



An Coimisiún um  
**Rialáil Cumarsáide**  
Commission for  
**Communications Regulation**

# Nuisance Communications

## Clarification Questions and Answers on Consultation 23/52

Information Notice

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## Chapter 1

# 1 Introduction

## 1.1 Background

- 1.1 On Friday 16 June 2023, ComReg published Consultation 23/52<sup>1</sup> setting out ComReg’s proposals for combatting scam calls and texts. The Consultation aims to consider and identify what network-based interventions are required to combat Nuisance Communications and thereby reduce the economic and societal harm caused to Irish consumers, businesses, and society, in accordance with ComReg’s statutory functions and objectives and duties.
- 1.2 Research commissioned by ComReg in support of its consultations shows that in 2022 alone there were:
- (a) approximately 365,000 cases of fraud in Ireland as result of scam calls and texts, (or 1,000 cases a day)
  - (b) up to 89 million annoying/irritating communications and 31 million distressing communications.
  - (c) over 5,000 businesses that were the victim of fraud after receiving scam calls and texts.
- 1.3 Overall, the total quantifiable harm to Irish society is conservatively estimated at circa €309 million per annum.
- 1.4 ComReg provided a six-week period until Friday 28 July 2023 for interested parties to provide views on all aspects of Document 23/52. In doing so and given the comprehensive nature of the Consultation, ComReg provided an additional two weeks over the normal four weeks identified in ComReg’s Consultation Procedures<sup>2</sup>.
- 1.5 On Friday 14 July, four weeks after the publication of the Consultation 23/52<sup>3</sup>, ComReg received a request from the Irish lobby and business representative group IBEC<sup>4</sup> for an extension of the 28 July deadline to the end of August 2023. It also requested engagement on questions that it had in respect of the Consultation and which it would provide to ComReg.
- 1.6 In Document 23/67<sup>5</sup>, ComReg considered it appropriate, on an exceptional basis, to

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<sup>1</sup> ComReg 23/52 “Consultation on combatting Nuisance Communications” Link [here](#)

<sup>2</sup> See ComReg Document 11/34

<sup>3</sup> ComReg reminds IBEC (TII) that as per ComReg’s Consultation Procedures (Document 11/34), a request for an extension should be made within one week of the date of publication of the consultation concerned.

<sup>4</sup> See [About us - IBEC](#)

<sup>5</sup> ComReg 23/67 “Extension of Consultation 23/52 (Consultation on combatting Nuisance Communications)” Link [here](#)

provide an opportunity for all interested parties, and not solely the industry representative IBEC, to submit Clarification Questions in respect of these interventions by 5pm on Thursday 27 July 2023, with ComReg to respond no later than Thursday 10 August 2023.

- 1.7 For the avoidance of doubt, ComReg made clear that any questions should be strictly limited to those requesting clarification on the matters discussed in the consultation (e.g., the proposed interventions and/or the associated updates to the Numbering Conditions). Interested parties will appreciate that any questions beyond this scope would not be considered at this time. Such questions could only be considered as part of ComReg's formal response to submissions received on Document 23/52.
- 1.8 Finally, ComReg also extended the deadline for responses to Consultation 23/52 to 5pm on Thursday 31 August 2023.

## 1.2 Response to Document 23/67

- 1.9 ComReg received three responses from:
- (a) British Telecom (BT),
  - (b) IBEC<sup>6</sup>, and
  - (c) Twilio<sup>7</sup>.
- 1.10 In total of thirty-two Clarification Questions were received and these are addressed in Section 2 below.

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<sup>6</sup> Telecommunications Industry Ireland ("TII") is the IBEC lobby and representative group for the electronic communications industry in Ireland. Member companies are involved in broadband, broadcasting, cable, data centres, fixed, mobile, satellite and wireless internet as well as equipment manufacturers and network providers.

<sup>7</sup> See <https://www.twilio.com/en-us>

## Chapter 2

# 2 Questions and Answers

- 2.1 This chapter provides ComReg’s answers to the Clarification Questions received in response to Document 23/67.
- 2.2 For clarity, the thirty-two Clarification Questions<sup>8</sup> are grouped under the following eleven subject-matter headings.

- The Cost-Benefit-Analysis.
- Timelines.
- Status of functional requirements and NCIT technical specifications.
- Do Not Originate (“DNO”).
- Protected Numbers (“PN”).
- Fixed CLI Call Blocking.
- Mobile CLI Call Blocking.
- Voice Firewall.
- SMS ID Registry.
- SMS Scam Filter.
- Sub-allocations.
- General Authorisation.

- 2.3 As noted earlier, In Document 23/67, ComReg made clear that Clarification Questions should be strictly limited to those requesting clarification on the matters discussed in Consultation 23/52. Further, ComReg noted that any questions beyond this scope which, for example, could relate to the merits or otherwise of the proposed interventions and/or the updates of the Numbering Conditions would only be considered as part of ComReg’s formal response to submissions received in respect of Document 23/52. ComReg has identified certain questions below which fall into this category, and which consequently will be addressed in ComReg’s response to Consultation 23/52.

## 2.2 The Cost Benefit Analysis

### Question 1

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<sup>8</sup> Questions from different respondents that are sufficiently similar are treated as one question.

2.4 IBEC (TII) asks:

*“What high level network architecture have the per operator costs been based on (e.g., single 3GPP core, single IMS core, Hybrid 3GPP/IMS core, main operator core + separate core for MVNO hosting, split mobile/fixed cores)? This will affect the industry response in terms of the impact of the timing and quantum of spend, especially as it impacts other activities.”*

### Answer to Question 1

2.5 The operator costs presented in Table 13, 14, 15 and 17 of Consultation 23/52 are the cost estimates per operator provided by Europe Economics, as shown in Table 9.3 of its report (the “Europe Economics Report” or “ComReg 23/52a”<sup>9</sup>). These estimates were informed by stakeholder interviews both with Irish mobile operators and with multiple vendors for each solution (e.g., Voice Firewall, SMS Scam Filter). The discussions regarding costs with the MNOs were based on their own network architectures while those with vendors were based on mobile cores more generally. See the Appendix 2 of the Europe Economics Report for further information.

2.6 As part of Consultation 23/52, ComReg welcomes any further information from interested parties in relation to the costs associated with the implementation of any of the proposed interventions.

### Question 2

2.7 IBEC (TII) asks:

*“What decay (if any) has been used for intervention effectiveness over the full NPV term of seven years?”*

### Answer to Questions 2

2.8 See Table 6.5 of the Europe Economics Report for the rates of decay in the interventions’ effectiveness that are assumed by Europe Economics.

### Question 3

2.9 IBEC (TII) asks:

*“What proportion of current voice and text scam value is assumed for of the potential for scams to migrate to other mechanisms, arising from reduced intervention effectiveness (i.e., offset required to calculate net NPV of effectiveness)?”*

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<sup>9</sup> Europe Economics “Europe Economics Report on combatting Nuisance Communications” Link [here](#)

### Answer to Question 3

- 2.10 ComReg's was cognisant that any package of interventions must consider the ability of fraudsters to readily switch across scams, platforms, and territories. ComReg referred to this approach in Paragraph 1.28, 5.35 and 5.36 of Consultation 23/52. This approach follows on from advice provided by Europe Economics (at page 20) that *"A package of interventions needs to consider that scammers can readily switch across scams and platforms."*
- 2.11 In terms of the NPV estimates, Section 1.3 of the Europe Economics Report (see also page 92 of same) estimates that regardless of how scammers switch, the overall net benefits of the package of interventions ranges between €1.4 and €1.6 billion over seven years. These findings are also referred to in Section 5.7.1 of Consultation 23/52.

## 2.3 Timeline for Decision

### Question 4

- 2.12 IBEC (TII) asks:

*"Could ComReg confirm if the date for the final decision, as set out in Figure 12 of the consultation, is misprinted as Q4 2022, and should read Q4 2023? The timelines for the effective date of the various obligations are referenced from the date of the Final Decision."*

### Question 5

- 2.13 IBEC (TII) asks:

*"Could ComReg clarify a "not before date" for the final decision? This will affect the practicality of implementation timelines, especially for those interventions already in train as part of the NCIT work. Failure to provide a realistic "not before date" could potentially give rise to comments raising issues with the proposed effective date timelines."*

### Answer to Questions 4 and 5

- 2.14 The timeline provided in Figure 12 of Consultation 23/52 was a misprint and should indeed have read Q4, 2023.
- 2.15 Given that the deadline for responding to Document 23/52 was extended (as requested by IBEC), ComReg now envisages publishing a Response to Consultation and Decision in Q1 2024, noting that the exact date of publication will obviously be contingent on the submissions received.

## 2.4 Status of Draft Technical and Functional specifications

### Question 6

2.16 IBEC (TII) asks:

*“What is the status of the specifications? If they are mandatory, they need to be sufficiently granular and unambiguous to offer legal certainty. This is because failure to conform would be a regulatory non-compliance. The higher degree of precision required in a mandatory specification would require a more detailed analysis and response.”*

### Question 7

2.17 IBEC (TII) asks:

*“As the Technical Specifications are being consulted on, what is the status of the current NCIT specifications; and what will be the status of any changes in the NCIT specifications that happen outside of the consultation process? In this regard Industry notes ComReg’s position that matters being consulted on cannot be discussed in the NCIT.”*

### Answer to Questions 6 and 7

2.18 In order to accord with the principle and requirements of technology neutrality<sup>10</sup>, ComReg intends to provide operators with some flexibility over how the Decision Instruments should be implemented. The Decision Instruments define the broad boundaries of each intervention and within those boundaries (which are being mandated) it is up to the operators to determine how each intervention is implemented. In that regard, the aim of the Draft Technical and Functional specifications that form part of the Consultation is to provide guidance to operators on the implementation of the interventions in line with the Draft Decision Instruments by providing further information on relevant technical matters. The implementation of the interventions in line with these specifications would assist in ensuring regulatory compliance with the Decision Instruments. As ComReg has stated in paragraph 1.7 of the Consultation, Draft Technical and Functional specifications “*outline ComReg expectations for the implementation of each intervention*”.

2.19 Some members of the NCIT stated that they would not implement the NCIT interventions until the interventions were consulted upon. Notwithstanding, in relation

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<sup>10</sup> Section 12(6) of the Communications Regulation Act 2002, as amended, “to take the utmost account of the desirability that the exercise of its functions aimed at achieving the objectives referred to in subsection (1)(a) does not result in discrimination in favour of or against particular types of technology for the transmission of electronic communications services”. ComReg is also mindful of its statutory obligation to apply European Union law in a technologically neutral fashion, as per Regulation 4(5)(c) of S.I. No. 444 of 2022.



to the role of those specifications that were developed by the NCIT, at paragraph 2.41 of the Consultation, ComReg stated: *"This consultation is proposing to codify a number of interventions proposed through the NCIT and will also consider other interventions that may complement these measures. In this way, the consultation forms a continuation and extension of the efforts of the NCIT, which will run for at least the duration of its current terms of reference."* In that regard, ComReg makes the following points.

- 2.20 **First**, the NCIT is a voluntary industry-led taskforce the terms of reference of which are set out in Document 21/129, the objectives for which are set out at Annex 1 of ComReg Document 21/129. In keeping with the spirit of the NCIT, some members have made commitments to deploy certain interventions by certain dates, and ComReg will continue to assist in ensuring that members honour those commitments, regardless of the consultation process. There are no barriers to discussing the implementation of any commitments made by operators. The NCIT remains a suitable forum for discussing and addressing any issues that operators have regarding the implementation of any of the commitments (e.g., DNO/PN, Fixed and Mobile CLI Call Blocking) made by operators.
- 2.21 **Second**, Consultation 23/52 is a comprehensive document that includes multiple layers of assessment including four draft Regulation Impact Assessments (and supporting Chapters and a Europe Economics Report), and seven draft Decision Instruments, including further proposed updates to the Numbering Conditions. Consultation 23/52 demonstrates that ComReg's overall Preferred Option is objectively justified, transparent, proportionate, and non-discriminatory in accordance with its statutory functions, objectives and duties. Plainly, the NCIT is not the correct forum to discuss the merits or otherwise of those assessments. Any concerns or otherwise that interested parties have in relation to Consultation 23/52 can only be addressed through ComReg's normal and long established consultation process which gives all interested parties (including those who are not members of the NCIT) an opportunity to make submissions.

### Question 8

- 2.22 IBEC (TII) asks:

*"Could ComReg clarify how the draft specification will be developed? The draft circulated for consultation is inadequate and requires significant engagement of technical experts to develop it further. In this regard Industry notes ComReg's position that matters being consulted on cannot be discussed in the NCIT."*

### Answer to Question 8

- 2.23 ComReg refers to the answer provided in Question 6 and 7 above.

- 2.24 Further, ComReg would appreciate any submissions from interested parties on how the draft specifications can be improved upon. Any such submissions will be considered in ComReg's response to Consultation 23/52.

## 2.5 Subscriber cut-offs

### Question 9

- 2.25 IBEC (TII) asks:

*“Could ComReg reconfirm that market subscription thresholds will apply as there has been some conflicting advice provided orally and we would appreciate it confirmed in writing? • It is clearly stated in the draft consultation document (s.5.53 and Table 10, pg 110) and again in the draft decision instrument for SMS intervention (pg 279, Part III) that market subscription thresholds will apply for the SMS interventions, i.e., that operators who have less than 270,000 subscribers will not need to apply these interventions. ComReg outlines that 'applying a voice firewall, a SMS Scam Filter and Sender ID registry only to networks with at least a 5% of all Voice capable subscriptions or SMS subscriptions respectively would achieve significant benefits and ensure such a measure is applied in the least onerous manner'.”*

### Answer to Question 8

- 2.26 The market subscription thresholds are those set out in Consultation 23/52. Therein, ComReg's preliminary view is that for interventions which apply to terminating traffic (e.g., Voice Firewall, Scam Filter and SMS ID registry<sup>11</sup>) the intervention would be required for operators exceeding a certain size. As noted in paragraph 5.53, ComReg proposed “a cut-off of 5% of relevant subscriptions (roughly 270,000 subscribers for SMS and 330,000 subscribers and lines for Voice)”. As noted in footnote 210 and 209, ComReg will repeat and update this analysis in the Response to Consultation 23/52.

## 2.6 DNO and PN

### Question 10

- 2.27 IBEC (TII) asks:

*“Could ComReg provide more detail on the expected compliance metrics reports for DNO and PN interventions, including the frequency and the mechanism for issuing these updates, that operators will need to provide to ComReg? This is required to assess the technical and operational feasibility*

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<sup>11</sup> In the case of SMS ID Registry this is true only of MSPs, noting that these interventions also require actions of other parties such as participating aggregators.

*of meeting the proposed (short) timescales for implementing updates.”*

### Answer to Question 10

- 2.28 Please refer to section 7.1, ‘Draft Decision Instrument for DNO’ and section 7.2, ‘Draft Decision Instrument for PN’ of the Consultation. Reporting requirements for relevant undertakings are set out in Part IV – ‘The Decisions’, for each intervention. ComReg currently foresee that metrics would be submitted by operators to a dedicated ComReg mailbox.

### Question 11

- 2.29 IBEC (TII) asks:

*“Could ComReg clarify the reasoning behind setting the timeframes for implementing updates, in particular for Protected Numbers, where these are classes of numbers within the Irish numbering space which should not change very often and are not normally in service? If operators do not allow for customers to manipulate the CLI (as the customer CLI is registered) which means DNO or PN numbers cannot be used on their network and therefore no breach can occur - could ComReg confirm that they do not expect these operators to provide reports to ComReg on DNO and PN?”*

### Answer to Question 11

- 2.30 ComReg’s objective is to increase the effectiveness of the PN intervention where possible. The initial PN list that was issued to industry was based on the Long Term PN list as set out in the PN specification. However, with regard to the request for clarification on timelines for list updates, ComReg notes that it may add new numbers to this list as a result of ongoing discussions with industry. ComReg foresees that such additions will likely be infrequent, in the short term at least. Consequently, ComReg will advise operators of any new additions as they arise.
- 2.31 IBEC (TII) also requests clarification concerning operators that do not allow for customers to manipulate the CLI, and so are unable to use a DNO or PN number as CLI. Clarification is sought on whether such operators must provide DNO/PN reports to ComReg. In response, ComReg notes that this question relates only to operators that propose to implement DNO/PN on calls originating on their networks and not on transit/termination. In such cases, ComReg notes its proposal that all operators originating calls on the Irish network carry out CLI analysis on all originating calls to ensure that only the customer assigned number is used as CLI.
- 2.32 In the case posed by IBEC (TII), and in line with the requirement for relevant operators to provide DNO/PN metrics on a monthly basis, ComReg proposes that the relevant operator confirms on a monthly basis that the DNO/PN interventions have been maintained and consequently there are zero blocked DNO/PN calls for

that month. In addition, ComReg welcomes comments from any such operators on how CLI misuse could be prevented thereby addressing any possible unauthorised access on such networks.

## 2.7 Fixed CLI Call Blocking

### Question 12

2.33 Twilio asks:

*“Where ComReg refers calls from overseas branch offices or call centres, can this be interpreted as including remote/home workers of the companies and call centres concerned? If not, could the text be extended to explicitly cover widespread practices (e.g. especially since the COVID-19 pandemic, many organisations and call centres have continued to allow telework, and many people continue to effectively do so)?”*

### Answer to Question 12

2.34 The fixed CLI blocking intervention is to apply without exception to all international voice traffic at the point of ingress to the Irish PSTN and as such would block all such international calls presenting with Irish fixed CLIs (i.e., this would include remote/home workers of the companies and call centres concerned). ComReg proposes to end any use of Irish fixed CLIs on calls from non-Irish PSTN to Irish PSTN so as to protect Irish telephone users from fraudsters who use CLI spoofing in this manner. Therefore, all relevant organisations, together with their operator, should ensure that calls using Irish Fixed CLIs originate on the Irish PSTN regardless of the specific end user case.

## 2.8 Mobile CLI Call Blocking

### Question 13

2.35 IBEC (TII) asks:

*“What is the basis for requiring an availability of 99.999% for the roaming status check? The basis is required to assess the proportionality of what is potentially a high-cost obligation.”*

### Answer to Question 13

2.36 ComReg understands that operators design and operate their voice traffic handling functions on a high availability basis (presumed to be 99.999%) and therefore by extension this would apply to the roamer check facility to ensure consistent treatment of traffic.

## Question 14

2.37 IBEC (TII) asks:

*“Could ComReg please clarify why it is proposed to mandate the requirement for Roaming Check for VoLTE? When VoLTE roaming does come into play it will be based on home routing (S8HR) architecture. Voice traffic from Irish VoLTE roamers abroad will route directly to the MNO network (never via Fixed/Transit Operators).”*

## Answer to Question 14

2.38 ComReg has made no assumptions as to the interconnection architecture that each Irish MSP may deploy for VoLTE roaming. Consultation 23/52 provides MSPs with an opportunity to explain how any plans that they may have for VoLTE roaming may or may not impact on the Mobile CLI blocking with roamer check intervention. ComReg would welcome any submissions from interested parties to Consultation 23/52 in relation to this matter.

## 2.9 Voice Firewall

### Question 15

2.39 IBEC (TII) asks:

*“Could ComReg set out its thinking as to why a fixed voice firewall is needed at this stage - how will it be additive on top of the other fixed interventions proposed? “Could ComReg clarify if it has considered if other proposed solutions, e.g., Mobile CLI Roamer check, would be superseded by the implementation of a voice firewall?”*

## Answer to Question 15

2.40 ComReg has outlined its reasons for the Voice Firewall at Paragraph 5.36, and Paragraph 5.151 – 152.

2.41 Footnote 272 also considered whether other proposed interventions would be superseded by the implementation of a voice firewall and notes that absent the static measures, fraudsters would likely continue to spoof Irish numbers. Separately, Figure 33 shows that even in the event that the static interventions are implemented, there is an additional NPV of over €100 Million in net benefits from implementing the Voce Firewall.

2.42 It should also be appreciated that the Mobile Roamer check is not replaced by a Voice Firewall because in its absence the illegitimate use of Irish Mobile CLI's by fraudsters abroad cannot be fully implemented. In addition, this intervention (being

applied by certain operators to all their own terminating traffic) would not supersede the requirement on IGOs to apply the functionally distinct Fixed and Mobile (with Roamer check) CLI call blocking interventions at the point of ingress to the Irish PSTN and regardless of the destination Irish operator who would terminate the call.

### Question 16

2.43 IBEC (TII) asks:

*“As part of the justification for the voice firewall proposed intervention, ComReg indicates that it is based on its understanding from An Garda Síochána that scam calls that originate in Ireland are increasing... Would it be possible to set out the evidence regarding An Garda Síochána reporting an increase in scam calls that originate in Ireland?”*

### Answer to Question 16

2.44 This view was expressed by An Garda Síochána in a stakeholder meeting with ComReg and Europe Economics which was conducted as part of the many stakeholder interviews that informed the Consultation.

## 2.10 SMS Sender ID registry

### Question 17

2.45 IBEC (TII) asks:

*“Could ComReg confirm that section IV 1) of the Draft Decision Instrument for Sender ID Registry correctly specifies that Sender ID be blocked rather than the message itself being blocked?”*

### Answer to Question 17

2.46 Section IV (1) of the Draft Decision does not reference Sender ID being blocked. However, Section IV (2) of the Draft Decision notes that *“Participating MSPs shall block the Sender ID where that Sender...”*. In that regard, ComReg clarifies that this part of the Draft Decision should refer to the message itself being blocked rather than the Sender ID. ComReg will consider revising the text, so that it should read:

*“(2) When delivering an SMS with a Sender ID, relevant undertakings that are Participating MSPs shall block the ~~Sender ID~~ SMS where that Sender ID: a) is not registered; or b) is registered but sent by a source other than the Registered PA or a participating MSP.”*

### Question 18

2.47 IBEC (TII) asks:

*“Could ComReg outline how the issue of multiple legitimate current users of the same SenderID will be handled during the transition to the situation where each sender ID will be unique?”*

### **Answer to Question 18**

- 2.48 ComReg will consider this matter further and this will be reflected in its Response to Consultation. ComReg would welcome any views from interested parties to Consultation 23/52 in relation to this matter.

### **Question 19**

- 2.49 IBEC (TII) asks:

*“What is the estimated volume of SMS SenderIDs to be in registry? (Needed to assess size of “whitelists”)*

### **Answer to Question 19**

- 2.50 At present, and based on the information available to it from operators, ComReg expects the number of SMS Sender IDs to be in the low tens of thousands. ComReg will consider this matter further and this will be reflected in its Response to Consultation 23/52.
- 2.51 ComReg would welcome any submissions from interested parties to Consultation 23/52 in relation to this matter.

### **Question 20**

- 2.52 IBEC (TII) asks:

*“What will be the frequency of registry updates to operators and the mechanism for updates (e.g., email, API etc)?”*

### **Answer to Question 20**

- 2.53 ComReg will consider this matter further and this will be reflected in its Response to Consultation 23/52. ComReg would welcome any submissions from interested parties to Consultation 23/52 in relation to this matter.

### **Question 21**

- 2.54 IBEC (TII) asks:

*“Will updates be deltas or full files – necessary to assess the development effort, operational impacts in relation to implementation timing obligation and practicality of achieving required update times?”*



### Answer to Question 21

- 2.55 ComReg will consider this matter further and this will be reflected in its Response to Consultation 23/52. ComReg would welcome any submissions from interested parties to the Consultation in relation to this matter.

### Question 22

- 2.56 IBEC (TII) asks:

*Industry understands that the Sender ID registry proposed intervention has been implemented in Singapore. Could ComReg provide more detail on this? For example, a presentation on the operational solution put in place there.*

### Answer to Question 22

- 2.57 More information on the Singaporean SMS Sender ID Registry can be found [here](#) and the Singaporean Decision can be found [here](#) (as referred to in Chapter 4 of Consultation 23/52). ComReg would welcome any submissions from interested parties to the Consultation in relation to this matter. ComReg will consider the need for a presentation or any further information in its Response to Consultation 23/52.

### Question 23

- 2.58 Twilio asks:

*“Paragraphs 6.40 and 6.48: Why are government organisations, non-governmental organisations, non-profit organisations, charities, etc. (which can be Irish or EU-based) not mentioned? These also are likely to make use of Sender ID (6.40) and Freephone (6.48). Could the text be extended to cover these entities?”*

### Answer to Question 23

- 2.59 ComReg expects that such organisations would continue to make use of SMS Sender ID and Freephone. For the avoidance of doubt, ComReg will update relevant sections of its response to Consultation 23/52 as appropriate.

### Question 24

- 2.60 Twilio asks:

*“Paragraph 6.40, compared to paragraphs 6.48: Why are the eligibility criteria for Sender ID (6.40, includes a possibility for a trademark holder to be eligible) and freephone numbers (6.48, does not include it) different? More substantially, there is a risk that legitimate use cases are prevented,*



*therefore it should also be possible for a connection to Ireland to be demonstrated in other ways by the SIDO / PA and by the operator.”*

### **Answer to Question 24**

- 2.61 ComReg will consider this matter further and this will be reflected in its Response to Consultation 23/52. ComReg would welcome any submissions from interested parties to Consultation 23/52 in relation to this matter.

### **Question 25**

- 2.62 Twilio asks:

*“Paragraph 6.38: ComReg proposes a 'first come first served' system for Sender IDs. How does ComReg intend to manage this? Clarification is needed to enable industry to understand whether risks to competition might arise from the manner in which this is to be implemented and what resources might be needed from participating aggregators to support this.”*

### **Answer to Question 25**

- 2.63 ComReg will consider this matter further and this will be reflected in its Response to Consultation 23/52. ComReg would welcome any further submissions from interested parties to Consultation 23/52 in relation to this matter.

### **Question 26**

- 2.64 Twilio asks:

*“Paragraphs 6.39 and 7.6: Many companies use several providers in parallel for meeting their alphanumeric SMS requirements, For example in the context of a particular communications campaign, where higher volumes are involved, they can ask aggregators to bid for the contract while also sending messages via other providers. In the light of this, why is ComReg proposing to lock the Sender ID to a single aggregator, and to create a 'porting system' between aggregators? Would it not be simpler and more pro-competitive for ComReg to hold the list of SIDOs (with SIDOs applying directly to ComReg for Sender IDs) and for ComReg to send regular updates specifying which Sender IDs are in use by which aggregator2 (emphasis added to show plural). If a 'porting system' between aggregators is to be adopted, how is this expected to be managed by ComReg in concrete terms?”*

### **Answer to Question 26**

- 2.65 ComReg will consider this matter further and this will be reflected in its Response to Consultation 23/52. ComReg would welcome any submissions from interested parties to Consultation 23/52 in relation to this matter.

## 2.11 SMS scam filter proposed intervention

### Question 27

2.66 IBEC (TII) asks:

*“Could ComReg provide an update on discussions / next steps regarding relevant privacy legislation? Industry believes that this would need to be mandated. There is a risk that failure to do so would mean that scammers would simply opt-out.”*

### Answer to Question 27

2.67 Discussions are ongoing between ComReg staff and senior officials from the Department for the Environment, Climate Change and Communications<sup>12</sup> in relation to the request from industry and ComReg for targeted legislation to permit SMS content filtering in the State.

## 2.12 Sub-allocation of numbers

### Question 28

2.68 IBEC (TII) asks:

*“Could ComReg clarify the distinction between, or the relationship between the sub-allocation of numbers and resellers who use the numbers allocated to their wholesale provider?”*

2.69 Similarly, BT asks:

*“Does Comreg intend to exclude the resale of white-label voice services like WLR from the scope of the bar on sub-allocation of numbers, and if so, how?”*

### Answer to Question 28

2.70 In Section 6.101 of Consultation 23/52, ComReg highlighted its consultation on the Numbering Conditions in 2015, which noted (Section 3.12 of Consultation 15/60<sup>13</sup>) that the sub-allocation of numbers (which is the assignment of numbering resources by an assignee to another entity that is not an end user) is not permitted. In Document 21/75<sup>14</sup>, and in support of industry, ComReg clarified that it recognised the use of resellers in the market and updated the Numbering Conditions accordingly.

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<sup>12</sup> <https://www.gov.ie/en/organisation/department-of-the-environment-climate-and-communications/>

<sup>13</sup> ComReg 15/60 “Consultation: Numbering Conditions of Use and Application Process” Link [here](#)

<sup>14</sup> ComReg 21/75 “Review of the Numbering Conditions and Application Process - Response to Consultation, Decision and Further Consultation” Link [here](#)

- 2.71 As noted in Chapter 6 (paragraph 97) of Consultation 23/52, ComReg is aware of instances where Irish Geographic numbers had been provided to a Cloud platform provider that had subsequently been used to commit fraud. Therefore, numbers are being used by end-users whose serving provider may not hold the rights of use of those numbers.
- 2.72 The objective of ComReg's current proposal is to ensure that the provider of the service to the end-user has responsibility for the conditions attached to the numbers being used. It is not intended to prevent the resale of white-label voice services.
- 2.73 ComReg would welcome any submissions from interested parties to Consultation 23/52 in relation to this matter.

### Question 29

- 2.74 IBEC (TII) asks:

*"We note that the Eligibility Criteria in clause 7.2.2 of the Draft Numbering Conditions of Use and Application Process permits the allocation of mobile numbers directly to OTT providers. We are seeking to understand further the definition of OTTs in this context – do ComReg assess an OTT to be a reseller of a white label service, a network operator or a virtual network operator."*

- 2.75 Relatedly, BT asks:

*"We note that the Edibility Criteria in clause 7.2.2 of the Draft Numbering Conditions of Use and Application Process permits the allocation of mobile numbers directly to OTT providers. We are seeking to understand further the definition of OTTs in this context – do ComReg assess an OTT to be a reseller of a white label service, a network operator or a virtual network operator. Do all operators have the right to mobile number allocations, subject only to a suitable agreement with a mobile network operator?"*

### Question 30

- 2.76 IBEC (TII) asks:

*"Do all operators have the right to mobile number allocations, subject only to a suitable agreement with a mobile network operator?"*

- 2.77 Relatedly, BT asks:

*"We are seeking clarity from ComReg on how it will treat VNOs<sup>15</sup> as just*

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<sup>15</sup> BT characterise Virtual Network Operators (MVNO and FVNO) as "having some element of networking but not all elements of the number dependent network service."

*allocating numbers [to] them creates the problem of how others route calls to them. We are seeking clarity as to whether ComReg will formalise network hosting so that industry network operators<sup>16</sup> can host and route calls to the VNOs given they will have their own allocation of numbers.”*

### Answer to Questions 29 and 30

- 2.78 ComReg assigns mobile numbers to operators that provide a mobile service. This consultation is not considering any changes to the eligibility criteria for mobile numbers.
- 2.79 Regarding the question on VNOs, operators may put forward proposals for number hosting in response to Consultation 23/52.

### Question 31

- 2.80 BT asks:

*“Does Comreg distinguish between individuals accessing their Irish personal or business telephone service site via the internet, and international OTT operators who provide a secure and private solution for this use case? If the latter, does Comreg agree they are the equivalent of a network operator or virtual network operator providing a long-line service?”*

### Answer to Question 31

- 2.81 As part of Consultation 23/52, and in seeking to combat the problem of CLI spoofing by scammers, ComReg considered an example of an overseas call centre or branch office of an Irish company wishing to use its Irish fixed number as presentation CLI on calls into Ireland. ComReg considered this legacy and limited overseas use of Irish fixed numbers as CLI and *Long-lining* was proposed as a measure to originate such calls directly from the Irish PSTN. ComReg propose to review as set out in paragraph 6.20 of Consultation 23/52.

## 2.13 General Authorisation Conditions

### Question 32

- 2.82 IBEC (TII) asks:

*“Where the originating operator is used for least cost routing, and has not assigned the number to the calling party, what are the proposed mechanisms which would be sufficient to discharge the obligation to “ensure that the network CLI for the call shall be the assigned Geographic Number,*

<sup>16</sup> BT characterise Network Operators as “as operators with switching and network facilities and who should only be allocated numbers directly by ComReg in line with the ComReg clarification.”

*076 Standard Rate Number, Mobile Number or M2M number for the calling party”?”*

### **Answer to Question 32**

- 2.83 ComReg notes that in addition to the condition that the network CLI shall be the customer’s assigned number from permitted classes of number, the Network CLI<sup>17</sup> shall be a line identity that comprises a unique E.164 number (or from which that number may be reconstructed) that unambiguously identifies the Network Termination Point (NTP). Therefore, the network CLI shall be that appropriate to each particular operator in the least cost routing service.
- 2.84 In the case of a presentation CLI, it shall also be the customer’s assigned number, from the permitted classes of number. ComReg would welcome any further submissions from interested parties to Consultation 23/52 in relation to this matter.

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<sup>17</sup> ComReg 15/136R3 “Numbering Conditions of Use and Application Process (“Numbering Conditions”) . - Appendix 11 – Definitions” [Link](#)