

**COMMUNICATIONS
ALLIANCE LTD**



ACMA NUMBERING PLAN CHANGES

COMMUNICATIONS ALLIANCE SUBMISSION
29 JANUARY 2015

TABLE OF CONTENTS

SECTION 1 – SUMMARY	2
SECTION 2 – PRINCIPLES	4
SECTION 3 – INDUSTRY RECOMMENDATIONS	6
SECTION 4 - INDUSTRY NEXT STEPS	19

SECTION 1 – SUMMARY

Communications Alliance thanks the ACMA for the opportunity to provide feedback on its proposed changes to the Numbering Plan 1997 (the Plan).

Communications Alliance members had hoped to benefit from greater involvement in the development of the revised Plan. Nonetheless, the ACMA action to remove the overly detailed, prescriptive information from the Plan (that has previously been confusing for new-entrants) is commended.

The simplified approach of stipulating universal rules for all numbers and only specifying special rules for certain number types where required makes the document clearer, shorter and more accessible for new entrants.

In particular, removing unnecessary detail contained in the current Plan in relation to the various stages of the auction process for Freephone and Local Rate number allocation significantly improves the Plan.

The level of detail in the previous Plan has caused numerous problems over the years when the ACMA and INMS have sought to correct a system error or customer error but the ACMA has had to follow the prescribed, rigid and detailed process outlined in the current Numbering Plan. Stipulating only the essential rules in the Numbering Plan will give the ACMA and its delegate solution provider greater flexibility to deal with situations as they arise for the benefit of end-users. As the tender process for supply of delegated services was based on the current Plan, CA and its members expect that the simplified decision making under the new Plan, and consequential reduction in both reduced administration and operational activities for the provider of delegated services, should result in a further reduction of costs to industry.

We see the revised Plan as a step along the path toward a future where industry has overall responsibility for number management activities.

Recognising the time constraints in developing and finalising a version of the Plan to cater for the outsourcing of delegated services, we expect a further iteration of the Plan to be developed shortly thereafter to include refinements to address the matters raised in Sections 2 and 3, where the Plan would only contain high level principles and an associated Industry Code and/or Guidelines would contain the lower level obligations

Communications Alliance has been unable to undertake an exhaustive check of the changes undertaken given its lack of involvement in the drafting, and the limited details from the ACMA about those parts of the Plan which have been excised from the current Plan. Our investigations and review have identified that the draft Plan needs further work in a number of areas. In particular, industry considers that priority needs to be given to addressing the following matters:

- mobile numbers are not readily identified and obligations, including number use and arrangements for ported digital mobile numbers, are at odds with industry practice since 25th September 2001 as - instead of being dealt with separately - they are still 'lost' under special services;
- the draft Plan has lost a CSP's rights to use numbers it has been allocated and fails to adequately consider wholesale supplier arrangements where the wholesale supplier to whom numbers are allocated makes numbers available to resellers for them to issue to customers; and
- the registration of CSPs (s9) which in current form imposes an unnecessary regulatory burden for no particular reason.

The absence of CA comment in relation to any part that has been excised from the current Plan is not to be taken by the ACMA as endorsement or agreement for that excision.

Details are listed in Section 3.

About Communications Alliance

Communications Alliance is the primary telecommunications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including carriers, carriage and internet service providers, content providers, equipment vendors, IT companies, consultants and business groups.

Its vision is to provide a unified voice for the telecommunications industry and to lead it into the next generation of converging networks, technologies and services. The prime mission of Communications Alliance is to promote the growth of the Australian communications industry and the protection of consumer interests by fostering the highest standards of business ethics and behaviour through industry self governance. For more details about Communications Alliance, see <http://www.commsalliance.com.au>.

SECTION 2 – PRINCIPLES

Industry has previously proposed that the Numbering Plan becomes more of a Principles-based document, with common headings and details across number types. Communications Alliance is pleased that the ACMA has made significant steps down this path. The AUSTEL Plan had a number of principles that guided numbering arrangements, including obligations upon AUSTEL that would translate well into the new Plan. For example, the AUSTEL Plan had Table 1 with General Principles for Number allocation that clearly identified how AUSTEL should behave. Table 2 had Principles for primary allocations that required consideration of the consumer, promoting competition and ensuring numbering efficiency.

The following principles should guide the content of the Plan:

1. The Numbering Plan is a document that outlines the arrangements associated with numbers that are used by the public. Operational or technical matters relating to number use and numbers not used by the public are to be addressed in Industry Code(s) supported by Industry Guidelines and/or Business Rules. Other matters are dealt with in other instruments (e.g. Obligations relating to Emergency Service numbers are dealt with in the Telecommunications (Emergency Call Service) Determination 2009).
2. The Plan must encourage competition, delivery of innovative new services and treat all carriers and carriage service providers equitably.
3. Principles for number allocation, transfer surrender and quarantine functions should be clearly identifiable in the Plan across all number types.
4. Detailed obligations for Number allocation, transfer surrender and quarantine functions should be clearly spelt out in detail in an associated Industry Code, which may have supporting Guidelines.
5. Any future governance and operational processes should be delivered via a Telecommunications industry¹ self-regulatory approach.
6. The Plan could also include an outline of a governance structure that included industry representation:
 - 6.1. To assess any new number allocation proposals to ensure any industry impacts are appropriately considered before the ACMA makes any recommendation, and
 - 6.2. Oversight any ongoing future variations to any new arrangements that are put in place.

We draw attention to the intention of the Government of the day when introducing the Telecommunications Act 1996. As stated in the Explanatory Memorandum Volume 2 to the Telecommunications Bill 1996 Part 22—Numbering of carriage services and regulation of electronic addressing:

The ACA will be able to delegate to an industry body its powers and functions provided by the numbering plan, including its function of maintaining a register of allocated numbers. This reflects the general regulatory approach adopted in this Act of promoting the greatest practicable use of industry self-regulation (see clause 4).

¹ That is, directly related to Australian carriers and carriage service providers via an industry body or not for profit organisation.

The Government of the day (and by extension, Parliament) intended that the allocations be handled by an "industry body". Further Mr Warwick Smith, Minister for Sport, Territories and Local Government, at the second reading of the Telecommunications Bill 1996 stated:

"Significant efficiency gains can be achieved through greater reliance on self-regulation in networked industries such as telecommunications because regulatory structures and arrangements can be better designed to reflect industry and community needs. This package of legislation provides the framework for the telecommunications industry to take responsibility for key areas of regulation over and above the legislative guarantees provided."

This regulatory approach of the greatest practicable use of self-regulation still underpins the legislation today and supports our requirement for number allocation to be undertaken by a Telecommunications industry self-regulatory body.

SECTION 3 – INDUSTRY RECOMMENDATIONS

Priority Issues:

Communications Alliance has identified some serious deficiencies in the revised Plan and considers that these matters need to be dealt with as a matter of priority as follows:

1. Digital mobile numbers

Digital Mobile Numbers are still hidden within special service numbers. As Digital Mobile Services are now used as mainstream telecommunication services Digital Mobile Numbers should be identified in the list of 'Numbers for use – Public' in Chapter 2 Part 17 (1). In addition a new section should be added to Chapter 3, Part 2 that spells out the definition and principles for the use of digital mobile numbers.

Given that the revised Plan fails to recognise the current use of digital mobile numbers adequately there are a number of other issues that arise from this anomaly. For example:

Chapter 9, Part 2, s100 deals with issue of a number to a customer

Chapter 10, Part 2, s112 deals with cancelation of service to a ported number.

Aside from the fact that these matters are already addressed in Industry Codes, the draft Plan does not recognise the different arrangements that apply to various ported number types and that in the case of a digital mobile number it is held by the Gaining Carriage Service Provider for six months before, being given back to the carriage service provider who is the current holder of that number range. While holding that number for six months the gaining carriage service provider can issue the number to the former customer, a relative (such as in the case of a deceased estate) or to a new entity that has purchased a business that used the number.

Note: the obligation in s112 refers to what seems to be a defined term of '*original carriage service provider*', however no such defined term exists in the draft Plan. If it did it would likely be incorrect as number blocks can transfer at any time and the number should return to the 'holder of that number block', not an 'original carriage service provider'.

Failure to clearly identify obligations relating to digital mobile services also results in an issue with their use. We suggest that digital mobile telephone service has a section that outlines the use of digital mobile numbers, for example:

Use of digital mobile numbers

- (1) A digital mobile service number identified in column 1 and 2 of an item in a table in Schedule 5 may be used only for a type of carriage service mentioned in column 3 of the item.
- (2) A carriage service provider may only use digital mobile numbers for a public mobile telecommunications service (as per s32 Telecommunications Act 1997)

This will also require a change to s58 to include digital mobile numbers as numbers that are able to be allocated.

2. Rights of use

In the clean up of the current Plan, s3.37 has been omitted from the draft Plan.

3.37 Entitlement of holder of freephone, local rate or premium rate number

(1) A carriage service provider that holds a freephone number, local rate number or a premium rate number has:

- (a) the exclusive ability to make the first issue of the number to a customer; and
- (b) the exclusive ability to supply a service on that number; and
- (c) the exclusive ability to enter into a commercial relationship with another carriage service provider, governed by an agreement, to supply a service on that number.

The current industry arrangements for the supply of services are critically dependent upon the principles in this section. In due course it's expected that this would be included in an Industry Code, however at this time it should not be deleted from the Plan and we ask for its reinstatement. As:

Entitlement of holder of freephone, local rate or premium rate number

(1) A carriage service provider that holds a number has the exclusive ability to:

- (a) make the first issue of the number to a customer; and
- (b) supply a service on that number; and
- (c) enter into a commercial relationship with another carriage service provider, governed by an agreement, to supply a service on that number.

3. CSP Registration (Chapter 1, Part 2, Division s9 (a))

Industry strongly objects to the approach taken in revising the Plan that has resulted in the concept of requiring CSP registration (s9(a)) before numbers are issued to and used by CSPs. At present this registration is only required in relation to Freephone and Local rate services. We question whether the obligation to register is in line with current government thinking on regulation as it appears to introduce new regulation and cost rather than remove it. Government policy has consistently been that CSP registration is not required and the ACMA should not use the Numbering Plan as a means to establish a de facto CSP registration scheme.

The Plan deals with a number of matters such as this that relate to the ACMA administration of the Plan and numbering activities. Industry believes that, in line with the principles outlined earlier, if administration matters are required, such as registration being required to access and use the ZOAK system, that such registration be specific in the reason for the requirement and that this may be best placed in a separate instrument, or a separate Volume. For example, The Telecommunications Act does not specifically require administration arrangements to be in the Plan and under s 463 Allocation system for numbers:

(1) The ACMA may, by written instrument, determine an allocation system for allocating specified numbers to carriage service providers.

We believe that as the administration arrangements apply to the system the associated rules should be in another instrument. If this cannot be accomplished then the Plan could contain administration principles and outline the details in another instrument.

4. Number use and interconnect charging

All numbers need to clearly identify their intended use, and in particular, service characteristics that impact on both retail and interconnect pricing.

Service providers have established interconnect pricing arrangements based on expected service use associated with the specified number ranges and a common understanding of the underlying cost structure for service supply.

However, recent activity to use services supplied on particular number ranges to claim interconnect payments for similar services but with substantially different underlying cost structure point to ambiguity arising from the Plan's definitions.

We suggest that the Plan needs to clearly articulate that numbers are used for the purpose of facilitating communications between two parties.

We also note that:

- (1) there may be pricing arrangements for originating and terminating access determined by the ACCC/agreed between suppliers and that pricing arrangements are based on an analysis/consideration of the underlying costs of supplying the service by the carrier/CSP involved based on the number type and expected use; and
- (2) interconnect billing/reconciliations are based on originating number and the destination number and that there is therefore a linkage between numbering and the underlying interconnect arrangements;

Further discussion is needed on this topic.

Other issues in order of appearance in the Plan:

Recognising the time imperatives to remake the Plan to cater for the outsourced delegated services we see the following comments as being less critical. We believe that many of these can be addressed immediately by the ACMA but recognise that some matters, eg those requiring a new industry Code may need to wait for a subsequent version of the Plan (see Section 5).

5. Chapter 1, Part 1 General s6

This should also include reference to the objects of the Telecommunications Act 1997, section 3, and Regulatory Policy, section 4.

6. Chapter 1, Part 2, Division 1 Primary objects

Under Primary objects we would like to see a change to the effect that:

- 1) Under (a) there be recognition of international standards, by changing to:
Establish an effective framework for the numbering of carriage services in Australia consistent with international standards; and
- 2) The addition of two additional objectives that are self explanatory:

- (e) support competitive service provisions and encourage investment by carriers and service providers; and
- (f) promote end user access to a wide range of services and carriers/carriage service providers; and
- (g) treat all carriers and carriage service providers equitably.

7. Chapter 1, Part 2, Division 2, Secondary objects s15 Recognition of the telecommunications industry

Notwithstanding the current text this could be further strengthened by inclusion of a requirement that "Numbering Administration policies will be progressed by ACMA in consultation with the Numbering Advisory Committee and, where relevant, with the telecommunications industry and customers more generally." This concept was in the original AUSTEL Numbering Plan but has been lost over time.

8. Chapter 1, Part 3, Dictionary

- a) business day means a day that is not a Saturday, a Sunday or a day that is a public holiday in Victoria. We believe the definition of a business day should be consistent with current industry practice which refer to a "national" public holiday rather than single out a public holiday in Victoria.
- b) carriage service provider identification code means an access code identified in Schedule 6 as being for use with a pre selection override service. We believe the carriage service identification code was originally used for pre selection override services; today it is mainly used to identify a carriage service provider and to interconnect routing of calls between carriage service providers. It would be appropriate to update the definition to reflect current practice and refer to pre selection override as one use of these numbers. A similar change should be reflected in section 40.
- c) Freephone Number – replace with term National inbound number (note further comments on this number type below).
- d) Freephone service – replace with National inbound service
- e) Delete the following, as these numbers should not be included in the Plan.
 - a. Incoming International Assistance Operator Service
 - b. Incoming International Delay Operator Service
 - c. Incoming International Directory Enquiries Service
 - d. Internal Network Service
 - e. Internal Number
 - f. Signalling Point
 - g. Signalling Point Operator
- f) Local number refers to section 19 that defines a geographic number. This is confusing. The current Plan states:

local number (also known as **subscriber number**) means a set of digits that is a

component of a geographic number and that, when dialled, gives the caller access to:

- (a) a customer at a place that has the same area code as the caller; or
- (b) a carriage service, content service, or a service associated with a carriage service or content service, supplied or operated at a place that has the same area code as the caller.

For clarity the term should be consistent and should revert back to the definition in the current Plan.

- g) Local Rate Number – replace with new term National access number (note further comments on this number type below).
- h) Local Rate Service – replace with National access service.
- i) Location Independent communications service
An additional note should be included to reflect that these numbers are no longer allocated. See also our comments on s58 in relation to location independent communications services below.
- j) Low Charge Amount – delete: 'supplied by the primary universal service provider'. The Plan should not dictate commercial terms and in particular definitions should not be tied to the commercial practices of Telstra. Other service providers should not be constrained by the commercial decisions of Telstra to raise or lower prices. The Plan should allow other organisations to have pricing flexibility. The definition should be: Low charge amount means a charge that is untimed and low cost.
- k) If the name and definition of 'freephone service' is changed to 'inbound national service' along the lines outlined later in this submission, then a consequential change is also required to the definition of a "portable service". Specifically, it would seem that item (b) in the definition of a "portable service" needs to be updated as shown below – to refer to a national inbound service rather than a Freephone service, and to also clarify that any such service used by a carriage service provider to enable its own directly connected customers to contact the provider is not a portable service. Likewise, if the definition of 'local rate service' is changed to 'national access service':

portable service means:

- (a) a local service; or
- (b) a national inbound service service (other than where such service is used by a carriage service provider to enable its own directly connected customers to contact the provider); or
- (c) a national access service; or
- (d) a public mobile telecommunications service other than a satellite telephone service.

l) Private numbering scheme

See comments below on Chapter 4, Private numbering schemes

m) Standard unit (Schedule 7)

The dictionary should state explicitly that a "Block" of numbers has as the starting number, a number comprised of two zeros for a block of 100 numbers, three zeros for a block of 1000 numbers etc.

The ACMA has at times issued units less than the Standard Unit. As the unit size has an effect upon network conditioning for new number allocations we would like to see a process for managing new allocations of less than a standard size that involved industry members.

9. Chapter 2 Numbers for use

See other comments regarding adding digital mobile numbers.

10. Chapter 3, Part 1, s21 Notice of geographic number that may terminate in different locality

As customer information obligations are better dealt with via Industry Codes, this section should be deleted and any essential objectives transferred to an appropriate Industry Code. The ACMA's decision to include this section in the Plan failed to give adequate consideration to industry self regulation approaches, and the need to have a coordinated approach to the flow of information to customers. The risk of "information overload" needs to be managed, along with the need to reduce red tape obligations on industry. Issues related to the font sizes of notices are out of line with the government's regulatory policy objectives and should not be included in the Plan.

11. Chapter 3, Part 1, s22 Use of local numbers

The purpose of this section is unclear and may be technically incorrect for "out of area" numbers. Calls made from a service with an "out of area" number are treated as if they originated from the SZU where the numbers were allocated, not the location of the customer making the call.

It may also be technically incorrect for numbers originating from inside a geographically diverse private network with a limited set of gateway points to the public network.

We suggest that this should revert to the text in 3.8 (1) of the current Plan.

12. Chapter 3, Part 2, Division 1 Freephone numbers

To avoid customer confusion about pricing arrangements when calling a 1800 number from a digital mobile service, we ask that the product description 'Freephone' be removed and replaced with the product description 'National Inbound Service':

National inbound service means a carriage service:

(a) that is capable of voice telephony; and

(b) that is not a local service or a national access service; and

- (c) involves the supply of service to an end customer such that:
 - (i) the end customer is issued with the national inbound service number and agrees one or more numbers to be the termination point to which a call to the national inbound service number is directed; ,and
 - (ii) that, for a call, involves the translation of the number dialled in making the call to one or more of the associated numbers as per (i) above that identify one or more points for termination of the call at the end customer; and
 - (iii) the end customer is not part of the carriage service providers immediate circle; and
- (d) any retail charge by the carriage service provider for any voice call component of a call to the national inbound number will only be charged to the end customer; and
- (e) for which:
 - (i) the call charge to the calling party for calls made to the number for the service using a standard telephone service (other than a location independent communications service or mobile satellite service) is zero; and
 - (ii) responsibility for any residual retail charge for calls lies with the end customer to whom the national inbound service number is issued, or
- (f) despite (c) to (e) above, is used by a carriage service provider to enable its own directly connected customers to contact the provider.

Note: A change to the definition of a portable service is also required as a consequence of this change. We have suggested text for this earlier in the submission under definitions.

13. Chapter 3, Part 2, Division 2 Local rate numbers

To avoid customer confusion about pricing arrangements when calling a 13 or 1300 number from a digital mobile service, we ask that the product description 'Local rate' be removed and replaced with the product description 'National Access Service':

national access service means a carriage service:

- (a) that is capable of voice telephony; and
- (b) that is not a local service or a freephone service; and
- (c) involves the supply of service to an end customer such that:
 - (i) the same end customer is issued with the national access service and one or more associated geographic or mobile numbers.
 - (ii) that, for a call, involves the translation of the number dialled in making the call to one or more of the associated numbers as per (i) above that identify one or more points for termination of the call at the end customer , and
 - (iii) the end customer is not part of the providers immediate circle and
- (d) the end customer is charged for calls to the number for the service; and
- (e) for which:
 - (i) the call charge for calls made using a standard telephone service (other than a location independent communications service, mobile satellite service or a public mobile telecommunications service) is equal to, or less than, the low call charge; and

(ii) responsibility for the residual charge for calls (if any) lies with the end customer to whom the national access service number is issued, or
(f) despite (c) to (e) above, is used by a carriage service provider to enable its own directly connected customers to contact the provider.

14. Chapter 3, Division 3, Premium rate numbers

s29 Restrictions on providing age-restricted services on other numbers

These restrictions are of an operational nature and should be included in an Industry Code.

15. Chapter 3, Part 3 Emergency service numbers

S31 (1) 000 is Australia's primary emergency service number. 106 is currently used for teletypewriter (TTY's) and should be referred to as a secondary emergency service number. 112 is an internationally recognised emergency number for use only on mobile networks. 112 could be removed from the Plan in line with the next recommendation to accept that mobile networks use a range of emergency service numbers.

s31 (2)

This section should be removed as would appear to make it illegal for a mobile phone to trigger an emergency call if the user dials 911 or some other emergency number from another country. This does not appear to be in the interests of end users and is inconsistent with the operational nature of most mobile handsets that will translate and trigger a local emergency service call using many of the international emergency numbers.

This section should also take note of the approach used by the Triple Zero Awareness Group in how it refers to Triple Zero. <http://www.triplezero.gov.au/Pages/default.aspx>

16. Chapter 3, Part 4 Special service numbers

This part is a smorgasbord of number types that would best be broken down and dealt with separately. Each number type should be identified separately with clear rules for use; this is best dealt with in an Industry Code. Some number types should be removed from the Plan e.g. internal network service numbers and testing service numbers.

17. Chapter 3 Part 6, Shared numbers

The Plan fails to address the expected uses of shared numbers. See previous comments regarding Chapter 3, Part 4 Special service numbers.

Provisions that clearly set out the expected use of each shared number should be in an Industry Code, without prejudicing any of the existing diversity of services that have arisen over time for the use of some specific shared numbers.

18. Chapter 4, Part 1, Private numbering schemes

Private network numbers and internal network service are not numbers that are allocated or managed in any way by the ACMA, Private network numbers cannot be listed in the schedules and it is up to private network operators on how they are implemented internally.

While we would prefer that they be removed from the Plan, or covered by a simple statement to the effect that they must not conflict with the public numbering scheme or cause difficulty in interconnection with numbers used by the general public, there needs to be further consideration and discussion between the ACMA and our members on the impact such a change may have on some services, such as Centrex. Any change in relation to Private numbering schemes must ensure that Centrex services can continue to be supplied in compliance with the Plan and Telecommunications Act

19. Chapter 4, Part 2 Mobile Network Codes

The Definition of a mobile network code should be in the Dictionary.

20. Chapter 5 International signalling point codes and mobile network codes

In line with the Industry principles that the Plan deals with numbers used by the general public, we would prefer that references to numbers that are not used by the general public including: private numbering schemes, international signalling codes and mobile network codes, be removed from the Plan and managed by industry.

21. Chapter 6, Part 1, Allocation of Numbers s58 ACMA to list numbers able to be allocated

As noted previously this section should include digital mobile numbers as a separate category.

Industry notes that the ACMA has dealt with the current LICS (055) number ranges at s 58 (5) (b) – by stating: LICS numbers are not to be listed as available for allocation. For consistency this number range should either be removed from schedule 5, or include a note that reflects the point they are no longer allocated as per section 58 (5) b.

22. Chapter 6, Part 2, s60 Application for allocation of numbers – additional requirements

The definition of a standard unit in the note is inconsistent with the definition in the dictionary. To avoid ambiguity, we suggest that the definitions either be completely aligned, or the note be removed or adjusted to simply refer to the reader to the dictionary for the definition.

23. Chapter 6, Part 2 s63 and s70 Particular matters relating to certain applications

As these sections deals with freephone, local rate and premium rate numbers it may be useful to include these in the title.

Subsection (4) (a) (ii) in both s63 and s70 require a number to be issued with 5 days in relevant circumstances. For consistency within the instrument this period should be specified as business days.

24. Chapter 6, Part 3, Application for allocation of numbers in special circumstances, s65 Decision on application

Since the ACMA is removing much of the decision-making process as part of automating the allocation system we expect that the time frames in the Numbering Plan will be reviewed. It would be beneficial to the industry and customers if applications in special circumstances can be more in time with commercial needs

and approved within a much shorter time frame (e.g. no more than 10 business days).

25. Chapter 6, Part 3 s66 Matters to take into account

This section should include mandatory obligation to consult with CSP's so that the impact on network costs and analysis capabilities are properly considered. 69 (2) should also reference s69 (3).

26. Chapter 9, Part 2

Change Title to include reference to Customers as per the existing Plan: "General Obligations of Carriage Service Providers **to Customers**"

Before Section 99, add the following text from the existing Plan, Chapter 10.1:

"The following principles apply to the relationship between a carriage service provider and a customer:

- 1) Telephone numbers are a national resource and are not owned by a person to whom they are allocated or issued
- 2) A customer to whom a telephone number has been legitimately issued may enjoy the beneficial use of the number, freely and without hindrance
- 3) A customer to whom a telephone number has been legitimately issued is entitled to continued use of the number while an appropriate service is provided using the number
- 4) A carriage service provider must not issue a number to a customer unless the carriage service provider is the holder of the number, or the number is being held by a gaining CSP and customer is the previous rights of use holder, or has a legitimate claim to that number.

The remainder of Part 2 could be moved to an Industry Code

27. Chapter 9, Part 2, s103 Replacement of provisions by industry code

We would like to see ACMA start coordination with us now, so the operational matters identified are covered off under Industry codes/guidelines and therefore this whole Part can be removed from the Plan.

28. Chapter 10 Parts 1, 2 and 3

Number Portability arrangements in Chapter 10 are an unnecessary administration process largely a consequence of history and any future introduction of number portability would be dealt with as part of the introduction of a new number range. ACMA administrative procedures relating to number portability could be included in a separate instrument if required.

29. Schedule 6 Preselection override codes

Pre selection override numbers and provider identification code 14XY are now primarily used for identifying service providers and carrier interconnection. We suggest the inclusion of wording to reflect this as a main usage. It does not take away the fact that they are still used for pre-selection override in the PSTN.

Other industry comments:

30. Number quarantine

Quarantine of numbers is not identified adequately and in some cases, such as s100 and s112 are in conflict with day to day operational activities.

Operational arrangements are set out in the Industry Code C566:2005 Rights of Use of Numbers and should continue to be dealt with in through an Industry Code.

However, principles for number quarantine that would guide expectations about quarantine could be included in the Plan, such as;

- does quarantine apply; and if so:
 - that a CSP must only release the number from quarantine to provide service to the previous customer; and
 - a CSP holding a ported number in quarantine can only issue that number back to the previous customer, or return the number to the CSP holder of that number range.

As discussed earlier, s112 (2) does not recognise that the return of cancelled ported number is different for geographic and mobile numbers, these arrangements are best dealt with in an Industry Code. any gaps, such as for freephone or local rate numbers should be dealt with in an Industry Code, not the Plan.

31. Notification timelines

Where the Plan outlines certain time frames (e.g. Section 89, 96, 102, 105 and 127) there is an opportunity to streamline the number of days to undertake an activity unless there is a good rationale to keep the uncommon and lengthy periods.

The Plan should try and be consistent in time duration obligations. Where the Plan generally refers to Business Days, s63 does not specify Business days and it could be assumed that normal calendar days apply. This should be updated to reflect business days.

Comments on the additional issues for comment raised by the ACMA

32. Dictionary Definition of data network access service

We support the definition.

33. Dictionary Definition of internal network service

We support the definition.

34. Dictionary Definition of Virtual private network service

We support the definition

35. Chapter 2, s17 (1) (j) private numbers and private numbering schemes

As discussed previously we support private numbering schemes being removed from the Plan, subject to further consideration of the impact on services (such as Centrex) that may currently be offered to the public. If the content is of value to the broader industry the information can be included in an Industry Code/Guideline.

Private numbers should not be used to provide services to the public.

Private numbers should not be subject to the same rules as apply to geographic and special services numbers.

It is possible to use freephone, local rate and premium rate numbers in a private numbering scheme. It is up to the private network as to how these numbers are applied and used.

36. Chapter 2, s17 (1) (j) Internal numbers

We support the removal of "Internal numbers" from the Plan as they are used for internal purpose.

37. Chapter 2, s18 Special service numbers for international services

The current Numbering Plan lists certain special services numbers and access codes that are for incoming services, as numbers that are for use in connection with the supply of carriage services other than to the public in Australia. Some may also be used in connection with the supply of carriage services to the public in Australia and this needs further discussion with industry.

38. Chapter 3, Part 1, Division 2

The process for creation of new Standard Zone Units (SZU's) should be retained in the revised Plan. It could be removed from the Plan if an equivalent process is defined by the ACMA. Industry is concerned that if the current text is deleted from the Plan that there would be no process for the creation of new SZU's and no legal basis for the ACMA to create a new SZU if needed.

39. Chapter 4 s46 Private numbering scheme without an escape code

We support private network numbering schemes being removed from the Numbering Plan, subject to discussion and clarity around some current services..

Private number plans these days use IP for voice calling where customers have a range of options to use short or long dial codes.

40. Chapter 6 Allocations subject to conditions

We support the ability to allow allocations, such as the National Emergency Alert number 0444 444 444, subject to special conditions, on proviso that any such arrangement be made in consultation with the industry, such as through the Numbering Advisory Committee, or another suitable industry body and industry agrees with any special arrangements.

41. Schedule 6 International access codes

There is no reason why international access codes should be used as prefixes for to private numbers and these should not be allowed.

42. Schedule 6, Table 1 Incoming only international service

These should be retained to prevent outside entry and circumventing of call charges.

43. Schedule 6 Table 1 Virtual private network service (item 22)

These services are currently listed as prefixing geographic numbers, local numbers, special services numbers and private numbers.

Yes, these are the correct services that should be prefixed by virtual private network services.

VPN numbers are in use by Optus, Primus and Telstra customers. The current definition of this number type should be included in the revised Plan.

44. CSP obligations regarding recovery of numbers

In the current Plan, section 10.11 requires that CSPs must not recover numbers without replacing them. The draft Plan 2015 does not include an equivalent provision and we agree with the ACMA it is not required in the Plan and any such arrangements can be accommodated in an Industry Code.

SECTION 4 - INDUSTRY NEXT STEPS

Relationship between the Plan and Industry Code(s):

Numbering Plan and Industry Code(s)

Industry notes that a primary objective of numbering arrangements is the supply of communications services and that service providers want numbering arrangements that their customers can understand and use readily.

There is strong industry support for creating a principles-based Plan and supporting Industry Code that clearly identified the expectations for use of all number types. The revised Plan represents good progress in this direction.

Recognising the time imperatives to remake the Plan to cater for the outsourced delegated services we have developed a draft Numbering Code and seek a co-operative and collaborative approach with the ACMA to dealing with the urgent matters in our response and then addressing those matters that could be deferred to a subsequent iteration of the Plan — to ensure that the Plan and Code support each other to allow suppliers and the public to clearly identify rights and obligations relating to numbering.

Transition Arrangements

Industry is pleased that the ACMA has established the Numbering Service Implementation Committee to manage the transition of delegated services to Zoak. The ability to identify issues and address them as part of the transition is a vital element in ensuring that any impact to industry and the public are identified and managed early. These arrangements could continue past the transition of delegated services to Zoak to ensure that issues affecting the revised Plan and a subsequent more principles based Plan and an associated industry Code are dealt with early on and ensure that the necessary suite of documents, including the Plan, Industry Code and Zoak Business Rules are developed as soon as possible.

Communications Alliance was formed in 1997 to provide a unified voice for the Australian communications industry and to lead it into the next generation of converging networks, technologies and services.

In pursuing its goals, Communications Alliance offers a forum for the industry to make coherent and constructive contributions to policy development and debate.

Communications Alliance seeks to facilitate open, effective and ethical competition between service providers while ensuring efficient, safe operation of networks, the provision of innovative services and the enhancement of consumer outcomes.

It is committed to the achievement of the policy objective of the Telecommunications Act 1997 - the greatest practicable use of industry self-regulation without imposing undue financial and administrative burdens on industry.



**Published by:
COMMUNICATIONS
ALLIANCE LTD**

**Level 12
75 Miller Street
North Sydney
NSW 2060 Australia**

**Correspondence
PO Box 444
Milsons Point
NSW 1565**

**T 61 2 9959 9111
F 61 2 9954 6136
E info@commsalliance.com.au
www.commsalliance.com.au
ABN 56 078 026 507**

Care should be taken to ensure the material used is from the current version of the Standard or Industry Code and that it is updated whenever the Standard or Code is amended or revised. The number and date of the Standard or Code should therefore be clearly identified. If in doubt please contact Communications Alliance