO does not believe that the current proposed text is sufficient to address the issue surrounding the use of MCC and MNC’s. ComReg is right to identify the need for further consultation, and that M2M and IoT may/will have an impact.

ALTO agrees with ComReg that a review is timely regarding others using mobile numbers and vice-versa.

**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.**

A. 10. ALTO notes ComReg’s position on this issue and agrees that revenue share should continue to be applicable for premium rate services. However, we have

divergent views in ALTO on the issue of revenue share, some members strongly support the need for the formalisation and continuation of revenue sharing for 1890 and 1850 ranges providing that the caller has the opportunity to cancel after the pre-call announcement (set up by the service provider) at no cost, other members believe that there should be no revenue share at all on 1850 and 1890 ranges.

It is submitted that adopting a pre-call announcement approach more formally, will rule out any risk of consumer harm if revenue share is to be allowed on 1850 and 1890 ranges.

ALTO notes that certain operators do have arrangements in place that are regulated by contract, where a business customer may have some form of compensation arrangement with a wholesale carrier. In those circumstances, such arrangements should remain within the ambit of bilateral commercial terms and not within the ambit of regulation of the numbering spectrum (strictly on the basis that the rules of charging to a consumer are adhered to).

This area is both contentious and confusing. For quite some time, the Numbering Conventions and the Interconnection settlement regimes have not been synchronised or provided proper clarification to the extent that operators wishing to compete in the share cost and IN services markets, could compete accordingly, with clarity and in formal compliance with the rules, as they were. ComReg should pay special attention to this particular case, given the divergent rules and approaches to carriage of certain numbers, and best practice international standards for dealing with such services.\*

**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.**

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\* ComReg should note that it is unusual that such divergent views exist on number carriage rules in the national network. Either the Regulator sets the parameters, or the market should decide on a contractual basis, while continually seeking to protect consumer interests accordingly.

A. 11. ALTO supports this in principle, but believes that responses in ranges that attract a lower charge should not be excluded.

**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.**

A. 12. ALTO supports this in principle, and would welcome the views of charities that ComReg has consulted as to the value of such ranges.

ALTO has publicly supported the movement towards enabling charitable donations over communications networks.

ALTO notes that ComReg requires that the operators effectively police undertakings that may purport to be charities, and who may seek to operate numbering that to all intents and purposes is a premium service, albeit charitable. In such circumstances, ComReg should clearly set out checking and other criteria for wholesale operators in a transparent manner to avoid problems with other undertakings seeking to use charitable ranges, who may be seeking such ranges for some other undefined or nefarious purpose.

**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.**

A. 13. ALTO does not support removal of DNIC's from the Numbering Conditions. The Data Country Code of the DNIC was assigned to Ireland by the ITU; it remains assigned. ALTO submits that these conditions should say that DNIC's are dormant, or that their resources are no longer being allocated. However, given this

is internationally assigned to Ireland it would be better to retain it in the event that a new international use is developed. ALTO submits that ComReg should be extremely slow to mandate this removal in circumstances where ComReg has clearly acknowledged that the use of these DNICs may cause issues for service providers if they are not specifically referenced within the new Numbering conditions.

**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.**

A. 14. ALTO supports the introduction of an electronic process for the granting of rights of use of number blocks. The development and introduction of such an electronic process must be undertaken in a fully controlled environment and with nominated points of contact within each communications company currently operating numbering in Ireland, or authorised to operate in Ireland in order to ensure a robust design is developed and implemented.

ALTO therefore strongly supports the need for a further detailed consultation as well as an opportunity for the detailed design to be undertaken at an industry forum, such as the NAP.

ComReg should also take account of the developments undertaken in other countries. For example, recently in the UK, Ofcom implemented an electronic process for the granting of rights of use for numbers. There are a number of lessons learnt from this including:

- Operators should be fully involved in the design in order to ensure a robust solution is implemented from the go-live date
- Clear confirmation messages should be presented on the screen to reflect actions taken

- Sufficient portal time outs for users to allow completion of an application for a substantial number volume (this is now 60 minutes)

Any new process should be predicated by an audit of the national numbering spectrum on a per operator and per utilised number basis. It is ALTO's experience that both block allocations and allocated dormant numbering (number allocated to physical line or VoIP provider, but service ceased) serves to provide the regulator with an incomplete picture of the numbering resources available in Ireland.

**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.**

A. 15. In the consultation, ComReg refers to "numbers" when in fact the number assignment regime works on the basis of numbers being allocated on a number block basis to a provider. ALTO therefore seeks confirmation that ComReg's proposals relate to the latter and not the former and to the assignment rather than activation of numbers. It is imperative that there is absolute clarity in order to start this iteration of the numbering regime on a good footing

On the basis that the proposals related to number blocks, ALTO guardedly agrees with notifying others of numbers activated on a number block basis, however, ComReg has not provided any evidence of procedural or market failure in the Consultation paper and has not assessed in any meaningful manner the potentially significant procedural impacts in order to resource this proposed change i.e., administrative burden and more so in the event there are resellers active in the market. These matters should be re-presented to industry for assessment via further consultation and review.

ALTO does not concur with ComReg on the period of two-weeks, as suggested in the consultation paper – this duration is too long. A more appropriate timeframe is

a number of hours. Experience has shown that networks and undertaking can operate in a more efficient manner. The MNP model and timeframe for updating is something that fixed operators should be aspiring to achieve. The much anticipated and now discussed central number database should facilitate such change and an efficient timely update to operator routing plans.

ALTO notes that portability comes into this area and where possible, ComReg should review interconnected party agreements to ensure compliance with current portability regulations and requirements.

**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.**

A. 17. ALTO agrees that an administrative cost base charge would be reasonable at the block level. The levying of such fees should not of themselves provide a barrier for services to customers. On that basis, ALTO is of the view that such a charge should be set as a flat fee, thereby leading to certainty and predictability for customers and operators alike. Further, before such a condition is adopted, ComReg should set a moratorium of a reasonable window, for example, six-months, in order to enable operators a reasonable length of time to amend their systems accordingly.

**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.**

A. 18. Due to the magnitude of some of the proposals outlined in this consultation, ALTO proposes that ComReg re-engages with the industry by way of an initial

meeting to discuss this ALTO response in detail ahead of subsequent industry workshops and further consultations.

ALTO notes that the rather appropriately titled NAP, has not met for quite some time now and given the fresh impetus that this and other forthcoming ComReg consultations now brings to the issues surrounding numbering and the new Numbering Conditions proposed by ComReg,

ALTO submits that ComReg should rejuvenate the NAP, reawakening it on either a frequent or quarterly or twice yearly basis, in order to enable undertaking of voice related issues and provide an active consultative group in which issues surrounding the Numbering Conditions can be raised and addressed.

ALTO members are also of the opinion that the national numbering plan also requires revision by ComReg, and in the circumstances, perhaps this work should be commenced sooner rather than later.

In view of ComReg's appetite to remove ambiguity and therefore ensure that the market is operating effectively within the rules and regulations, ComReg should set out its proposals for enforcement so that the industry has a clear expectation of the action that may be undertaken in the event that non-compliance is identified. The enforcement approach should be a fit for purpose regime with appropriately defined remedies that are clearly laid out in a transparent manner.

**ALTO**

**14<sup>th</sup> August 2015**



## **2: AT&T Global Network Services Ireland Ltd**

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## ***AT&T Comments on ComReg Document 15/60: Review of the Numbering Conditions of Use and Application Process***

**14 August 2015**

AT&T is pleased to provide the following response to ComReg’s *Review of the Numbering Conditions of Use and Application Process* (the “Consultation”), as published on the ComReg website on 26 June 2015. AT&T, given its leadership in working with customers to develop mobile solutions, particularly in the machine-to-machine (M2M) and Internet of Things (IoT) space,<sup>1</sup> welcomes the opportunity to inform policies that will further stimulate the proliferation of diverse mobile solutions and innovation in Ireland.

AT&T welcomes ComReg’s initiative to review the National Numbering Conventions, with a view toward consolidating and clarifying numbering management policies to better align with conditions of the General Authorisation and to accommodate stakeholder requirements. Indeed, policy intended to protect finite resources while enabling competition, protecting consumers and encouraging regulatory and technological innovation requires regular calibration with market dynamics and technological advances. AT&T applauds ComReg for taking this action and, in particular, for proposing to clarify the eligibility criteria for right of use for a mobile number and Mobile Network Code (MNC). We support more flexibility in the assignment of such numbering resources to accommodate the expected growth in mobile services, specifically M2M communications and the IoT.<sup>2</sup> We, therefore, focus our comments on two sections of the Consultation, section 3.5 (Mobile Numbers and Mobile Network Codes) and section 3.13 (Other Issues), where we discuss the concept of extra-territorial use of numbering resources. As described in our responses below, AT&T submits that ComReg, as proposed, should amend the current text of the National Numbering Conventions to clarify, and to therefore make unequivocal, that mobile network virtual operators (MVNOs), in addition to mobile network operators (MNOs), may be granted rights of use for mobile numbers and MNCs. Such an amendment will foster competition and innovation in the Irish mobile market. Furthermore, in order to facilitate new business models for M2M services and the IoT, AT&T asserts that (as more fully explained in our reply to section 3.13 below) ComReg should explicitly allow the extra-territorial use of numbering resources—that is, Ireland should allow the

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<sup>1</sup> AT&T has a proven M2M/IoT success record, with more than 23 million connected devices, almost 2,400 approved devices and industry analyst recognition for solution deployment experience and capability. For example, in Current Analysis’ latest global M2M product report on AT&T, principal analyst Kathryn Weldon again recognizes AT&T as a “leader” in the global M2M services market and writes that AT&T has “excellent traction for its M2M initiatives” and “expertise in key verticals” (Current Analysis, “*AT&T - Global M2M Services and Strategies Product Assessment*,” June 2015). AT&T also collaborates with other U.S. industry leaders such as Cisco, GE, IBM, and Intel. In 2014, AT&T and these foremost M2M/IoT companies announced the Industrial Internet Consortium to help establish standards and accelerate M2M service growth.

<sup>2</sup> AT&T agrees with ComReg’s recognition that the issue of the eligibility for mobile numbering needs to be addressed further. “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” (Consultation at para. 74, page 23).

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use of Irish numbering resources outside of Ireland, as well as allowing the use of foreign numbering resources within Ireland.

**I. Clarifying the eligibility criteria for right of use for a Mobile Number or Mobile Network Codes (Section 3.5 of Consultation)**

AT&T supports ComReg’s proposal to amend the text of the eligibility criteria to clarify that MVNOs are eligible to acquire the right to use mobile numbers and MNCs, by virtue of the fact that MVNOs have access to MNO networks through contractual agreements. AT&T notes that ComReg has granted rights to use MNCs to MVNOs in the past and the proposed change to the eligibility criteria therefore represents a welcome clarification rather than a change in policy. Enabling MVNOs to use their own SIM cards, which contain the mobile number and MNC, means that such providers may operate independently of the underlying network operator and, if necessary, change to another network operator to obtain improved service. This avoids MVNOs being “locked in” to their underlying network operator by the potential need to repopulate multiple databases with new numbers, thereby creating market conditions conducive to competition and more differentiated and innovative product offerings by new entrants.

While welcoming the proposed clarification, AT&T urges ComReg not to insist that an MVNO applicant must produce a final contractual agreement with an MNO in order to be granted the right to use an MNC. AT&T suggests that, prior to conclusion of a contractual agreement, any MNC applicant able to demonstrate evidence of commercial negotiation with an MNO, and therefore a credible intent to offer service, should be eligible to file an application for assignment.<sup>3</sup> This flexibility will facilitate planning and time to market. Moreover, the right to use the MNC could be granted provisionally—e.g., for a period of 1 to 3 years—and permanently thereafter upon demonstration of efficient use of the assigned International Mobile Subscriber Identity (IMSI) block, which includes the MNC. Such an approach would enable ComReg to recover unused numbers.

Finally, ComReg’s proposal to clarify its mobile number and MNC eligibility criteria comes when telecommunications networks are undergoing a profound transformation. Therefore, ComReg’s MNC assignment procedures should be sufficiently flexible to accommodate different business and implementation models—e.g., based on partnerships with Mobile Virtual Network Enablers (MVNEs) and technology evolution—in order to adequately meet market demands. MNC applicants may have distributed network architectures, with network elements located in different countries. Indeed, many telecom operators are now implementing or considering plans for Network Function Virtualisation<sup>4</sup> where current network hardware elements are evolving to virtual, software based functions inside a general purpose computing infrastructure. Additionally, while AT&T understands that an applicant for an MNC will necessarily have to make use of certain network infrastructure elements (in particular a

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<sup>3</sup> This assumes the applicant would also have filed an appropriate notification as a provider of electronic communications networks and/or services under Ireland’s General Authorisation regime.

<sup>4</sup> See [http://www.att.com/Common/about\\_us/pdf/AT&T%20Domain%202.0%20Vision%20White%20Paper.pdf](http://www.att.com/Common/about_us/pdf/AT&T%20Domain%202.0%20Vision%20White%20Paper.pdf)

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Home Location register), an MNC applicant should not be required to own such infrastructure, nor should there be a requirement for such infrastructure elements to be located in Ireland in order to apply for an MNC. It would be helpful if, in addition to stating that an MVNO's eligibility to acquire rights to use an MNC is based on its contractual agreement with an MNO for access to the MNO's mobile networks, ComReg could also explicitly confirm that such eligibility does not depend on ownership, control or location of various network elements.<sup>5</sup>

## II. Extra-territorial Use of Numbering Resources as “Other” Issues (Section 3.13 of Consultation)

ComReg asks for views on any issues not discussed in the document that may be appropriate to the draft Numbering Conditions.<sup>6</sup> AT&T, therefore, would like to present a numbering concept central to M2M communications and the IoT: the extra-territorial use of numbers. AT&T believes that in order to facilitate growth in and development of M2M services and the IoT, and also to dampen unnecessary demand for MNC resources,<sup>7</sup> national numbering plans should explicitly permit the extra-territorial use of numbering resources.<sup>8</sup>

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<sup>5</sup> In August 2015, the Belgian regulator, BIPT, published a summary of conclusions (“BIPT Summary”) to its November 2014 consultation on the revision of the Belgian numbering plan in which it confirmed its proposal to remove the requirement to have a network or network elements as a condition for acquiring rights to use an MNC. Instead, Article 75 of the Belgian Royal Numbering Decree is to be amended so that rights to use MNCs may be assigned “to enterprises who prove that they have entered into negotiation with a mobile network operator and have a realistic intention of operating a service capable of using this numbering capacity in a useful manner” (“aux entreprises qui prouvent qu’elles ont engagé des négociations commerciales avec un opérateur de réseau mobile et ont une intention réaliste d’exploiter un service capable d’utiliser cette capacité de numérotation de manière utile”). In addition, once 70% of the MNCs allocated to Belgium by the ITU have been reserved or assigned, BIPT will adopt additional conservation criteria to avoid exhaustion of MNC reserves. See <http://bipt.be/public/files/fr/21535/Public%20synth%20analy%20consult%20review%20KB%20N%20FR.pdf> (French), section 8 at page 22.

<sup>6</sup> Consultation at para. 111, page 32. AT&T appreciates that ComReg plans to issue a consultation to address eligibility criteria for mobile numbers and MNCs in the context of technological developments including M2M and the IoT. Not knowing whether the intended proceeding will include an opportunity to address the extra-territorial use of national numbering resources, and given its relevance to the national, as well as global, deployment of M2M services and the IoT, we address the issue in our response to the current consultation.

<sup>7</sup> Looking at the future demand for MNCs, ComReg should consider that allowing service providers to utilise foreign IMSIs in an extra-territorial matter within Ireland could reduce the demand for Irish MNCs. Specifically, if extra-territorial use is not allowed, then multiple operators may apply for Irish MNCs that otherwise would have no technical need to do so.

<sup>8</sup> In the August 2015 BIPT Summary, the Belgian regulator confirmed its proposal to permit the extra-territorial use of both E.212 (MNC) and E.164 (mobile) numbers for M2M services. Specifically, BIPT intends that Article 8 of the Belgian Royal Numbering Decree, which prohibits the use of foreign numbers in Belgium, be amended thus: “The use on a permanent basis of Belgian numbers abroad and vice versa of foreign numbering capacity in Belgium is authorised for M2M applications.” (“L’utilisation sur une base permanente de la capacité de numérotation belge à l’étranger et vice versa de la capacité de numérotation étrangère en Belgique est autorisée pour les applications M2M.”) See <http://bipt.be/public/files/fr/21535/Public%20synth%20analy%20consult%20review%20KB%20N%20FR.pdf> (French), section 10 at page 35.

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Fundamental to any analysis relative to M2M communications and the IoT is that the business models supporting this technology are substantially different from those of more traditional mobile communications and that significant benefits arise from the use of a single numbering solution.

AT&T wishes to note that traditional handset business models do not readily accommodate M2M/ IoT device manufacturers, and would force them to:

- Have country-specific SIMs provisioned for each M2M/IoT device to be distributed in each country, thereby requiring manufactures to establish unique platforms with dozens or even hundreds of carriers;
- Manage the entire customer logistics chain with extreme precision on a per-country basis (*i.e.*, forecast demand, distribution, activation, support, repair), negatively impacting efficiency; and
- Have the capability to interface with and navigate a unique platform for each MNO with which it contracts in every country, costing several hundred thousand euros per platform.

To achieve the necessary economies of scale, M2M/IoT device manufacturers often partner with a single MNO to maximise the MNO's commercial agreements for wireless connectivity in all, or nearly all, of the countries where the manufacturer seeks to sell its products. Having one agreement with one MNO eases expansion and provides predictability for the manufacturer. This single platform approach, predicated on the extra-territorial use of numbering resources, substantially reduces barriers to market entry for M2M/IoT device manufacturers, particularly for smaller entrants that would not otherwise have sufficient resources to compete on a global scale. In other words, the new business models enable economic viability by allowing M2M/IoT device manufacturers to “build it once and sell it everywhere.”

There are distinct, well-established commercial models used between mobile operators that provide a practical basis for accommodating and facilitating the extra-territorial use of numbers on a bilateral commercial basis. Foremost among these is the international M2M roaming framework that addresses and makes transparent international roaming used explicitly for M2M services. The roaming framework, currently the most efficient manner of delivering global M2M services, which support the IoT, enables the use of the home carrier's numbers to provide services on a global basis through a single SIM architecture. Under the M2M roaming framework—endorsed through MNOs' adoption of the GSM Association's (GSMA) M2M Roaming Principles—procedures are in place to transparently identify, measure and distinguish M2M roaming traffic from traditional handset or tablet roaming traffic.<sup>9</sup>

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<sup>9</sup> Among other things, the GSMA M2M Roaming Principles ensure transparency in the provision of M2M services by requiring the parties to agree to identify their M2M traffic separately from other traffic and to exclude traditional wireless services (*e.g.*, conventional 2-way dialable PSTN voice). The Principles are confined to GSMA members but were shared earlier this year with the BEREC M2M Project Team in response to a specific request from that Team.

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Critically, allowing the extra-territorial use of national numbering resources does not diminish or restrict the scope of authority and interest of ComReg. National regulators retain oversight mechanisms, and can endorse a flexible numbering policy, while addressing policy interests in other areas.<sup>10</sup> Nor has the International Telecommunications Union (ITU) or the EU set any precedent preventing the use of global numbering resources.

\* \* \*

AT&T commends ComReg for engaging stakeholders to advance the conversation to inform regulatory policy that enables Ireland's numbering resources to be used to the maximum benefit.<sup>11</sup> AT&T would be pleased to answer any questions concerning these comments and looks forward to a further consultation on M2M communications and the IoT.

Respectfully submitted,



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<sup>10</sup> To address any policy issues that could arise from the extra-territorial use of numbers, in its November 2014 numbering consultation, BIPT proposed as a general principle that the regulatory authority of the country where consumption takes place should be responsible for regulating that consumption, save for numbering, where the authority whose numbering plan is being used remains competent. "We could establish the following general rule: the authority of the country where consumption takes place is responsible for regulating consumption, except as regards numbering, where the country whose numbering plan is used is responsible." ("L'on pourrait établir la règle générale suivante: c'est l'autorité du pays où a lieu la consommation qui est compétente pour la réglementation de la consommation, sauf en ce qui concerne la numérotation, pour laquelle c'est le pays du plan de numérotation qui est compétent.") See [http://www.bipt.be/public/files/fr/21394/Consult\\_review\\_KB\\_Numbing\\_FR.pdf](http://www.bipt.be/public/files/fr/21394/Consult_review_KB_Numbing_FR.pdf) (French) at page 25. BIPT has now confirmed its plans to adopt this approach. See BIPT Summary section 10, number 101 at page 33.

<sup>11</sup> AT&T notes that ComReg was at the forefront of M2M numbering issues with its 2013 consultation on M2M, ComReg Documents 13/33 and 13/109, *Numbering for Machine-to-Machine Communications*. See <http://www.comreg.ie/fileupload/publications/ComReg1333.pdf> and <http://www.comreg.ie/fileupload/publications/ComReg13109.pdf>

## **3: BT Communications Ireland Ltd**

## **BT Communications Ireland Limited [“BT”]**

### **Response to ComReg Consultation**

#### **Numbering Conditions of Use and Application Process**

**Issue 1 – 14<sup>th</sup> August 2015**

##### **Introduction**

BT welcomes this opportunity to comment to ComReg’s proposals to update the rules for numbering. It has been some time since the last review and is timely to address a number of issues in the market. We have provided detailed answers to the questions and would also like to make the following key points.

##### **Application of the Rules**

We fully agree with ComReg that the application of regulation to numbering should be both clarified and tightened. However we are concerned that the proposal is flawed as it’s possible to obtain substantial volumes of numbers without being an authorised operator. We notice these parties can and do ignore industry processes – such as for call routing thereby introducing inconsistency into the regime. This situation is unsustainable going forward and in our view the consultation (clause 26) highlights a lack of transparency in the area of Rights of Use which undermines the basis for regulation. ComReg urgently need to bring consistency and clarity to the whole regime.

We support full transparency for numbering and we agree to ComReg’s proposal to replace the practice of requesting CLI concessions with a published and transparent set of rules.

##### **Restricting number allocations to customers**

As detailed in our response to question 4 we have further considered the proposal for restricting the allocations of numbers to customers. We are concerned this creates an impediment to business growth and is also unworkable as the responsibility for numbers allocated ultimately rests with an unregulated party, namely the end user who may purchase services from multiple providers. We note ComReg's concern around the use of E.164 numbers for addressing equipment’s, however we consider this will happen in the IP addressing domain rather than the E.164 numbering domain given the accessibility and low cost of wifi in the premises. We therefore consider that the proposal should not proceed.



### Allocating mobile numbers to fixed networks

We consider ComReg should balance its proposals for using fixed numbers on mobile networks with allowing the opportunity for fixed network operators to host mobile numbers. The central number database solution in Ireland removes many of the porting issues with such a solution and we believe ComReg should explore introducing this. We have applications where we would like to host mobile numbers on our fixed network and we request ComReg explore these options.

### Minimum Number Areas

We consider the minimum number area should be raised to the Subscriber Trunk Dialling (STD) level as this will assist the integration of OTT providers and allow improved re-distribution of numbers within a wider area to avoid costly and disruptive number change programmes. Our only technical issue, for reason of interconnect accounting is that 1k blocks should not be split between exchanges.

## BT Response to the detailed Questions

- 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.
- A. 1 BT agrees with ComReg that it would be better to standardise the use of numbers under the General Authorisation (GA) as this should bring clarity and a simpler process. We support a consistent application of numbers by all and consider if there are special traits for certain number types, such as non-geo numbers then ComReg should publish clear rules from the outset as to how these numbers are to be used and there should be no concessions to any party. I.e. the Rights of Usage "RoU" scheme are operated through a transparent published set of rules of usage. The principle of taking a proposal to the regulator for specific agreement lacks transparency and could impact competition in the market. We therefore fully agree with ComReg's proposals to end this practice.

Whilst supporting ComReg's position we note there is a serious flaw in the ComReg proposal as a party does not have to be authorised to be allocated or use numbers in Ireland. I.e. parties that are not governed by the GA are using substantial volumes of numbers. We already note that one of these parties is not following the agreed industry processes for routing calls and there appears to be nothing that can be done. Hence we are in a situation where some have to comply with the rules and others don't. We are seeking for ComReg to clearly and precisely remove this inconsistency to ensure all are working within the same framework. See also answer 12.

A revamp of the current numbering system is due and we are seeking transparency and a clear set of documented numbering rules that apply to all equally. A problem with the current framework is that some operators are undermining the principles upon which number and routing is based. For example a company may host a non-geographic number such as 1890. Normally the host of

the non-geographic number would map calls to a geographic terminating number. However, we are aware that other parties are deliberately not forwarding calls to the non-geo number but are sending the calls directly to the geographic number, thereby bypassing the host.

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.

A. 2 We consider the use of all numbers should be published and specified in publicly available documents and fully transparent. Our view is that if it were allowable for one operator to offer a different practice then it should be allowable for all. In our view there should be full transparency as to how numbers are used. Please also see our response to question 1.

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.

A.3 ComReg’s proposals to amend the existing numbering conventions re-enforces the Minimum Numbering Area, which is at a level within the numbering structure that is perhaps not necessary given the requirements of existing ITU T recommendations.

The concerns raised by ComReg, on the use of numbers by OTT players, and on ensuring availability of telephone numbers for the future need to be taken in the context of the Minimum Numbering Areas, existing in one geographic area. BT believes that maintaining the MNA’s will not be sustainable and that flexibility in the use of telephone numbers in geographic areas, as denoted by a Network Destination Code (as defined by ITU T Recommendation E.164, is perhaps a better approach. i.e. the geographic area could still be maintained but at a higher level such as the Subscriber Trunk Dialling (STD) level. Defining a geographic area at a higher level would allow greater flexibility in the efficient use of numbers. This provides the following advantages:

- If numbers were scarce in one district of a defined geographic numbering area, then numbers could be used from another district in the same numbering area.
- Additionally having a wider geographic area would support improved Number Portability between operators including OTT players.

The only technical concern we have is that numbers should continue to be issued in blocks of 1000 numbers and these should not be split between different exchanges areas to avoid interconnect accounting problems. We believe this can be achieved with a regime where the area is defined at the STD level.

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.

A. 4 ComReg will at some future point have to address the potential exhaust of numbers. However, seeking to restrict numbers in the manner that is proposed is to limit business growth. The approach may appear “technologically neutral” – it is not business neutral. A consumer (business or residential) that has a phone, fax and OTT service already has a requirement for 3 numbers. Here we make no assumption that the OTT service provider is different from the fixed line service provider. Whilst there is a concern every device may have its own phone number, the widespread deployment of Wifi in the home and the office suggests URLs linked to IP addresses is the more likely solution for equipment addressing than the use of E.164 numbers.

Therefore we do not agree with limiting phone numbers assigned to a residential or business account, except for the case of the blatant abuse of number allocations, but support other measures to ensure the efficient use of numbers, such as charging for numbers in areas where supply is limited etc. Also number harvesting should continue to address unused numbers.

The ComReg proposal is that end users will be responsible for compliance with this condition under a right of usage approach; however as end users are not regulated how such will be enforced. Added to our concerns about being harmful to business we don’t believe this proposal is workable in practice and should be dropped other than to prevent blatant abuses of numbering resource.

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.

A. 5 We note that the proposal has the effect of allowing calls to geographic numbers to terminate outside of the MNA (when terminated over mobile or VoIP) provided the termination rate (and we assume any transit fee) is charged as if it were within the MNA. We welcome the clarity around ECAS and location information. This solution has the potential of creating new products and commercial opportunities; hence we would request that this option should also apply to traditional networks to ensure all providers can avail of such potential benefits. I.e. fixed operators should be allowed to host mobile numbers on their networks. We note that the existence of a central number database removes many of the porting issues that could arise and consider ComReg should explore allowing fixed operators the same convergence benefits as offered to mobile networks.

There are real opportunities for fixed operators to use mobile numbers; hence a bi-directional approach should be explored. Fixed network pricing is cheaper in terms of origination and termination rates hence the pricing complexity of mobile numbers on fixed networks is avoided. .

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.

A. 6 the revised recommendations on CLI are incomplete, and do not take account of the nuances of the uses of CLI that are currently being discussed, for example at the ITU. We consider the wide reference made by ComReg to “applicable ITU-T and ETSI standards” needs to be refined to the specific aspects that compliance is being sought as ITU-T and ETSI standards can contain regional variations and we need to be clear what is actually required.

There are a number of issues associated with the proposed new wording:-

- a) There is no recognition or reference to Data Protection or Data privacy, either on inbound or out bound calls.
- b) For example, in clause (b) what format should apply to CLI – national or International? Some international countries and operators will no longer accept calls without a valid CLI and the sending forward of ‘+’ may not be readable by some international switched hence the call will fail. We consider this area needs more detailed consideration.
- c) In e) of the proposed text, the reference to the undertaking originating a call is not clear – is the undertaking the same as the service provider? And if yes, how does such provision compare with end user’s rights of data protection and data privacy in being able to invoke restrictions?
- d) There is no consideration for the provision of CLI from services using new technologies. We are aware that some enterprise switches do not carry the full set of carrier signalling facilities (such as presentation number) and this has caused difficulties with passing leading digit information across international boundaries. It is expensive to upgrade the enterprise switches and hence problems can continue.

The current proposed amendment does not take account of the current discussions in the ITU, where CLI is being used as means of determining charges for international inbound countries. A potential consequence of current discussions will be to increase costs to stakeholders in countries originating calls. The consultation needs to further consider this aspect of the use of CLI on outbound International calls.

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.

A.7 For competition and transparency reasons BT fully agrees with ComReg that the exceptions process should be ceased immediately and we consider it should be replaced by a clear published set of transparent rules. The rules governing the numbers used for CLI should be determined by the impact that such numbers would have on the called party. In our view ComReg should publish clear rules for the use of non-geo numbers with no exception process to ensure fair competition.

Number	Comments	Reason
Different geographic number	Permitted geographic number.	Known and low cost to caller. Many good

		reasons to use such as doctor surgery number from doctors personal mobile etc.
Mobile numbers	Permitted	Known and familiar cost to caller.
Premium Rate	Not Allowed –	High risk of customer paying a high cost to call number back.
1890	Permitted.	Modest cost to caller. May need additional conditions.
1850	Permitted.	Low cost to caller.
0818	Permitted	Low cost to caller.
1800	Permitted	Free to caller.

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.

A.8 As stated in A.7 above, BT believes that the use of certain non-geographic numbers as CLI would be beneficial. Recognising the concern raised in the consultation in relation to ECAS, BT believes that there is benefit in considering the use of alternative CLI, in the form of a “presentation number”. This would, we believe, go some way to address concerns over ECAS and to allow flexibility and choice to consumers. We would agree that premium rate should not be used as either CLI or “presentation” numbers.

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 Review of the topic? Please explain the basis for your response in full and provide any supporting information.

A.9 BT agrees with ComReg that a review is timely regarding others using mobile numbers and as addressed in our response to question 5 we consider it appropriate that fixed operators should also be allowed to use mobile numbers. The current unidirectional approach of mobile operators using fixed numbers distorts competition and is restrictive. Fixed operators can easily host mobile numbers and we have customers that would use this facility. Although Eircom is closing its fixed SMS service it does demonstrate that mobile services can work on fixed networks and this does not preclude others deploying innovative solutions with mobile numbers on fixed networks.

BT does not believe that the current proposed text is sufficiently nuanced to address the issue surrounding the use of MCC and MNC's. ComReg is right to identify the need for further consultation, and that M2M and IoT may have an impact.

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.

A.10 BT supports ComReg's stance on this issue and agrees that revenue share should align with the premium rate services for consistency reasons. That said we wish to see the 1890 and 1850 etc. ranges continue as clear non-revenue share numbers.

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.

A.11 BT supports this in principle, but believes that responses in ranges that attract a lower charge should not be excluded.

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.

A.12 BT supports this in principle, and would welcome the views of charities that ComReg has consulted as to the value of such ranges. Would ComReg also consider a non-geographic number range for such services?

Notwithstanding the support, ComReg needs to be clear in the rules surrounding the use of such numbers, regarding allocation (i.e. who is entitled to use such numbers). For example it's too broad to say that it is open to all charities, as some organisations may have this status for other trading reasons.

A current practice is that providers make their own decisions as to making a donation to a charity and we consider this should continue.

The commercial arrangements surrounding the use of such donation numbers (Service providers will operate these on a commercial basis) should thus be left to the discretion of providers.

In addition it would be useful for ComReg to explain the relationship of this range with that of 116, which are for services of social importance and how, if at all uses will be distinguished.

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.

A.13 BT does not support removal of DNIC's from the Numbering Conditions. The Data Country Code of the DNIC was assigned to Ireland by the ITU; it remains assigned. BT believes that the conditions should say that DNIC's are dormant, or that their resources are no longer being allocated. However, given this is internationally assigned to Ireland it would be better to retain it in the event that a new international use is developed.

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.

A.14 BT supports the proposed process with the caveat that this needs to be done in a closed user group environment with very specific rules. Such an approach will ensure that no unallocated numbers get brought into service. In addition circulating the granting of rights of use to numbers to a nominated contact person in each service provider will support transparency.

BT believes that further discussions on the rules and processes supporting are required, and believe that the NAP would be the place for such discussions to occur.

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.

A.15 We agree with notifying others of numbers activated. However where numbers have been ported in, or blocks transferred in as part of a customer transfer, the other operators must activate those numbers immediately – two weeks is too long a wait. Hopefully a new central number database will force this to happen in a timely way.

A more useful requirement would be that all operators should have porting agreements in place with each other to avoid process delays with checking processes etc.

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.

A.16 BT supports the approach proposed by ComReg as an addition rather than a replacement for, sub allocation. BT believes that there is value in maintaining both approaches. With regard to transferring rights of a use of a number this should be restricted to the block allocation size of numbers from ComReg. Individual numbers or groups of numbers less than the block allocation size of numbers allocated by ComReg should be sub allocated.

In either case the export of a number should be permissible.

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.

A.17 BT agrees that an administrative cost base charge would be reasonable at the block level as work and cost is involved. The levying of such fees should not in themselves provide a barrier for services to customers.

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.

A.18 BT has raised a number of issues throughout this response that it believes ComReg needs to address. In addition BT believes that ComReg needs to develop a national telephone numbering plan. This issue has implications wider than national numbering; for example the ITU's recent proposal to levy charges on national numbering resources.

- Central Number database

The current central number database is obsolete and lacking many of the facilities of a modern system. BT supports ComReg's initiative for a new system to be introduced otherwise it will be increasingly difficult to introduce technologies such as VoIP on a large volume basis.

- Numbering Advisory Policy (NAP) forum

BT considers it is important to monitor numbering policy in the face of a changing world, not least to address issues such as number exhaustion. The policy forum has not met for a lengthy period of time; however it would be helpful to hold such a meeting at least once, if not twice a year. This would allow for an early detection of potential policy matters and a helpful forum of experts to consider an optimum approach to issues such as managing number exhaustion. The group should maintain its status as advisory only.

- Clear References

The ITU-T operating under the banner of the United Nations provides Recommendations for many different territories of the world and there are often variations and options per territory that can be selected. To avoid inadvertently referencing a practice that is unhelpful to the Irish industry BT considers that any references to ITU standards needs to be specific to the activity or principle sought.

- Data Protection Issues

Procedures to address issues of data protection, such as withholding the CLI also need to be addressed. Whilst the requirements derive from the Data Protection Legislation certain aspects need to be implemented within networks for the correct operation of CLIs. The numbering rules is thus the appropriate location to address these facilities.

End



## **4: Eircom Group Ltd**

**eircom Group**

**Response to ComReg Consultation Paper:**

**Review of the Numbering Conditions of Use  
and Application Process**

**ComReg Document 15/60**



**14 August 2015**

**DOCUMENT CONTROL**

<b>Document name</b>	Draft eircom Group response to ComReg Consultation Paper 15/60
<b>Document Owner</b>	eircom Group
<b>Status</b>	Non-Confidential

The comments submitted to this consultation are those of Meteor Mobile Communications Ltd. (MMC) and eircom Ltd (eircom) collectively referred to as eircom Group.

## Introduction

eircom welcomes this consultation on ComReg's review of the numbering conditions of use and application process. ComReg has advised that despite the alteration in structure and the amended text, that it considers that the overall effect of the Numbering Conditions is largely unchanged. On the contrary, eircom has identified a number of significant changes.

We consider the following proposals to be particularly significant:

- More liberal rules on call termination to geographic numbers outside the relevant MNA
- Prohibition of CLI presentation to non-geographic numbers charged at local or national rates
- Requirement to use a single short code for originating and terminating premium SMS transactions
- Imposition of a 2 week time limit for opening new numbers
- Deletion of a number of provisions from the current numbering conventions including:
  - Provision for unsolicited sales calls on 19XX customer support lines
  - Statement in respect of an end user not having ownership of a number
  - Provision for making a reservation in advance of applying for numbers
  - Provision for the early removal of a number from quarantine

eircom welcomes the proposals that permit the termination of calls to geographic numbers outside the relevant MNA. eircom is also now calling for changes to the rules relating to number allocations in pursuit of the same objectives, while maintaining the integrity of pricing principles and CLI presentation to the ECAS and recognising the legacy arrangements necessary to support PSTN services.

eircom objects to the proposals in respect of CLI presentation for non-geographic numbers, the premium SMS proposals and the proposal to impose time limits for opening of new number blocks.

With regard to the removal of various provisions from the current conventions, eircom is particularly concerned about the absence of any mention of these deletions in the consultation document. This detracts from the consultation process as some interested parties may not have discerned the deletions. As a result any resulting decision will be made in the absence of their views. For this reason alone ComReg should retain the relevant provisions. Furthermore eircom has put forward strong justification for their retention.

## Response to Consultation Questions

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.

eircom agrees with the proposed approach. We concur with ComReg's view that this assists in providing clarity by identifying those conditions that apply generally to any undertaking that uses numbers as against those that apply specifically to number holders. However we believe that in the interest of further clarity the definition of "number use" should be addressed.

Number use is the basis for setting out obligations that apply generally to undertakings and the draft numbering conventions contain numerous references to the use of numbers. We therefore recommend that the definition in the current numbering conventions<sup>1</sup> should be retained. This reads as follows:

*Use of a Number or Code - This means 'use' in the broadest sense, by any entity interacting with the number or code, to the extent that is appropriate to that inter-action. For the avoidance of doubt, calling parties, called parties and all intermediate parties to a communication involving the number or code, are all deemed to be temporary or permanent users of the number or code with corresponding rights and responsibilities under these National Numbering Conventions, according to their roles.*

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.

Paragraph 10 of the proposed new conventions document sets out the obligations with respect to record keeping. This is currently among the General Conditions (applying to all who use numbers including those just routing calls). As the reporting obligation can only apply to those that hold numbers, eircom recommends that this is included in the Rights of Use Conditions in section 3.2 of the proposed new conventions document as opposed to the General Conditions section.

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<sup>1</sup> National Numbering Conventions v7.0 – [ComReg Document 11/17](#)

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.

eircom considers the proposed clarification to and liberalisation of the rules regarding the termination of calls to VoIP and Fixed Mobile-Convergence (FMC) (addressed in question 5) to drive the need for a subtle yet important change to the rule relating to number assignments, allowing for greater flexibility, to ensure that the rules align. This must be done with due regard for the integrity of the MNAs with respect to charging principles, provision of accurate location to the ECAS and the fact that the architecture of PSTN networks is designed around the MNA structure.

eircom therefore proposes that the current convention –

*“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.”*

*should be reworded as follows -*

*“Subject to technical feasibility, the assignment of a Geographic Number to an end user may be subject to the requirement that the end-user’s residential/business premises is physically located within the designated minimum numbering area (MNA) for that Geographic Number.”*

This is necessary to avoid imposing the requirement on end users to take out a line that provides a physical path within an MNA merely to acquire a number, where their ultimate intent is to operate the number entirely in the cloud, in the absence of a Network Termination Point (NTP) within the MNA.

Separately, the draft new conventions propose a deletion of the following text from section 10.7.2 of the current numbering conventions -

Current conventions state *“Numbers allocated to a company or individual moving premises within an MNA may be retained if the primary allocation holder is prepared to support this”*.

While technical limitations remain with respect to the movement of numbers within an MNA, it is essential that this provision is retained.

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.

eircom does not agree with the replacement of the current convention –

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

*With the proposed new convention –*

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

eircom recommends that such limits should be removed entirely as they cannot feasibly be enforced, while the incidence of multiple numbers per user or per line has not put pressure on the number supply to date. ComReg is in a position to monitor the use of numbers and can develop a more targeted workable approach to number conservation should this become an issue,

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.

eircom agrees with the replacement of the current convention –

*“Note: for geographic numbers used on mobile networks (e.g. using home-zonal type services) the “fixed destination” referred to in this convention is the user’s address as registered with ComReg or its network operator, which means that delivery of a call to the user shall be from the mobile cell containing that address.”*

*With the proposed new convention –*

*“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 MNA1, 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.”*

eircom believes that this offers optimal flexibility while adequately preserving the integrity of MNAs. The proposed revision would also address the enforcement challenges that exist under the current conventions.

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.

eircom does not consider there to be sound justification for prohibiting the presentation of 1800, 19XX, 1850, 1890, and 0818 numbers in the Calling Line Identification (CLI).

While ComReg is willing to consider lifting the restriction in relation to Freefone 1800 numbers, ComReg proposes to apply this restriction to the latter three categories due to the fact that they are typically excluded from the inclusive allowances of contemporary price plans. However this overlooks the fact that other call categories including calls made on fixed networks to mobile numbers, calls made from mobile networks to off-net fixed and mobile numbers and more generally, calls to international numbers can carry

significantly higher retail charges. Moreover, calls to the non-geographic numbers in question are regulated through the numbering conventions which align retail rates to the national call rate for the originating network and in some cases a lower local call rate (in the case of (1850/1890 calls).

Network Use Short Codes (NUSC, in the range 17XX) are also aligned to the local rate for the originating network and should therefore be similarly eligible for presentation in CLI. As regards the absence of interconnect charges for 19XX short codes, the presentation of 19XX CLI does not give rise to concerns about calls originating on competitor networks, given that a returned call would originate from the network to which the 19XX is assigned.

There is a legitimate requirement from call centres to be able to present their 18XX number on outbound calls in order to guarantee the return leg of the call goes back into their inbound IVR correctly. Indeed the very purpose of CLIs comes into play here. For example in the case of a customer service call from a bank to one of its customers, the called party may be saved time and expense as a result of recognising the CLI for their bank and having the necessary validation information to hand when returning a call. This customer would also be more likely to make the call and complete their transaction with the bank which might otherwise be delayed with the potential for detriment to both parties.

eircom among others has been pressing ComReg to address the growing number of anomalies in charges for call origination to non-geographic numbers across various networks. As ComReg is aware, these have had the effect of deterring centre operators from using 1800, 1850 and 1890 numbers. eircom urges ComReg to attend to this matter without delay as it is distorting this sector, causing interconnect anomalies and undermining the numbering scheme. In the meantime, the provision of assurance through the numbering conventions that these numbers are eligible for CLI presentation without the need for prior approval, would at least lend some support in sustaining this sector.

The proposed prohibition would be discriminatory and operate contrary to the onus on ComReg to ensure proportionality and objective justification its decisions. It would also give rise to a challenge in addressing the current exemptions which would have to be withdrawn in order to avoid discrimination between service providers while such withdrawals would result in disruption to the services provided on those numbers that currently have an exemption.

In the interests of proportionality and equivalence eircom urges ComReg to lift the restriction generally, thereby removing the inefficiencies associated with piecemeal exemptions.

<p>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.</p>
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eircom agrees with the proposal to dispense with the exceptions process for individual CLIs for the reasons set out in response to question 6.



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.

Please see eircom's response to question 6. With regard to ECAS, eircom supports the retention of the current convention requiring that the underlying number should always be presented to the ECAS, in order to ensure the transmission of the correct information in respect of the location of the caller.

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.

eircom agrees with the proposal to provide 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 Mobile Network Operators and MVNOs through the following new wording:

*"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."*

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.

eircom agrees with the proposed amendment. However we note that revenue sharing is not defined. eircom would welcome the inclusion of a definition for revenue sharing.

eircom raised a complaint to ComReg in 2013 about revenue sharing on the 0818 range. We are not aware of closure having been reached on the matter. We would welcome assurance that such practices are not continuing.

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.

ComReg proposal that the MO leg and MT leg of any message transaction sequence should be completed on the same short code sub-range fails to take account of the fact that the conventions have not stipulated this to date. The introduction of such a requirement at a time when premium SMS services have been well established and are now in decline is likely to have a significant impact on the systems supporting these services and the financial viability of these services.

eircom supports ComReg's underlying objective and believes that price transparency is essential in avoiding consumer harm, particularly in relation to premium services, however this can be better achieved through other less disruptive means. eircom has long argued, in response to previous consultations on the Code of Practice for Premium Rate Services, that transparency could be better achieved by mandating service providers to clearly identify in all pricing communications the short code upon which the premium charge is imposed while presenting the price of each such message and the direction upon which the charge applies (MO or MT) alongside the code. This would ensure that consumers are armed with the necessary information to determine whether the charges that are applied are consistent with those communicated in promotional material and other pricing material that is mandated under the Code

The proposal that the MO and MT leg use the same code sub-range may also deny service providers the option of free rating one of the legs. For example a service provider may wish to allow customers to submit a request for content free of charge using a 50XXX short code while charging only for the delivered content on a 53XXX short code.

In any event, eircom does not consider it appropriate to include such detailed requirements in respect of the provision of premium services. Such detail is proper to the Code of Practice for Premium Rate Services. We therefore recommend that if further consideration of this proposal is merited despite the above concerns that it should form part of a review of the Code.

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.

eircom supports the principle of making such donations distinguishable from other codes and would welcome further consultation on the matter.

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.

eircom agrees with ComReg's proposal to remove Data Network Identification Codes (DNICs) from the Numbering conditions.

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.

eircom agrees with the proposal to introduce an electronic process for the granting of rights of use for numbers as we consider this to lend to efficiency in the management of the numbering resource.

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.

eircom strongly objects to both the proposal to require the number holder to notify all relevant undertakings of any number activations within two weeks after the date of activation and the proposal to require number users to active those numbers on their networks within a further 2 weeks. This fails to take account of a number of factors, including the lead time required to provision numbers both on the network of the number holder and any other networks that use these numbers and the need to allow sufficient time for the negotiation of interconnect rates, the determination of retail rates and the communication of these rates.

eircom considers the commercial incentives to ensure interoperability and the current obligations under the Access Regulations to be sufficient and we do not believe that the imposition of a time limit for opening numbers can be objectively justified in the absence of any evidence of significant and recurring delays in opening numbers across networks.

Furthermore, the proposal makes no allowance for disputes that may arise in negotiating interconnect rates. This would encroach on the bargaining power of operators and would likely force operators to seek dispute resolution from ComReg where negotiations would otherwise have settled matters. Ultimately we would consider such a decision would rely on powers conferred on ComReg through Regulation 6 of the Access Regulations<sup>2</sup> however we do not consider that the proposal would satisfy Regulation 6 (3) with respect to objectivity or proportionality.

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.

eircom does not perceive that any practical implications would arise from the proposal to transfer rights to use numbers, instead of sub-allocating numbers.

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.

eircom's understanding is that a transfer of numbers will occur in the case of traditional number portability or number portability in the form of a number block transfer. We consider that the proposal may therefore duplicate similar provisions that are contained in regulation 25 of the Universal Services and Users' Rights Regulations<sup>3</sup>. If so we recommend that such duplication is avoided.

<sup>2</sup> European Communities (Electronic Communications Networks and Services) (Access) Regulations 2011 - S.I. No. 334 of 2011

<sup>3</sup> S.I. No. 337 of 2011

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.

### **Presentation of the Draft Conventions as a Non Draft/General Document**

eircom notes that the proposed new numbering conventions document has not been qualified as a draft document. For the avoidance of confusion particularly for those that may reference this document in the months and years to come, we would recommend that this should be addressed in the ComReg publication 15/60a.

### **Inclusion of the Numbering Status Report**

eircom suggests that the Numbering Status Report should be appended to the conventions document. We would also welcome clarification with respect to the degree to which operators can rely on the Numbering Status Report. This is in the light of the recent allocation of two 083 numbers blocks for use on the former O<sub>2</sub> network, contrary to the designations set out in the report, which gave rise to the need for technical changes on other networks and on the central mobile number portability solution to support these number blocks. In various sections of the current numbering conventions it is stipulated that undertakings must comply with the national numbering scheme. It is essential that this requirement is retained in order to avoid a repeat of this incident which resulted in competing operators bearing the cost of the integration of the '3' and O2 mobile networks and to avoid similar anomalies.

We consider these proposals to be in accordance with Regulations 13 and 14 of the Authorisation Regulations, as procedures and conditions attached to number allocations are required to be open, transparent and non-discriminatory, as well as being publicly available. Furthermore the introduction to the current numbering conventions states:

*“the scheme should support the principle and currently agreed procedures of number portability”.*

We would urge ComReg to retain this statement in the revised numbering conventions.

### **Unsolicited Sales Enquiries on 19XX Customer Support Short Codes**

It is proposed in section 5.3 of the draft numbering conventions that 19XX codes:

*“shall not be used to provide customers with access to sales departments”.*

The current conventions state that:

*“When operators use reasonable endeavours to have customers call specific sales lines but exceptionally an unsolicited customer sales enquiry is received from an existing customer on a 190X or 191X code, it is recognised that this can be handled by dealing with the customer or transferring the call to the appropriate person rather than requesting a customer call back on a sales line.”*

eircom believes that there continues to be merit in the current provision that allows for unsolicited enquiries to be addressed. ComReg has presented no evidence of abuse of, or detriment arising from, the current provision therefore we do not consider a change to the conventions to be justified. Indeed the current provision was put in place in the interests of

consumer welfare and eircom believes that the withdrawal of this provision would be detrimental to consumers.

### **Fixed Porting Routing Prefixes**

In the interest of clarity we suggest that Section 5.9 1 of the draft numbering conventions specifies in the first sentence that this section applies to fixed nomadic and non-geographic numbers.

### **Number Reservations**

The numbering conventions currently make provision for the reservation of numbers to protect the confidentiality of applicants. This is of particular relevance to new entrants. This provision has been removed from the draft conventions without any explanation. We believe that its removal would only serve to dampen competition and we therefore call for its retention in the revised numbering conventions.

### **Non-Proprietary Status of Number Allocations**

The current numbering conventions state that:

*“Numbers shall be considered as non-proprietary data to which no particular organisation or institution or individual may claim ownership”.*

This provision has been removed without any explanation. eircom calls for this convention to be retained given that there is no accompanying change to the rights of end users in respect of number assignments and in the interest of transparency.

### **Quarantine Waiver**

The proposed new conventions do not contain the option for customers to waive their right to a full 13 month quarantine period. Currently the conventions state:

*“An assignee may waive its right to have a number quarantined, though the allocating body should carefully weigh the risks of early re-use, before deciding to take advantage of this;”*

This is a useful provision which should be retained. For example a natural person may wish to release a number that is held in quarantine for them for the purpose of activating the number in the name of an associated legal person such as their company. eircom also considers it reasonable that any person should be permitted to waive their quarantine right in order to allow for the immediate transfer of their number to another person given that the quarantine period is primarily intended to protect the rights of the former assignee. The conventions should continue to require that reasonable account is taken of the risk that calls intended for the original assignee may be received by the new assignee.

### **Fixed Service Centric 1850/1890 Price Ceiling**

In respect of the retail price ceiling for 1850 and 1890 calls, section 4.4 3. of the draft conventions states:

*Where the rate for calling Geographic Numbers is distance dependent, the rate shall not exceed the originating undertaking's standard rate applicable for a local call within an MNA.*

This only addresses calls from fixed networks. eircom recommends a more specific reference to the price ceiling for mobile originated calls. Consideration should be given to mirroring the wording proposed for NUSCs which states that the price shall:

*“not exceed the originating undertaking’s published tariff for a call from one Mobile Number to another, on the same network.”*

**Further Omissions**

An amendment is needed to add the missing word “call” to the last sentence of paragraph 4.7 3. As follows: *Where the rate for calling Geographic Numbers is distance dependent, the rate shall not exceed the originating undertaking’s standard rate applicable for a national call.*

In the context of 118XX Directory Services, the following provision has been removed *“Text-based calls (e.g. SMS) to and from a 118XX number are also permitted.”* eircom recommends that this should be retained.

Specific conditions for National Signalling Point Codes (NSPC) have been removed it is not clear from the consultation document why this deletion has been proposed. We believe that these should be retained or merged with the International Signalling Point Code (ISPC) conditions.

## **5: ESB Networks Ltd**



## **ComReg Consultation on Numbering Conditions of Use and Application Process**

### **ESB Networks Response**

**Status: Final**

**Date: 13/08/2015**



## **ESB Networks Response to ComReg Consultation Document 15/60**

ESB Networks (ESBN) welcomes the opportunity to respond to the Commission for Communications Regulation (ComReg) consultation in relation to Numbering Conditions of Use and Application Process<sup>1</sup>.

### **ComReg Questions**

*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.*

ESBN agrees with ComReg that it needs to consider the issue of MNC assignment and eligibility criteria for mobile numbers in the very near future. M2M, IOT and OTT services are all currently predicated on the use of MNCs and IMSIs. IPV6 is likely to be used more intensively for addressing devices in the future. However, IMSIs are an important means of addressing at the moment and this situation is likely to continue for some time.

Users of M2M are currently at a disadvantage by not having access to either a dedicated or shared MNC with regards to issues such as: switching operator, negotiating power with MNOs and operator tie-in. If M2M operators had access to their own or shared MNC and mobile numbers, it would be possible to have M2M devices with identification addressing assigned at the point of manufacture. This would be beneficial from an efficiency and cost perspective. Multi SIM/IMSI devices are a potential solution, however this is not an efficient use of the national numbering resource nor practical from a user perspective. OTA provisioning is a potential long term solution, however is still some way off.

Assigning an MNC, or a shared MNC, and mobile numbers to M2M users with significant volume of devices promotes innovation and technological advancement. Indeed, ESBN notes that other administrations in CEPT currently allocate MNCs and mobile numbers to organisations other than MNOs and MVNOs. ESBN encourages ComReg to also adopt this approach, to encourage technological advancement and facilitate innovation.

*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.*

ComReg should consider additional 3 digit dialling numbers for other critical national services, e.g. for reporting emergency electrical or gas faults.

**END**

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<sup>1</sup> [http://www.comreg.ie/\\_fileupload/publications/ComReg1560.pdf](http://www.comreg.ie/_fileupload/publications/ComReg1560.pdf)

## **6: Magnet Networks Ltd**

Magnet is pleased to respond to the Consultation: Numbering Conditions of Use and Application Process - Ref: 15/60.

Magnet welcomes this opportunity to comment on this timely and important consultation.

### **Preliminary Remarks**

MAGNET commends ComReg on its worthy work in the area of providing greater and more efficient access to numbering in Ireland. The current regime operating in Ireland has been deficient for a number of years, leading operators to apply rules within the numbering conventions to fit the Interconnection regime (such as it is) on an ad-hoc basis. Such application has led to confusion at both an inter-carrier and consumer level. Operators and consumers were often confused as to the real cost and impact of routing, receiving or making a certain type of call by reference to the National Numbering Conventions, as they were.

MAGNET believes that numbering is as relevant to the communications sector as it ever was. In fact, numbering now plays a particular role in the converging worlds of Plain Old Telephony Services – POTS, and Internet, or Next Generation Access – NGA, services and the Internet of Things – IoT.

MAGNET recalls a time in Ireland where the natural resource that it numbering, came under pressure from the intense and hysterical housing boom and its resultant demand for telephone numbers. Hindsight has shown that the housing boom blighted and restrained the economy and investment in the past 6 – 10 years. At a certain point in time and as was discussed at the Numbering Allocation Panel – NAP, meetings in ComReg, there was real risk that the Irish numbering spectrum could have been deemed to be inadequate when analysed against the demand for fixed line telephony in the State.

MAGNET acknowledges ComReg's aspiration to tighten and regulate access to numbering through its proposed use of the Authorisation Directive and the national legislative scheme here. MAGNET notes that such regulation may create issues for the transnational or wider EU market that may have unknown consequences at the time of drafting this response.

MAGNET submits that ComReg should always endeavour to focus its attentions on both the numbers themselves (type, rate and routing) as well as to focussing on how the consumer and industry intend to utilise those numbers, in a correct and proper manner.

MAGNET notes that ComReg appears to have omitted aspects of required Data Protection controls and requirements from this particular consultation. Perhaps it is ComReg implied intention to include the various aspects of Data Protection controls within a later consultation within the schedule of ComReg consultations. As matters

currently stand, MAGNET believes that the current regime does not adequately address the presentation, routing and billing requirements for new entrants and current operators within the conventions. The opportunity to resolve these issues now, should be taken. It is no longer adequate to simply deflect a request for detailed information to an industry technical manual, perhaps predicated on a historical national interconnection regime. This is owing to changes in the communications landscape in recent times.

In the next section, MAGNET highlights some issues it has with ComReg's proposals as set out in the consultation paper.

### **Response to Consultation Questions:**

**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.**

A. 1. MAGNET generally agrees with ComReg's proposal. However, MAGNET believe that it may be better to standardise the use of numbering under the General Authorisation scheme, as this should both clarify and simplify the process. MAGNET supports a consistent application of numbers by all and consider if there are special traits for certain number types, such as non-geo numbers then ComReg should publish clear rules from the outset as to how these numbers are to be used and there should be no concessions to any party. i.e., the Rights of Usage "RoU" scheme should be replaced by very transparent rules of usage. Such rules have been notably absent in Ireland since market liberalisation in the mid 1990s.

MAGNET believe that there is a flaw in ComReg's current proposal, as a party does not have to be authorised to be allocated or use numbers in Ireland – hence regulating from the General Authorisation is not effective and potentially discriminatory. It is MAGNET preference to move to a model where no discrimination arises. See also answer 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.**

A. 2. MAGNET considers that the use of all numbers should be published and specified in publicly available documents and fully transparent. That said, MAGNET

must also support competitive services that are offered in a transparent and approved fashion via the numbering spectrum.

**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.**

A. 3. MAGNET submits that ComReg's proposals to amend the existing numbering conventions appears to re-enforce the Minimum Numbering Area - MNA, which is at a level within the numbering structure that is perhaps not necessary given the requirements of existing and more modernised ITU-T recommendations.

ComReg's concerns relating to the use of numbers by Over The Top – OTT, service providers, and in ensuring availability of telephone numbers for the future need to be taken in the context of the Minimum Numbering Areas, existing in one geographic area. MAGNET submits that maintaining the MNA's will not be sustainable and that flexibility in the use of telephone numbers in geographic areas, as denoted by a Network Destination Code (as defined by ITU T Recommendation E.164), is perhaps a better approach. i.e., the geographic area could still be maintained but at a higher level. Defining a geographic area at a higher level would allow greater flexibility in the efficient use of numbers. For example, if numbers were scarce in one district of a defined geographic numbering area, then numbers could be used from another district in the same numbering area.

Additionally having a wider geographic area rather would support improved Number Portability between operators including OTT service providers. MAGNET notes and is engaged in the industry efforts to resolve both numbering repositories and porting databases in Ireland, with a view to concluding with more efficient services for the future of the market.

**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.**

A. 4. MAGNET does not 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.

MAGNET disagrees with ComReg's proposal as it believes that ComReg should be future proofing for the potential exhaustion of the current numbering spectrum and not seeking to place limits and restrictions on the spectrum, save for specific instances of abuse either by an undertaking or by a OTT service provider. Any such limitation would inhibit growth and investment, and therefore can not form a logical step in the development of the numbering spectrum in Ireland. This limitation would appear to be incongruous with studies to the extent that fixed lines penetration is as great as it was in the past.

**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.**

A. 5. MAGNET agrees with ComReg's proposal, noting that the proposal appears to only have unidirectional [and restrictive] effect and in addition has the effect of allowing calls to geographic numbers to terminate outside of the MNA (when terminated over mobile or VoIP) provided the termination rate (and the operators assumes any transit fee) is charged as if it were within the MNA. The unidirectional assumptions in ComReg's paper and the rigidity of MNA rules are both matters that require further clarification from ComReg.

**Q. 6 The revised recommendations on CLI are incomplete, and do not take account of the nuances of the uses of CLI that are currently being discussed, for example at the ITU. References to "applicable ITU-T and ETSI standards" are insufficient; in what way are these Recommendations to be applied to the deployment of CLI within Ireland?**

A. 6. MAGNET considers that the revised recommendations on CLI are incomplete, and do not take account of the nuances of the uses of CLI that are currently being discussed, for example at the ITU. References to "*applicable ITU-T and ETSI standards*" are insufficient; in what way are these Recommendations to be applied to the deployment of CLI within Ireland?

There are a number of issues associated with the proposed new wording:-

- a) There is no recognition or reference to Data Protection or Data privacy, either on inbound or out bound calls.
- b) For example, in clause (b) what format should the CLI take – national or International?
- c) In e) of the proposed text, the reference to the undertaking originating a call is not clear – is the undertaking the same as the service provider? And

if yes, how does such provision compare with end user's rights of data protection and data privacy in being able to invoke restrictions?

- d) There is no consideration for the provision of CLI from services using new technologies.

The current proposed amendment does not take account of the current discussions in the ITU, where CLI is being used as means of determining charges for international inbound countries. A potential consequence of current discussions will be to increase costs to stakeholders in countries originating calls. The ComReg consultation needs to further consider this aspect of the use of CLI on outbound International calls.

**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.**

A. 7. MAGNET agrees with ComReg that the exceptions process should be ceased and in certain circumstances non-geographic numbers (such as 1800 XXX) can be used as a "presentation number" (See Answer 8 below). The rules governing the numbers used for CLI should be determined by the impact that such numbers would have on the called party. In our view ComReg should publish clear rules for the use of non-geo numbers with no exception process on the basis of fair competition.

**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.**

A. 8. As stated in A.7 above, MAGNET believes that the use of certain non-geographic numbers as CLI would be beneficial. MAGNET submits that there is benefit in considering the use of alternative CLI, in the form of a "presentation number". This would, we believe, go some way to address concerns over ECAS and to allow flexibility and choice to consumers. We would agree that premium rate and those ranges that support revenue share should not be used as either CLI or "presentation" numbers.

\*\*MAGNET notes that ComReg's consultation appears to not properly draw the distinction between CLI as presented on a terminal device, versus network CLI, which could be (and in many cases is) already extant on services in the national market. ComReg will recall that the use of INR/INF parameters in the national

network, on certain operator's voice platforms gave rise to call failure in certain regions of the country, thus necessitating the insertion of network CLI into certain call types. While MAGNET suggests that this is possibly not an oversight on ComReg's part (rather an over-simplification), MAGNET cautions modification to this regime without fully investigating the costs to operators of having a network CLI present, versus what may be presented (or not as the case may be) to a consumer or call recipients terminal device (the two things being quite different and discrete from a billing and network integrity perspective).

**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 Review of the topic? Please explain the basis for your response in full and provide any supporting information.**

A. 9. MAGNET does not believe that the current proposed text is sufficient to address the issue surrounding the use of MCC and MNC's. ComReg is right to identify the need for further consultation, and that M2M and IoT may/will have an impact.

MAGNET agrees with ComReg that a review is timely regarding others using mobile numbers and vice-versa.

**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.**

A. 10. MAGNET supports ComReg on this issue and agrees that revenue share should align with the premium rate services. That said we wish to see the 1890 and 1850 ranges continue as clear non-revenue share numbers from a consumer point of view.

MAGNET notes that certain operators do have arrangements in place that are regulated by contract, where a business customer may have some form of compensation arrangement with a wholesale carrier. In those circumstances, such arrangements should remain within the ambit of bilateral commercial terms and not within the ambit of regulation of the numbering spectrum (strictly on the basis that the rules of charging to a consumer are adhered to).

**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.**

A. 11. MAGNET supports this in principle, but believes that responses in ranges



that attract a lower charge should not be excluded.

**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.**

A. 12. MAGNET supports this in principle, and would welcome the views of charities that ComReg has consulted as to the value of such ranges.

MAGNET has publicly supported the movement towards enabling charitable donations over communications networks.

MAGNET notes that ComReg requires that the operators effectively police undertakings that may purport to be charities, and who may seek to operate numbering that to all intents and purposes is a premium service, albeit charitable. In such circumstances, ComReg should set checking and other criteria for wholesale operators to avoid problems with other undertakings seeking to use charitable ranges, who may be seeking such ranges for some other undefined or nefarious purpose.

**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.**

A. 13. MAGNET does not support removal of DNIC's from the Numbering Conditions. The Data Country Code of the DNIC was assigned to Ireland by the ITU; it remains assigned. MAGNET submits that these conditions should say that DNIC's are dormant, or that their resources are no longer being allocated. However, given this is internationally assigned to Ireland it would be better to retain it in the event that a new international use is developed. MAGNET submits that ComReg should be extremely slow to mandate this removal in circumstances where ComReg has clearly acknowledged that the use of these DNICs may cause issues for service providers if they are not specifically referenced within the new Numbering conditions.

**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.**

A. 14. MAGNET supports the introduction of such a process. MAGNET submits that this process must be undertaken in a fully controlled environment and with nominated points of contact within each communications company currently operating numbering in Ireland, or authorised to operate in Ireland. It is the case that such a process will require further consultation and discussion at an industry forum, such as the NAP.

Any new process should be predicated by an audit of the national numbering spectrum on a per operator and per utilised number basis. It is MAGNET's experience that both block allocations and allocated dormant numbering (number allocated to physical line or VoIP provider, but service ceased) serves to provide the regulator with an incomplete picture of the numbering resources available in Ireland.

**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.**

A. 15. MAGNET agrees with notifying others of numbers activated.

MAGNET does not concur with ComReg on the period of two-weeks, as suggested in the consultation paper – this duration is too long. A more appropriate timeframe is a number of hours. Experience has shown that networks and undertaking can operate in a more efficient manner. The MNP model and timeframe for updating is something that fixed operators should be aspiring to achieve. The much anticipated and now discussed central number database should facilitate such change and an efficient timely update to operator routing plans.

MAGNET notes that portability comes into this area and where possible, ComReg should review interconnected party agreements to ensure compliance with current portability regulations and requirements.

**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.**

A. 17. MAGNET agrees that an administrative cost base charge would be reasonable at the block level. The levying of such fees should not of themselves provide a barrier for services to customers.

**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.**

A. 18. MAGNET has outlined certain matters in this response that require detailed attention and potentially further consideration and consultation by ComReg.

MAGNET notes that the rather appropriately titled NAP, has not met for quite some time now and given the fresh impetus that this and other forthcoming ComReg consultations now brings to the issues surrounding numbering and the new

Numbering Conditions proposed by ComReg.

MAGNET submits that ComReg should rejuvenate the NAP, reawakening it on either a quarterly or twice yearly basis in order to enable undertaking to voice issues and provide an active consultative group in which issues surrounding the Numbering Conditions can be raised and addressed.

MAGNET members are also of the opinion that the national numbering plan also requires revision by ComReg, and in the circumstances, perhaps this work should be commenced sooner rather than later.

**MAGNET**

**14<sup>th</sup> August 2015**

# **7: Three Ireland (Hutchison) Ltd and Three Ireland Services (Hutchison) Ltd**

# **Numbering Conditions of Use and Application Process**

## **Response from Three**

ComReg Document 15/60



**Three.ie**

## Introduction

This response to ComReg's consultation represents the views of Three Ireland (Hutchison) Ltd. and Three Ireland Services (Hutchison) Ltd, from here on referred to as just "Three". Overall, we support ComReg's initiative to review the decision and documents that set down the conditions for use of numbering for electronic communications. The old format of the "Numbering Conventions" has been in place since the early days of liberalisation, and the relevant legislation has changed several times since then. The means by which numbering conditions apply to all undertakings (as opposed to those to whom the numbers are allocated) is currently not very clear, and the proposed change of approach will help to clarify matters.

Three agrees with the proposal to include the numbering conditions of use as conditions under the General Authorisation, and we also support the separation of conditions into those that apply generally to all undertakings, and those that apply to the recipients of the rights of use.

We would caution that there is considerable existing practice and procedure within the industry, which has not been found to be generally deficient, and ComReg needs to be careful to avoid a "hard transition". The inclusion of numbering conditions in the General Authorisation, together with clarification and amendment to some of the terms, could mean that some undertakings would risk being non-compliant with the General Authorisation immediately on the finalisation of ComReg's decision. We do not believe this to be ComReg's intention, so it might be necessary to make some amendments to the proposal to avoid such an outcome. This could be achieved by specifying guideline targets as well as mandatory targets, e.g. for opening of access to numbers.

## Response to Questions

*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.*

Yes, this makes sense. At the present time, it is unclear how obligations relating to the use of numbering apply to an undertaking other than the one who has been allocated the relevant number(s). This separation and inclusion in the General Authorisation should clarify matters.

*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.*

Yes, the division as proposed in the draft Conditions of Use document seems appropriate.

*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.*

While Three agrees with the intention of the proposed text, it should be noted that this now places an obligation on the service provider to ensure that the end user premises is physically located within the MNA.

For network operators installing physical infrastructure, this should be possible, however for service providers it is not clear what standard of proof is required here, e.g. is it necessary and sufficient to require the end user to produce a copy bill for the relevant address? ComReg should consider providing some guidance on this matter, as failure to validate address adequately might mean that the service provider is non-compliant with the General Authorisation.

ComReg should also produce a database matching each Eircode to its relevant MNA.

*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.*

ComReg's proposed text states as follows:

*"A holder may assign a maximum of two Geographic Numbers to a residential customer."*

While Three agrees with the requirement to conserve Geographic Numbers, and we also agree that a maximum of two is sufficient for the vast majority of cases, this text would seem to be too restrictive to cater for customers who might own more than one property or have more than one subscription. We suggest it is changed as follows:

*“A holder may assign a maximum of two Geographic Numbers to a residential customer **per address / per account.**”*

Three does not expect that ComReg intends for any existing number allocations to be withdrawn from customers as a result of the introduction of this condition in the General Authorisation. ComReg should clarify that this condition will apply to numbers provided to customers after the commencement of the condition only, and does not require to be applied retrospectively to existing number allocations.

In relation to business or corporate customers ComReg proposes as follows:

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

Currently it is normal practice to provide numbers to customers in small blocks rather than as discrete numbers. This allows for expansion in employment numbers and also prevents customers from having multiple disaggregated number blocks. It also means that at certain times there might be more than two Geographic numbers per employee, which could place a service provider non-compliant with the General Authorisation. ComReg needs to amend the condition to give sufficient flexibility for these practical situations.

*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.*

Three proposes to insert some text as shown below, which should be self-explanatory:

*“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 **the caller for** calls that terminate within the Geographic Number’s designated MNA”*

*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.*

Three believes the proposed new condition is overly restrictive. There would seem to be no reason to prevent a caller from displaying a Freephone number or a Harmonised Code of Social Value as their calling line identity. Equally, there should



be no reason to restrict the use of a Customer Support Short Code, as their use is restricted to non-commercial support.

Three believes there may also be a case to be made for permitting the display of Shared Cost numbers. The logic used by ComReg in deciding to exclude 1890 seems to be erroneous – that they are not necessarily included within bundles. Many Geographic calls are also not included within bundles, and can be charged at the same price as 1890 calls. There is a logical reason for excluding Premium Rate calls, as they pay a revenue share to the recipient and the use of a Premium Rate CLI could be used to artificially stimulate traffic.

*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.*

Yes, Three agrees with the proposal and the reasoning put forward in the consultation document.

*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.*

See response to question 6 above.

*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 Review of the topic? Please explain the basis for your response in full and provide any supporting information.*

Yes, Three agrees with the proposed text for MNCs. As there is only an extremely limited number of MNCs available, ComReg needs to ensure that they are granted only to those undertakings who actually need them. While we have seen an increase in the number of MVNOs in the market recently, there is no immediate risk of exhausting the available MNCs.

*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.*

Three has no objection to the proposed amended condition, however it is noted that some service providers already provide revenue sharing on 0818 numbers. This will now be prohibited, so ComReg may need to issue a notice to service providers, and allow time to migrate to alternatives.

*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.*

Yes, Three supports this clarification.

*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.*

Three supports the idea that operators and service providers should facilitate their customers in making charitable donations. We already support the Like Charity facility which is both flexible and efficient, and should meet most requirements for charitable donations. The introduction of another parallel method for making charitable donations does not seem justified at this time and would be inefficient. It would require the implementation of new facilities and processes in parallel to those already in place.

*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.*

Yes, DNICS are now redundant on the public electronic communications networks.

*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.*

Yes, this is both convenient and efficient for applicants.

*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.*

No, Three does not agree with this proposal. The proposal does not seem to be practicable for either the recipient of the numbers or other service providers. It is not clear why there needs to be a limit on the time allowed for a network operator to request activation of numbers subsequent to activation on their own network. There is a natural incentive for the user of the numbers to do this as soon as is possible, so as to allow access to their service.

Two weeks for activating numbering is inadequate. Where additional capacity is added to existing number ranges, these can be activated in a relatively short time, but not within two weeks. If a new number range is activated by a network operator, there can be technical and commercial reasons why activation takes several weeks (if not months).

Three recommends ComReg to introduce a guideline or recommendation for number activation rather than a Condition. Even for the guideline, the relevant time for number activation should be increased to two months.

*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.*

The proposal regarding transfer is not sufficiently clear. In the first place, it seems that the rights of use will be granted by ComReg to the recipient undertaking. There is no mention of the process by which an end-user can obtain the right to use any particular number from their service provider. Once an end user has obtained the right to use a number, then they also obtain the right to port that number (or transfer it to a different service provider).

It seems that the proposal regarding transfer of rights of use applies only numbers that are not in use, which would have previously been called a block transfer. It is unclear that a new database of transferred numbers is needed, or why transfers cannot be recorded by ComReg as being reassigned in the case of block transfers, or in the porting database where transferred by the end user.

*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.*

Yes, this allows the beneficiary to cover the cost of a transfer.

*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.*

1. ComReg should make a word-processor editable version of the new application templates available for applicants to download.
2. General Authorisation Conditions – the requirements under Condition 9 (Number Changes) might not be relevant to all number changes, e.g. numbers used for machine to machine communications, or non-voice applications.
3. Specific Conditions – Condition 4.2(3), there have been occasions where Three has translated non-geographic numbers with the agreement of the service provider to whom the numbers have been assigned. It is our assumption that the new condition does not prevent this from occurring.
4. Condition 5.6(2) – there is a small typing error to be corrected.
5. Appendix 4 – ComReg has not explained why an application for mobile numbering requires the completion of what is essentially an audit return, while this is required for no other numbering type.
6. ComReg should now publish the National Numbering Plan, and this should be updated periodically, or alternatively provide an up to date version that can be downloaded.

End.

## **8: UPC Communications Ireland Ltd / Virgin Media Ireland Ltd**



**UPC Ireland Response to: ComReg 15/60;  
Consultation on Numbering Conditions of  
Use and Application Process**



## Introduction

UPC Communications Ireland Limited (“UPC Ireland”) welcomes the opportunity to provide its response to ComReg on its Consultation (“the consultation”) on numbering conditions of use and application process.

UPC Ireland generally welcomes the overhaul of the existing number management regime and the associated numbering conventions. The revised numbering conditions of use and application process are more concise and easier to interpret. However, UPC Ireland has significant issues with some of ComReg’s proposals, namely;

- Lack of flexibility in ComReg’s proposals on the permitted quantity of geographic numbers provided to end users.
- Presentation of Mobile Number Caller Line Identification (CLI) only for calls to the emergency services on Fixed/Mobile convergence services.
- Retrospective limitation of revenue sharing to premium numbers.

These issues will be discussed in more detail in response to the relevant questions below.

## Responses to ComReg Questions

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.

UPC Ireland generally agrees with ComReg’s approach. Clearly distinguishing between;

- 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 in the General Authorisation, and
- conditions attached to an individual right of use for a number applying only to the undertaking which was granted that right of use,

provides welcome clarity to the industry on number management and numbering rights of use.



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.

UPC Ireland generally agrees with ComReg’s approach. Clearly distinguishing between;

- (a) statutory obligations in respect of numbers which are imposed by the legislature,
- (b) regulatory conditions in respect of numbers which are imposed by ComReg (through the General Authorisation or through individual granted rights of use), and
- (c) further between those which apply to all classes of numbers and those which apply only to specific classes of numbers,

provides welcome clarity to the industry on number management and numbering rights of use.

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.

UPC Ireland agrees with ComReg’s proposed amendment. The proposed amendment should help to avoid number shortages in critical areas such as Dublin central.

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.

UPC Ireland does not 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. ComReg’s proposal to amend the wording of the current condition, by replacing it with two conditions which would state the following:

*“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,”*

would be overly restrictive for operators servicing SME and Corporate customers.

The telephony and numbering needs of these types of customer require flexibility and can have long lead times with planning and dimensioning far in advance of staff being recruited. As such UPC Ireland believes ComReg’s proposal is unworkable.

UPC Ireland believes that ComReg should set these limits as guidelines that would be monitored / audited in aggregate terms and not against operator allocations to particular end user companies. ComReg could then take appropriate action against operators whose total numbering allocation is significantly in excess of the guidelines and where the excess cannot be justified.

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.

UPC Ireland welcomes ComReg’s proposal to remove constraints on call termination in certain defined circumstances, by amending the wording of the current condition as follows;

*“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.”*

However, UPC Ireland does not agree with ComReg’s proposal to introduce a new condition on calls to emergency services from fixed-mobile convergence services.

ComReg’s 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).”*

UPC Ireland has recently introduced fixed-mobile convergence services which have been widely taken up by our customers. These services are highly innovative and enable UPC Ireland customers to avail of considerable savings when making calls from their mobile handsets.



UPC Ireland engaged extensively with the Emergency Call Handling Service (ECAS) when implementing this service. UPC Ireland agreed and implemented all the requirements for the new service with ECAS. Requiring that “only the Mobile Number CLI shall be presented for any emergency call made from a mobile device” as ComReg are proposing was not required. UPC Ireland is not aware of such a requirement in any other European country.

Implementation of this new condition by ComReg could jeopardise the future of this free service to UPC Ireland customers.

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.

Please see response to Q.5 above. UPC Ireland does not agree with ComReg’s proposal to introduce a new condition on calls to emergency services from fixed-mobile convergence services, specifically;

*“(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)”.*

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.

UPC Ireland broadly agrees with ComReg’s proposal that an exceptions process for individual CLIs is no longer appropriate.

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.

No comment.



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.

UPC Ireland agrees with the proposed clarification of the eligibility criteria for Mobile Numbers and MNCs and supports the amended eligibility criteria, specifically that;

*“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.”*

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.

UPC Ireland does not agree with ComReg’s proposed amended condition on revenue sharing. Many operators have introduced revenue sharing services in full compliance with the existing numbering conventions which state in section 10.2 that;

*“9. In particular, number holders shall ensure that the numbers allocated to them are not used for the provision of revenue sharing between the network or service provider and the number-holder unless:*

*i they are Premium Rate Numbers, allocated and used in accordance with Table 10.7.8A below (see designation in that table); or*

*ii they are Premium Rate Text Messaging Short Codes, allocated and used in accordance with Table 10.8.4 below (see designation in that table); or*

*iii an announcement is made as described in 10.2-10 below;*

*10. Undertakings hosting numbers other than PRS/PSMS numbers, on which services are provided, are not precluded from granting tariff discounts to the service providers concerned based directly on the significant traffic volumes generated (i.e. by clear contractual agreement that is not related to the content carried). However, neither they nor any affiliated undertaking shall either directly or indirectly transfer actual call revenue or provide equivalent rewards to those service providers, unless a clearly understood announcement to that effect is made before charging commences, for the benefit of the calling party, which shall then have the opportunity to cancel the call.”*

These services also comply fully with ComReg retail tariff conditions in the existing numbering conventions and no consumer harm occurs. These services have been introduced under commercial contract and should not be retrospectively prohibited by ComReg.



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.

UPC Ireland agrees with ComReg's proposed clarification on the condition of use for message transaction for Messaging and Payment Short Codes.

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.

UPC Ireland supports the introduction of a new 5XXXX short code range and a new 15XX number range designated for use only for charitable donations.

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.

UPC Ireland does not agree with ComReg's proposal to remove DNIC's from the Numbering Conditions. The Data Country Code of the DNIC was assigned to Ireland by the ITU; it remains assigned. The conditions should say that DNIC's are dormant, or that their resources are no longer being allocated. However, given this is internationally assigned to Ireland it would be better to retain it in the event that a new international use is developed.

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.

UPC Ireland supports the introduction of an electronic process for the granting of rights of use for numbers in Ireland, subject to the process resulting in a more efficient and cost effective assignment process for both ComReg and industry.



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.

UPC Ireland supports the proposed two week requirement for both notifying operators of numbers activated and the activating of numbers on networks or associated facilities. This requirement is long overdue and provides clarity on operator obligations in this regard.

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.

UPC Ireland agrees with ComReg's proposals in regard to transfer of numbers between operators.

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.

UPC Ireland supports the proposed new condition for allowing holders transferring numbers to recover the administrative cost of the transfer; however ComReg should also specify a process and timeframe for settlement of any disputes that might occur between operators outside of ComReg's normal dispute resolution procedures.

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.

No comment.



## **9: Vodafone Ireland Ltd**



## **Vodafone Response to Comreg 15/60**

14 Aug. 15



## **Vodafone Response to Comreg 15/60**

Vodafone is pleased to respond to this Consultation: Numbering Conditions of Use and Application Process - Ref: 15/60 and welcome the opportunity to comment on this timely and important consultation.

Vodafone generally welcomes the important reforms proposed by ComReg in this document.

We ask Comreg to continue to support innovation in the supply of telecommunications services to customers in Ireland. In particular there is strong demand from customers for fixed-mobile convergence products and we welcome the support of Comreg for change to support these services.

The following are Vodafone's response to the specific issues it has with ComReg's proposals as set out in the consultation paper.





## **Response to Consultation Questions:**

**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.**

**A. 1. Vodafone generally agrees with ComReg's proposal. Vodafone believes that it may be better to standardise the use of numbering under the General Authorisation scheme, as this should both add clarity and simplify the process.**

**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.**

**A. 2. Vodafone agree with ComReg's proposals on revising which numbering conditions should be "GA Conditions" and which should be "RoU Conditions", as indicated in the draft Numbering Conditions document.**

Vodafone considers that the use of all numbers should be published and specified in publicly available documents and fully transparent.



**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.**

A. 3. We would hope that the implementation of this rule would not stifle innovative services. There are many cases where a business may have premises in more than one MNA. We presume that the rules will allow flexibility to the business in using these numbers in their different premises - in line with the discussion in Section 3.3 and particularly paragraph 52.

Vodafone notes and is engaged in the industry efforts to resolve both numbering repositories and porting databases in Ireland, with a view to concluding with more efficient services for the future of the market.

We would also note that there is some administrative difficulty in analysing the available mapping of the MNAs and assignment of the correct area code based on customer addresses – though we understand that this may not be an issue for the Conditions of Use documentation.



**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.**

A. 4. Vodafone does not 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.

Vodafone disagrees with ComReg’s proposal as it believes that ComReg should be future proofing for the potential exhaustion of the current numbering spectrum and not seeking to place limits and restrictions on the spectrum, save for specific instances of abuse either by an undertaking or by a OTT service provider. Any such limitation would inhibit growth and investment, and therefore can not form a logical step in the development of the numbering spectrum in Ireland.

**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.**

A. 5. Vodafone agrees with ComReg’s proposal, noting that business community are increasingly demanding converged services. The amendments in this document and future amendments should be designed to support these services.



**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**

A. 6. Vodafone considers that the revised recommendations on CLI are incomplete, and do not take account of the nuances of the uses of CLI that are currently being discussed, for example at the ITU. References to “*applicable ITU-T and ETSI standards*” are insufficient; in what way are these Recommendations to be applied to the deployment of CLI within Ireland?

There are a number of issues associated with the proposed new wording:-

- a) There is no recognition or reference to Data Protection or Data privacy, either on inbound or out bound calls.
- b) For example, in clause (b) what format should the CLI take – national or International?
- c) In e) of the proposed text, the reference to the undertaking originating a call is not clear – is the undertaking the same as the service provider? And if yes, how does such provision compare with end user’s rights of data protection and data privacy in being able to invoke restrictions?
- d) There is no consideration for the provision of CLI from services using new technologies.

The current proposed amendment does not take account of the current discussions in the ITU, where CLI is being used as means of determining charges for international inbound countries. A potential consequence of current discussions will be to increase costs to stakeholders in countries originating calls. The ComReg consultation needs to further consider this aspect of the use of CLI on outbound International calls.



**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.**

A. 7. Vodafone agrees with ComReg that the exceptions process should be ceased and in certain circumstances non-geographic numbers (such as 1800 XXX) can be used as a “presentation number” (See Answer 8 below). The rules governing the numbers used for CLI should be determined by the impact that such numbers would have on the called party. In our view ComReg should publish clear rules for the use of non-geo numbers with no exception process on the basis of fair competition.

**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.**

A. 8. As stated in A.7 above, Vodafone believes that the use of certain non-geographic numbers as CLI would be beneficial. Vodafone submits that there is benefit in considering the use of alternative CLI, in the form of a “presentation number”. This would, we believe, go some way to address concerns over ECAS and to allow flexibility and choice to consumers. We would agree that premium rate and those ranges that support revenue share should not be used as either CLI or “presentation” numbers.

**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 Review of the topic? Please explain the**



**basis for your response in full and provide any supporting information.**

A. 9. Vodafone does not believe that the current proposed text is sufficient to address the issue surrounding the use of MCC and MNC's. ComReg is right to identify the need for further consultation, and that M2M and IoT may/will have an impact.

Vodafone agrees with ComReg that a review is timely regarding others using mobile numbers and vice-versa.

**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.**

A. 10. Vodafone supports ComReg on this issue and agrees that revenue share should align with the premium rate services. That said we wish to see the 1890 and 1850 ranges continue as clear non-revenue share numbers from a consumer point of view.

**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.**

A. 11. Vodafone supports this in principle, but believes that responses in ranges that attract a lower charge should not be excluded.



**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.**

A. 12. Vodafone supports this in principle, and would welcome the views of charities that ComReg has consulted as to the value of such ranges.

Vodafone has publicly supported the movement towards enabling charitable donations over communications networks.

Vodafone notes that ComReg requires that the operators effectively police undertakings that may purport to be charities, and who may seek to operate numbering that to all intents and purposes is a premium service, albeit charitable. In such circumstances, ComReg should set checking and other criteria for operators to avoid problems with other undertakings seeking to use charitable ranges, who may be seeking such ranges for some other undefined or nefarious purpose.

**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.**

A. 13. Vodafone has no comment on this proposal.



**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.**

A. 14. Vodafone supports the introduction of such a process. Vodafone submits that this process must be undertaken in a fully controlled environment and with nominated points of contact within each communications company currently operating numbering in Ireland, or authorised to operate in Ireland. It is the case that such a process will require further consultation and discussion at an industry forum, such as the NAP.

**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.**

A. 15. Vodafone agrees with notifying others of numbers activated.

Vodafone does not agree with ComReg on the period of two-weeks, as suggested in the consultation paper. There are a number of different processes covered by this proposal and the two week rule cannot apply to them all.

- In the case where numbers are in use by an operator and are transferred to another a time considerably shorter than two weeks is achievable
- In the case where analysis below the level of STD codes is not carried out no activity is required in the other operators and a time delay is not required.
- There are other cases where new numbers are being established that require change and test in both network and IT. A particular example is new allocations in the 089 range. In this case new blocks need specific definition, implementation, and test of routing and porting information. In our experience a two week period would not be adequate to complete this process.

These issues are separate from the requirements to support porting of fixed numbers. The MNP model and timeframe for updating is something that fixed operators should be





aspiring to achieve. The much anticipated and now discussed central number database should facilitate such change and an efficient timely update to operator routing plans.

**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**

A.16. We have no comment on this proposal.

**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.**

A. 17. Vodafone agrees that an administrative cost base charge would be reasonable at the block level. The levying of such fees should not of themselves provide a barrier for services to customers.

**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.**

A. 18. Vodafone has outlined certain matters in this response that require detailed attention and potentially further consideration and consultation by ComReg.

Vodafone submits that ComReg should rejuvenate the NAP, reawakening it on either a quarterly or twice yearly basis in order to enable undertaking to voice issues and provide an active consultative group in which issues surrounding the Numbering Conditions can be raised and addressed.