

14 May 2021

Craig Purdon
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Communications Alliance
By email: c.purdon@commsalliance.com.au



Dear Craig

Re: Scheduled Review of ACIF C566:2005 Rights of Use of Numbers Industry Code

ACCAN thanks Communications Alliance for the opportunity to provide comments on the scheduled review of ACIF C566:2005 Rights of Use of Numbers (**the Code**).

The Code is an important instrument from a customer perspective in setting out rules for Carriage Service Providers (**CSPs**) in relation to processes for the reservation, issuing, quarantine and re-allocation of telecommunications numbers. The Code bolsters provisions set out in the ACMA Telecommunications Numbering Plan 2015 (**the Numbering Plan**) by providing detailed guidance and obligations for CSPs in this area.

It is ACCAN's view that more robust provisions are needed regarding the re-issuing of numbers transitioned to quarantine in error. Our comments will focus on changes needed in this area; however, ACCAN supports a more detailed Code review to investigate ways in which the Code can better prevent consumer detriment in relation to numbering.

Telephone number loss while migrating to the NBN

The loss of consumers' telephone numbers while migrating their fixed voice services to the NBN is a well-documented systemic issue. ACCAN, the Australian Communications and Media Authority (**ACMA**), and the Telecommunications Industry Ombudsman (**TIO**) have each expressed concerns regarding number loss during the NBN transition.¹ Number loss is not only extremely inconvenient and time-consuming for consumers and CSPs to resolve; it can also financially impact small business and disrupt consumers' ability to make and receive calls, both of which can have grave consequences.²

In the 2019-20 financial year, an astonishing 9.7% of the 15,990 landline complaints received by the TIO involved a number problem related to connection, disconnection or the transfer of a telephone

¹ TIO 2019, *Systemic Insight: Loss of telephone numbers during migration to the NBN*, <https://www.tio.com.au/sites/default/files/2019-05/Systemics-Report-17-JULY.PDF>

² TIO, *Case study: Masie's small business lost money when Pan Phones lost her number*, <https://www.tio.com.au/help/masies-small-business-lost-money-when-pan-phones-lost-her-number> and, *Case study: LineUp pressured 75-year-old Elizabeth to change her landline service*, <https://www.tio.com.au/help/lineup-pressured-75-year-old-elizabeth-change-her-landline-service>

number.³ This demonstrates that numbering issues continue to be a substantial problem for fixed voice customers.

Though the NBN rollout is nearing completion, the risk of number loss remains a persistent and significant risk for consumers due to the number of households yet to transition to the NBN. Over 3.5 million premises are yet to transition to the NBN.⁴ While some of these premises will be in rural and regional areas, the majority are in the fixed-line footprint.

ACCAN also understands there have been recent cases in which a consumer's mobile service has been disconnected by CSP error, and where an associated service has been disconnected due to an un-authorized or fraudulent number port – in both instances, affected customers have been unable to or have experienced significant difficulty to retrieve their number.

Stronger rules about retrieving numbers from quarantine are needed

Disconnections and subsequent number loss can occur due to CSP, consumer or technical error. Regardless of the reason for number loss, it is of the utmost importance that a number that has been transferred into quarantine in error is returned to the previous Rights of Use (ROU) holder as quickly as is operationally practicable.

Under current arrangements, once a number is disconnected, that number is removed from circulation and put into quarantine for a minimum period of 6 months, or 12 months if the service was disconnected due to nuisance calls. In most circumstances, quarantined numbers cannot be re-issued to a new customer during the specified quarantine period. We have also heard a report where a quarantined number was re-issued to a new customer before the end of the 6-month period, creating serious difficulties for the previous ROU holder to retrieve their number.

However, CSPs are not prohibited from recovering and reissuing a quarantined number if the customer is the previous ROU Holder – i.e. not a new customer. This retrieval is currently not required under any provision within the Code or the Numbering Plan in the event of an accidental or wrongful disconnection; there have been many instances where industry members' failure to do so has created extraordinary inconvenience and detriment to consumers, as mentioned above.

ACCAN's view is that an obligation must be placed on CSPs to retrieve a quarantined number and re-issue that number to the immediate previous ROU holder in circumstances where:

- The service associated with that number was disconnected in error or as a result of fraud, and
- The immediate previous ROU holder requests the re-issuing.

It is extremely important that this retrieval process is enacted as quickly as is operationally feasible – a timeframe should be specified within the Code.

³ TIO 2020, *TIO Annual Report 2019-20*, https://www.tio.com.au/sites/default/files/2020-09/TIO%20AR2019-20_High-Res.pdf

⁴ NBN Co 2021, *National Broadband Network – Rollout Information*, as of 29 April, https://www.nbnco.com.au/content/dam/nbnco2/2019/documents/weekly-progress-report/Public_Progress_Data%20-%20290421.pdf

Additional changes to the Code

Some references to other instruments within ACIF C566:2005, for example the ACMA Telecommunications Numbering Plan 1997, are out of date given the time lapsed since the Code's creation, and should be updated.

ACCAN strongly supports the notion of a detailed review of the Code via Working Committee in order to ascertain other ways in which the Code could be strengthened, and that consumer detriment associated with mismanagement of the Rights of Use of Numbers is avoided.

Please do not hesitate to get in touch on 02 9288 400 or at Rebekah.Sarkoezy@accan.org.au if you seek to discuss our feedback further.

Yours sincerely,

Rebekah Sarkoezy
Policy Officer