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Updating the Numbering Conditions of Use and Application Process Document

Response to Consultation 19/88 and Decision

Response to Consultation

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1 Introduction

1.1.1 The Commission for Communications Regulation (“ComReg”) regularly reviews and updates the Numbering Conditions of Use and Applications Process (“Numbering Conditions”) approximately every 2 years. The last review and update was completed in 2018¹. The purpose of this latest update is to address any issues that have arisen since the prior update, by proposing new or amended conditions of use, and also provides an opportunity to make any necessary administrative amendments, as appropriate. ComReg consulted on updating the Numbering Conditions of Use and Application Process in September 2019 (“Consultation 19/88”)², and this Response to Consultation is the response to same.

1.1.2 There are seven respondents to Consultation 19/88:

- Eircom Limited and Meteor Mobile Communications Limited (“Eir”)
- Office of the Government Chief Information Officer (“OGCIO”)
- Equant Network Systems (“Equant”)
- Tesco Mobile Ireland (“Tesco Mobile”)
- Three Ireland (Hutchison) Limited (“Three”)
- Virgin Media Ireland Limited (“Virgin Media”)
- Vodafone Ireland Limited (“Vodafone”)

1.1.3 The non-confidential submissions are published³ alongside this Document and considered herein.

1.1.4 ComReg, having carefully considered the submissions to Consultation 19/88, has decided to make amendments to ComReg Document 15/136R1 – “Numbering Conditions of Use and Application Process” (the “Numbering Conditions”)⁴. The revised version of the Numbering Conditions⁵ is also published alongside this Document.

1.1.5 This Response to Consultation sets out the basis for the decision to amend the Numbering Conditions and ComReg’s consideration of the submissions to Consultation 19/88.

1.1.6 With regard to the proposed amendments to the Numbering Conditions, there

¹ Numbering Conditions of Use and Application Process – Consultation – [ComReg Document 17/102](#). The Response to Consultation was [ComReg Document 18/44 and D05/18](#)

² Updating the Numbering Conditions of Use and Application Process Document – [ComReg 19/88](#),

³ ComReg Document 19/104s– Updating the Numbering Conditions of Use and Application Process: Submissions to Consultation 19/88

⁴ [ComReg Document 15/136R1](#)– Numbering Conditions of Use and Application Process.

⁵ ComReg Document 15/136R2 –Numbering Conditions of Use and Application Process

were two key areas addressed by Consultation 19/88:

- To incorporate conditions of use for new Machine to Machine (M2M) numbers introduced by ComReg in 2018⁶. This is an administrative update to incorporate conditions of use and eligibility criteria that have already been consulted on as part of the consultation process, leading to the introduction of the new M2M range.
- To support the Non-Geographic Number (NGN) implementation project. This is partly administrative - to incorporate conditions of use already consulted on as part of the NGN Review (and in particular the 'Geo-Linking' retail pricing condition which will take effect from 1 December 2019 and the 5-to-2 NGN Consolidation)⁷. In addition, some of the detailed NGN implementation project planning undertaken in the first half of 2019 has highlighted the need for some further amendments and additions to the Numbering Conditions.

1.1.7 It is important to note that the incorporation of conditions of use and eligibility criteria for new M2M numbers are reflected in the new version of the Numbering Conditions which is attached to this Response to Consultation, for the convenience of interested parties. The purpose of this consultation process is not to revisit decisions already made by ComReg but rather to ensure that such decisions are correctly reflected in the new version of the Numbering Conditions.

1.1.8 In addition to implementing decisions already made, ComReg keeps the Numbering Conditions under review and aims to regularly remove any conditions of use that have become obsolete, and propose new or amended conditions to take account of market or product developments, changes to industry processes, or new legislation.

⁶ Decision D06/18 contained in Review of Mobile Numbering – Response to Consultation and Decision, [ComReg document 18/46](#).

⁷[ComReg document 18/106](#): Review of Non Geographic Numbers, Response to Consultation 18/65 and Decision. Part IV of Annex 1 deals with the “Effective Date” of the Decision Instrument.

2 Machine-to-Machine Numbers

2.1 Summary of ComReg's view in Document 19/88

2.1.1 In Document 18/46, ComReg decided to introduce conditions of use and eligibility criteria for new M2M numbers. In Document 19/88, ComReg proposed administrative changes to the Numbering Conditions to take into account the following M2M related matters:

- Highlighting the required digit structure for the new M2M numbers: network access code (088) + 10-digit subscriber number;
- A condition that an M2M number shall only be used for the provision of M2M services or a bundle of services in which an M2M service is a predominant component;
- A condition that the number holder shall ensure that M2M numbers used extraterritorially are used in compliance with consumer protection and other national rules in the country in which they are used;
- Definitions for 'extraterritorial use', 'M2M service' and 'OTT service';
- New text on eligibility criteria for mobile numbers, M2M numbers, and Mobile Network Codes (MNCs); and
- Updating the application process.

2.1.2 For the Rights of Use Conditions for M2M numbers, ComReg proposed the addition of the following text to the end of Chapter 4 of the Numbering Conditions:

"4.11 Machine to Machine Numbers

RoU Conditions

1. "M2M Numbers shall have the digit structure "network access code (088) + 10-digit subscriber number"

2. "An M2M Number shall only be used for the provision of an M2M Service or a bundle of services in which an M2M service is a predominant component"

3. "The number holder shall ensure that M2M Numbers used extraterritorially are used in compliance with consumer protection and other national rules in the country in which they are used".

2.1.3 In addition, ComReg proposed the following definitions be added Appendix 11 of the Numbering Conditions:

"M2M service" means a service consisting of the exchange of data between devices, over a public electronic communications network, with limited or no human

intervention.”

“Extraterritorial use” means the use of Irish numbering resources in other countries on a permanent basis by way of (i) activation of the Irish numbering resources in a telecommunications network in another country; or (ii) by way of permanent international roaming. The use of Irish numbering resources for temporary roaming is not considered as Extraterritorial use.”

- 2.1.4 For eligibility criteria, ComReg proposed the following text to be added to the end of Section 6.2 of the Numbering Conditions:

“Rights of use for M2M numbers shall be granted to MNOs, MVNOs and only to M2M Service Providers that can both justify the requirement and can manage the resources. 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”.

- 2.1.5 ComReg also proposed, for eligibility criteria, the addition of the following text to paragraph 6.2(2) of the Numbering Conditions:

“Rights of use for Mobile Numbers and MNCs shall only be granted to MNOs and MVNOs, and to OTT Service Providers, provided the OTT Service Provider qualifies as an ECS, and the OTT Service Provider has a contract with an Irish MNO to access its network.”

- 2.1.6 For the use of Overseas (EU & Non-EU) Numbers and MNCs in Ireland ComReg proposed the addition of the following text to the end of section 3.1 of the Numbering Conditions of Use:

“10. For the avoidance of doubt, the regulatory obligations attached to the General Authorisation and the conditions set out in Section 3.1 of this document shall apply to the use by undertakings, for M2M services in the State, of numbers assigned by the ITU, or overseas numbers”.

- 2.1.7 ComReg sought responses to the following consultation question.

Do you have any comments on ComReg’s proposed administrative amendments to the conditions relating to M2M Numbers? Please explain the basis for your response in full and provide supporting information

2.2 Views of respondents to Document 19/88

- 2.2.1 Eir submits that the M2M decision was made in June 2018 and questions why the administrative changes are being made now.

- 2.2.2 Further, Eir notes that ComReg has already allocated numbers from the 088 range on foot of D06/08 and asks for clarification on the scope of consultation in respect of 088 numbers.

- 2.2.3 Finally, Eir submits that Internet of Things would be a more forward looking identifier for the 088 range than M2M.
- 2.2.4 Virgin Media submits that the changes seem to align with ComReg's related consultation in 2018.
- 2.2.5 Three submits that the proposed definition of M2M might prove to be limiting in cases where a voice/audio connection will be required in conjunction with M2M. It notes that ComReg should consider a similar approach to the EECC where M2M/IoT is defined as 'electronic communications services other than interpersonal communications services, throughout the territory of the Union'⁸.
- 2.2.6 Three submits that it might be premature to impose the proposal on the extraterritorial use of M2M numbers and suggests avoiding conditions that vary from those in the EECC. Three also submits that it is unclear how ComReg would enforce conditions outside of the EEA and when roaming would be considered permanent (Three suggests four months).
- 2.2.7 In relation to the condition that "*M2M Service Providers that can both justify the requirement and can manage the resources*". Three submits that there is no measure of what is necessary to justify the requirement or to demonstrate the ability to manage the resources and it would be more transparent if the main criteria for these two measures could be defined.
- 2.2.8 Three also submits that the requirement for an OTT to have a contract with an Irish MNO should be a continuing requirement to prevent an OTT seeking a contract to qualify for the number assignment and then terminating it shortly afterwards.
- 2.2.9 Vodafone submits that the definition of an M2M number as set out in paragraphs 26 and 27 of Document 19/88, the phrase 'predominant component' is too loose. In addition, Vodafone submits that voice services should be further restricted so that a service using these numbers can include emergency calling and call-back as part of the service but otherwise have limited voice capabilities.
- 2.2.10 Vodafone proposes that the M2M definition be amended to: 'a service consisting of the exchange of information between machines, through a mobile or fixed network, with limited or no human intervention. This includes emergency calling with limited voice capabilities'. Vodafone submits that this would avoid consumers using these numbers as voice terminating locations requiring a porting service.
- 2.2.11 Vodafone has no objections to new Irish E.164 for non-interpersonal services and Irish E.212 MNCs being made available for use on an extraterritorial basis

⁸ Article 93

for international M2M services but submits that any requirements for number porting should be clear to all parties.

- 2.2.12 Vodafone strongly agrees with ComReg's proposed clarification that the conditions attached to General Authorisation and the conditions set out in Section 3.1 of the Numbering Conditions apply to the use by undertakings, for M2M services in the State, of numbers assigned by the ITU, or overseas numbers. Vodafone add that that it should make clear in the Numbering Conditions

2.3 ComReg's Assessment

- 2.3.1 In relation to Eir's concerns regarding the timing of the administrative changes, and need for consultation on same, Document 19/88 noted that ComReg aims to review and update the Numbering Conditions approximately every 2 years and the last review and update was in 2018. In light of the various decisions made by ComReg in the intervening period, ComReg considers this review to be timely in order that the Number Conditions reflects these decisions. Further, Eir is referred to Para 1.1.7 and 1.1.8 above where ComReg noted that the purpose of this consultation process is to ensure that any decisions about conditions of use already taken by ComReg are correctly reflected in the new version of the Numbering Conditions.
- 2.3.2 In relation to Eir's suggestion that a more forward looking identifier for the 088 range would be Internet of Things rather than M2M, ComReg notes that Document 18/03 (Para 14), proposed that the terms IoT and M2M are taken to have the same meaning. This meaning is maintained in this administrative update of ComReg's decision D06/18 arising from Consultation 18/03.
- 2.3.3 In relation to Eir's query on whether ComReg is re-consulting on matters covered in D06/18, ComReg notes such matters which have already been decided upon, and as such, are not relevant to this consultation. This consultation addresses the administrative aspect of decisions on the conditions of use and eligibility criteria of M2M numbers that have already been made. ComReg notes that it set out its position on this matter in Response to Consultation Document 18/46.
- 2.3.4 ComReg notes that Virgin Media is in agreement with the proposed administrative changes.
- 2.3.5 In relation to Three's suggestions that :
- (i) ComReg's definition of M2M is limited in respect of M2M where a voice/audio connection will be required in conjunction with M2M,
 - (ii) it would be premature for ComReg to impose a condition on complying

with consumer protection and other national rules when M2M numbers are used extraterritorially, given there is a similar requirement in the EECC.

- (iii) ComReg should define the criteria on which it would assess the justification for and also the capability of an applicant for NGNs to manage the numbers.

ComReg notes that these matters have already been decided upon, and as such, are not relevant to this consultation. This consultation addresses the administrative aspect of decisions on the conditions of use and eligibility criteria of M2M numbers that have already been made. ComReg notes that it set out its position on these matters in Section 5.6 of Response to Consultation Document 18/46.

- 2.3.6 Three also submits that the requirement for an OTT to have a contract with an Irish MNO should be a continuing requirement to prevent an OTT seeking a contract to qualify for the number assignment and then terminating it shortly afterwards. In response ComReg highlights that this eligibility criterion was consulted on and ComReg's position is set out in Section 3.4 of Document 18/46. For the sake of clarity, ComReg notes that if an OTT terminated its contract with a MNO, it would by definition not have a contract and therefore would not have rights of use for Mobile Numbers and MNCs.
- 2.3.7 In relation to Vodafone's view that the phrase 'predominant component' in ComReg's definition of M2M service is too loose and should be further restricted so that a service using these numbers can include emergency calling and call-back as part of the service, ComReg notes that this eligibility criterion was consulted on and ComReg's position set out in Section 5.6 of Document 18/46 wherein ComReg notes that emergency calling and call-back are included in this definition.
- 2.3.8 In relation to Vodafone's view that number porting should be clear to all parties, ComReg notes that Section 6 of Document 18/46, discusses and sets out the options for Service Provider Switching in respect of the new M2M numbers. ComReg decided not introduce regulatory requirements for specific service provider switching mechanisms at that stage but indicated that it would continue to monitor European and international developments in this area and may issue a further consultation on Service Provider Switching if considered necessary.

3 Non-Geographic Number Review

3.1 Summary of ComReg's view in Document 19/88

3.1.1 In Document 18/106 and Decision D15/18, ComReg determined that a number of measures were necessary in order to address concerns related to the NGN platform.

- “Geo-linking Non-Geographic Numbers with Geographic Numbers - The retail tariff charged to any end-user for a call to a Non-Geographic Number in any of the four ranges 1850, 1890, 0818, or 076 shall not exceed the retail tariff that would be charged to the same end-user for a national call made to a Geographic Number, at the same time”.
- “With the exception of 076 numbers used to provide emergency services, and save for any exceptional circumstances as ComReg shall determine, all rights of use for Non-Geographic Numbers in the ranges 1850, 1890, and 076 shall be withdrawn from all undertakings to whom such rights of use were granted at midnight on 31 December 2021 and from the date of this decision no new rights of use for Non-Geographic Numbers in the ranges 1850, 1890, and 076 shall be granted to any undertaking. All rights of use for Non-Geographic Numbers in the ranges 1800 and 0818 shall remain in effect and new rights of use for numbers in those ranges may be granted to any authorised undertaking which applies for same.”⁹

3.1.2 The revised version of the “Numbering Conditions of Use and Application Process” document reflecting the two decisions in the DI shall come into effect on 1 December 2019.

3.1.3 ComReg sought responses to the following consultation question.

Do you have any comments on ComReg's proposed amendments to the conditions relating to Non-Geographic Number Review? Please explain the basis for your response in full and provide supporting information.

3.2 Views of respondents to Document 19/88

3.2.1 Eir notes that ComReg has deviated from the text of D15/18 with the deletion of “*With the exception of 076 numbers used to provide emergency services, and*” but has no objections if this is what is being consulted on.

3.2.2 OGCIIO agrees with the approach outlined and will work with ComReg to

⁹ ComReg Response to Consultation 18/106 and Decision D15/18.

replace the current 076 number range across the public sector.

3.2.3 Virgin Media agrees with the proposed changes.

3.3 ComReg's Assessment

3.3.1 Notwithstanding respondent's broad agreement with the deletion of "*With the exception of 076 numbers used to provide emergency services*", ComReg notes that this deletion was predicated on the implementation of a related proposal to assign mobile numbers for TETRA. However, as noted below, and in light of the responses received, ComReg is of the view that consideration of this should be subject to further discussion at the NGN WG or potentially a separate consultation if necessary. Therefore, ComReg will not proceed with this proposed amendment at this time. Please see Section 6 for ComReg's position on mobile numbers for TETRA.

4 Other administrative updates

4.1 Summary of ComReg's view in Document 19/88

4.1.1 ComReg proposed that the Numbering Conditions should also be updated to:

- Delete the reference to Bursty Traffic Numbers¹⁰ and not to require an application to identify same.
- Make editorial changes as follows:
 - Numbers with the 0818 access code will now be referred to as “Standard Rate Numbers” rather than the current “Universal Access Numbers”;
 - Numbers with the 1850 and 1890 access codes will now be referred to as “Standard Rate Numbers” rather than the current “Shared Cost Numbers”; and
 - Numbers with the 076 access codes will now be referred to as “Standard Rate Numbers” rather than the current “Nomadic Numbers”.

4.1.2 ComReg sought responses to the following consultation question.

Do you agree with ComReg's proposed other administrative updates to the Numbering Conditions of Use and Application Process? Please explain the basis for your response in full and provide any supporting information.

4.2 Views of respondents to Document 19/88

4.2.1 Eir objects to the proposed deletion of Section 4.4 of the numbering conditions as, in its view, there is still a requirement for Bursty Traffic Numbers to be identifiable so that traffic on legacy exchanges can be managed reducing the risk of call set-up failures.

4.2.2 Virgin Media agrees with the changes proposed and with the inclusion of OTT service providers in Section 6.2 of the draft revised conditions.

4.2.3 Vodafone agrees with the proposed update.

4.3 ComReg's Assessment

4.3.1 In relation to Eir's concerns surrounding Bursty Traffic Numbers, ComReg notes

¹⁰ **Bursty Traffic Number**” means a Non-Geographic Number that is used for services that are likely to generate very large call volumes over a short period of time

Eir's view that there is still, in its view, a requirement for such numbers. In that regard, ComReg notes that services which are "bursty" in nature, can be harmful to the integrity of telecommunications networks. Where such services exists, it is important that bursty traffic can be identified to allow appropriate network protection measures to be taken place. Therefore, in order to provide for the effective management of the numbering resource ComReg is of the view that the requirement for Bursty Traffic Numbers should be retained in the Numbering Conditions. ComReg will continue to monitor the need for such numbers and make any necessary changes in future iterations of the Numbering Conditions.

5 Assignment of Individual NGNs

5.1 Summary of ComReg's view in Document 19/88

- 5.1.1 In Document 19/88, ComReg explained that it currently uses a temporary manual approach for all new 1800 and 0818 assignments using PortingXS but that an automated system is in development. ComReg conducted a detailed audit of NGN usage across all operators and the audit data ensured that any unused 1800 and 0818 NGNs were recovered for future assignment.
- 5.1.2 ComReg proposed to introduce a new condition of use requiring that all applications for 1800 and 0818 NGNs must be supported by a valid end user order/request. This should ensure the efficient use of 1800 and 0818 NGNs in the future and prevent hoarding of numbers by operators or resellers.
- 5.1.3 ComReg sought responses to the following consultation question.

Do you agree with ComReg's proposal to introduce a new condition of use requiring that all applications for 1800 and 0818 NGNs must be supported by a valid end user order/request? Please explain the basis for your response in full and provide supporting information.

5.2 Views of respondents to Document 19/88

- 5.2.1 Eir has no objection in principle to ComReg's proposal but is of the view that the text should be amended to clarify the meaning of 'customer details'. Eir suggests the following amendment "*In the case of 0818 and 1800 numbers, ~~the~~ a unique customer identifier details ~~hasve~~ not been provided by the applicant"*
- 5.2.2 Equant understands and agrees with the need to correctly register the real customers intending to use 1800 and 0818 NGNs. However, it submits that It may put Equant in a difficult position as customers asking for such numbers very often require number activation within very tight lead times. To solve this, Equant proposes that it should be granted 10 to 50 spare numbers already activated in its name.
- 5.2.3 Virgin Media states submits that it is an active member of the NGN Working Group (NGN WG)¹¹ where the proposal was already agreed.
- 5.2.4 Three agrees with the proposal but submits that a balance needs to be found between preventing number hoarding and creating barriers to legitimate users.

¹¹ The NGN Working Group (the 'NGN WG') means the Industry Working Group formed by ComReg to develop and agree a detailed Implementation and Communications Plan and to oversee the implementation of the two NGN measures.

- 5.2.5 Vodafone agrees in principle but notes that it is possible that customers could request for a number to be reserved and then decide not to proceed. Large corporates may also wish to reserve a short series for future uses.

5.3 ComReg's Assessment

- 5.3.1 In relation to the amendments suggested by Eir, ComReg is minded to accept such changes in order to provide the additional clarity required. In that regard, the updated text for Section 6.6 of the Numbering Conditions reads as follows.

"In the case of 0818 and 1800 numbers, a unique customer identifier has not been provided by the applicant."

- 5.3.2 In relation to Equant's comments on the timeliness of number activation, ComReg notes that the INA system is now automated. This makes the assignment process much quicker than before when manual intervention was required. As the INA system leverages the PortingXS FNP system processes, number activations are now typically within a day.
- 5.3.3 Phase 2 of the migration for the INA system was recently completed during which operators identified all of the active 1800 and 0818 NGNs in their previously-allocated number blocks and returned any inactive 1800 and 0818 NGNs to ComReg for future assignments. This 'clean-up' exercise was spearheaded by industry and ComReg sincerely appreciates the time and effort of all involved. This exercise has enabled the return of 1800 and 0818 numbers, all of which are now available for assignment on the INA system. This will ensure that 1800 and 0818 NGNs are plentiful to meet future needs.
- 5.3.4 In relation to Vodafone's concern that customers could ask for a number to be reserved, ComReg notes the reservation of 1800 or 0818 numbers is not permitted. It was agreed, at NGN WG Meeting 8, that assignment requests should be supported by a valid end user order/request, in order to confirm that genuine customers plan to use the numbers. This is essential to ensuring the efficient use of 1800 and 0818 NGNs and the prevention of number hoarding (including 'golden' numbers).
- 5.3.5 In relation to Three's concern regarding the need to balance between preventing number hoarding and creating barriers to legitimate users, ComReg notes that one of its objectives is to ensure the efficient management and use of numbers from the national numbering scheme. To this end, ComReg is required to make sure that numbers are assigned and used properly. ComReg considers that the new 1800 and 0818 number assignment process caters for these scenarios as there is a safeguard of requiring a unique customer identifier for 1800 and 0818 applications to prevent number hoarding or reservation. In addition, the 'clean-up exercise' referred to above has allowed unused numbers

to be made available for assignment.

- 5.3.6 Further, in relation to Three's suggestion that all situations where an operators needs a number should be catered for, ComReg notes that applications for 1800 and 0818 NGNs are now processed and numbers are assigned a First-Come-First-Served basis. This ensures fair access to these NGNs for all. Further, ComReg has also now made an 1800 and 0818 number search facility available on its website¹² to facilitate individual and number pattern searches for these NGNs.

¹² <https://www.comreg.ie/industry/licensing/numbering/1800-0818-number-search/>

6 Numbering for TETRA Services

6.1 Summary of ComReg's view in Document 19/88

6.1.1 In Decision D15/18 (Document 18/106) ComReg considered it appropriate to allow the continued use of 076 numbers for emergency services. The Office of the Government Chief Information Officer (OGCIO) subsequently indicated that 076 numbers being used for TETRA services would not form part of a closed user group and are likely to be diallable by members of the public. The OGCIO preference is therefore to use mobile numbers going forward.

6.1.2 In Document 19/88 ComReg was minded to provide mobile numbers for TETRA. ComReg was of the view that both technologies have much in common and a significant proportion of European Member States already use mobile numbers for TETRA. ComReg did not consider it an efficient use of numbers to use the 082 or 084 ranges solely for TETRA as it is not likely to merit an entire range. ComReg therefore proposed to make an initial 100,000 block of 089 numbers available for TETRA.

6.1.3 ComReg sought responses to the following consultation question.

Do you agree with ComReg's proposal to make mobile numbering resources available for TETRA services in Ireland and its specific proposal to make an initial assignment of 100K 089 numbers to OGCIO/Tetra Ireland at this time? Please explain the basis for your response in full and provide supporting information.

6.2 Views of respondents to Document 19/88

6.2.1 OGCIO agrees with the proposal to make mobile numbers available for TETRA use.

6.2.2 OGCIO submits that it is a requirement for TETRA devices to have the same functionality as any other mobile device. It is also of the view that the retirement of 076 numbering is challenging but also an opportunity to review where Ireland is in terms of its Public Safety Network and future proof this network.

6.2.3 Tesco Mobile is of the view that more information is needed in order for it to make an informed decision. Tesco Mobile submits the following questions:

- How does the TETRA system work?
- What is its purpose?
- How will it work/what will its purpose be in the future?

- Will allocation of 089 numbers to TETRA cause confusion?
- How will calls to TETRA be routed/charged? and
- What aspects of the regulatory framework apply/do not apply to TETRA?

6.2.4 Tesco Mobile proposes that ComReg establishes a forum involving ComReg, the OGCIO/Tetra Ireland and the mobile operators to clarify the above matters and obtain the views of mobile operators.

6.2.5 Three states that it has significant concerns and is of the view that this matter should be subject of a separate consultation or workshop where relevant issues can be identified and alternative numbering options considered. Three raises the following issues.

- It is not clear how calls would be routed for termination on a TETRA network or what commercial arrangements would apply;
- If part of the 089 range was to be taken outside of the porting system then these ranges would need to be built separately by all routing operators which would introduce cost;
- Consumers are likely to understand 089 as a mobile range. For this reason, consideration should be given to alternative ranges for TETRA.

6.2.6 Vodafone considers that the discussion at the NGN WG was superficial and much more detailed consideration would need to be given to allocating a 100k block to TETRA. Vodafone raises the following issues.

- The rules on interconnect and termination rates would need to be considered along with how additional services such as group calling would operate in the context of connection to mobile networks.
- If TETRA was to propose porting-in a significant number of numbers then further consideration would need to be given to spectrum, competition and state-aid issues.
- Further consideration on potentially extending mobile rights of use to TETRA services and the proposal to allocate 100K of mobile numbers to TETRA, including rules on interconnect and termination rates would be needed.

6.3 ComReg's Assessment

- 6.3.1 In view of the responses requesting further consideration of the issues, ComReg is minded to consider the matter of making mobile numbers available for TETRA separately. ComReg will therefore initiate discussions with industry and OGCIO to progress the matter. These discussions would inform ComReg ahead of a consultation on this matter. ComReg will consider the above responses as part of that review. As noted in Section 3.3 above, in the intervening period, ComReg will retain the use of the 076 range for emergency services. For the avoidance of doubt, no changes will be made in advance of the proposed consultation.

7 User switching mechanisms between TETRA and commercial networks

7.1 Summary of ComReg's view in Document 19/88

7.1.1 In Document 19/88, ComReg clarified that the obligation for number portability applies to all numbers in the National Numbering Scheme and requested opinions on whether the current industry Mobile Number Portability (MNP) process might be appropriate for TETRA or whether the circumstances and mechanics of switching any large TETRA user base to a commercial mobile network might also merit a project based approach between the losing and gaining operators and their interconnection partners.

7.1.2 ComReg sought responses to the following consultation question.

Do you have any views or insights to share on the potential user switching mechanisms between TETRA and commercial mobile networks? Please explain the basis for your response in full and provide supporting information.

7.2 Views of respondents to Document 19/88

7.2.1 Eir notes that the TETRA network is not a public network as only pre-defined user groups may be registered users. It considers therefore Mobile Number Portability of individual TETRA numbers would not be required. Eir notes that adding a new operator to the industry MNP solution is time consuming and expensive and asks if MNP will be a requirement for the proposed 089 X range.

7.2.2 Tesco Mobile considers that further discussions on the issue are needed and proposes, as per its response to Q5, that ComReg establishes a forum involving ComReg, the OGCI/Tetra Ireland and mobile operators to clarify matters and to obtain mobile operators' views.

7.2.3 Three notes that number portability is a right for end users on publicly available networks but that this would not be the case for numbers on a private TETRA network. It suggests that if the service was to be provided on an existing mobile network, that it may be preferable to assign the numbers to that existing network in which case the numbers would be portable as other mobile numbers are.

7.2.4 Vodafone considers that switching between TETRA and commercial mobile networks raises significant commercial and technical issues and that the issue needs further research and a separate consultation.

7.2.5 OGCI submits that Tetra Ireland provide specific infrastructure and coverage

and while the numbers in use on the network provided by Tetra Ireland, could be ported, there would be little point in this as the specific functionality that any tetra network offers would be lost.

- 7.2.6 OGCIO also maintains that any future Public Service network that is based on a technology available from commercial carriers where the services offered are suitable for use on a Public Safety Network would facilitate number portability.
- 7.2.7 Vodafone is of the view that switching between TETRA and commercial mobile networks raises significant commercial & technical issues and needs a separate consultation.

7.3 ComReg's Assessment

- 7.3.1 As noted in Section 6.3 above, ComReg is minded to consider the matter of making mobile numbers available for TETRA separately. ComReg will consider the above responses as part of that review.

8 1890 and 0818 Calling Line Identifiers

8.1 Summary of ComReg's view in Document 19/88

- 8.1.1 The current General Authorisation condition in relation to CLI presentation does not permit 1890 or 0818 numbers to be presented. This is because if consumers were to return a missed call to these numbers it may cost up to 65 cent/minute.
- 8.1.2 In Document 19/88 ComReg proposed that, once the Geo-linking tariff condition is implemented (from 1 December 2019), the use of 1890 and 0818 numbers as presentation CLIs should be permissible.
- 8.1.3 ComReg sought responses to the following consultation question.

Do you agree with ComReg's proposal to permit the presentation of 1890 and 0818 CLIs, following the implementation of the Geo-linking tariff condition on 1 December 2019? If you do not agree, please explain the basis for your response in full and provide supporting information.

8.2 Views of respondents to Document 19/88

- 8.2.1 Eir agrees with the proposal to permit presentation of 0818 CLIs. However, Eir does not agree with the presentation of 1890 CLIs. Eir contends that from a technical perspective, 1890 is not E.164 compliant and if an attempt is made to establish a call to an 1890 CLI, Eir's switches will convert to E.164 and try present a Dublin 01890 number. Given that 1890 will be withdrawn in two years' time and the potential for further consumer confusion, Eir considers the presentation of 1890 CLIs would be wrong. It is optional
- 8.2.2 Virgin Media and Three agree with this proposal. Three also submits that given that most mobile tariff plans now include mobile numbers "in-bundle", it makes sense to allow mobile numbers or M2M numbers to be displayed as a CLI.
- 8.2.3 Vodafone does not have an objection in principle but notes that there may be a delay in consumers understanding that 1890 calls are charged as Geo rates and therefore consumers may be reluctant to call back or even answer calls presenting this CLI.

8.3 ComReg's Assessment

- 8.3.1 ComReg notes that in its response to Document 15/60, Eircom considered that there was no justification for prohibiting 1800, 1850, 1890, 0818 and 19XX numbers from being presented as CLIs, which is in contrast to its latest views. In relation to Eir's contention that the presentation of 1890 CLI may add to consumer confusion, ComReg would note that absent the presentation of the

1890 CLI, a consumer would be unaware of attempts by a Service Provider to reach them or return a prior call made by that consumer. In light of the recent geo-linking proposal, consumers are more likely to wish to engage with such calls and access the services they require. Providing the 1890 CLI would provide consumers with this option.

- 8.3.2 These benefits are likely to outweigh any short term confusion that may arise, which in any event would be permanently removed following the consolidation of numbers (including 1890) in December 2021. In effect, in order to maximise the benefits of geo-linking and promote access to services, it is important for consumers to use the 1890 range for as long as certain Service Providers provide services over that range.
- 8.3.3 Therefore, ComReg intends to proceed with the proposal to permit the presentation of 0818 and 1890 CLIs, following the implementation of the Geo-linking tariff on 1 December 2019.

9 Other issues

9.1 Summary of ComReg's view in Document 19/88

9.1.1 There are a number of implementation issues being actively considered by the NGN Working Group that may lead to further amendments to the numbering conditions. These include:

- The possibility of extended parallel running for a small number of 1850 utility safety lines for a limited period beyond the 31 December 2021 withdrawal date; and
- Facilitating international calls to 1800 Freephone numbers, with overseas callers being charged at their standard international calling rates.

9.1.2 ComReg proposes to consider whether any changes are needed and a subsequent update to the Numbering Conditions can be made prior to 31 December 2021.

9.1.3 ComReg sought responses to the following consultation question.

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 supporting information?

9.2 Views of respondents to Document 19/88

Re-designation of 076 as "Standard Rate Numbers"

9.2.1 Eir notes that ComReg proposes to re-designate 076 numbers as 'Standard Rate Numbers' and has no objection to the use of the term. However related changes may have unintended consequences on other regulatory measures. Eir notes that it would seem that if Nomadic Number is deleted from the Numbering Conditions then the current fixed termination rate price control obligations would fall away from 076 numbers.

Facilitating International Access to Irish Freephone Numbers

9.2.2 With regard to facilitating international access to Irish Freephone numbers, Eir requests that ComReg acknowledge the real and serious technical issues as 1800 is not E.164 compliant. Eir submits that the correct way to make 1800 internationals is to convert 1800 to 0800.

Demand for Geographic Numbers

- 9.2.3 Eir requests that ComReg confirms what measures it has in place to ensure the demand for geographic numbers driven by the migration from 076 will be met.

Regulatory Impact Assessment

- 9.2.4 Eir disagrees with ComReg's conclusion that no RIA is needed. The potential for significant costs to arise that have not been considered (especially if there is a requirement for the 089 numbers to be individually portable) means there is a clear need for a RIA to be undertaken.

Requirement for MNAs

- 9.2.5 Virgin Media is of the view that the continued use of MNAs is outdated limiting the potential for business development.
- 9.2.6 Virgin Media is concerned that the current structure could lead to abuse because of the negative impact on business in Ireland (businesses with multiple sites would like to present a similar geographic number to their customers no matter what site the call is made from). Virgin Media suggests that ComReg open up a discussion with industry around the future relevance of MNAs.

9.3 ComReg's Assessment

Re-designation of 076 as "Standard Rate Numbers"

- 9.3.1 ComReg is of the view that for the purpose of ensuring consistency with the terminology used in the Fixed Voice Call Termination Decision (Decision D10/19), the defined term "Nomadic Number" should be retained in the Numbering Conditions. To this end, ComReg will add the following definition in the Numbering Conditions; "Nomadic Number" means, for the purposes of ComReg's decisions including ComReg's Fixed Voice Call Termination Decision D10/19, an 076 Standard Rate Number. "

Facilitating international access to Irish Freephone numbers

- 9.3.2 ComReg considers that this is an issue that should be discussed in full at the NGN Industry Working Group meeting. Further, ComReg would note that the potential use of the 0800 range was discussed in detail in Section 3.5.2 of the 'NGN Consolidation' RIA and in particular Para 315 -317 (Document 18/106).

Demand for Geographic Numbers

- 9.3.3 ComReg notes that the issue of demand for geographic numbers resulting from decisions arising from the Non-Geographic Number Review has already been discussed at length in Response to Consultation "Review of Non-Geographic

Numbers” 18/106. Furthermore, ComReg has undertaken extensive research into number conservation measures to meet future demand for geographic numbers¹³.

Regulatory Impact Assessment

- 9.3.4 ComReg refers back to its assessment in relation to Question 6 of Consultation 19/88, namely, that issues relating to TETRA will be explored and discussed fully in a later consultation.

Requirement for MNAs

- 9.3.5 ComReg will take Virgin Media’s proposal forward in the appropriate forum.

¹³ See for instance [ComReg Document 16/20b](#) – Report for ComReg: Conservation measures to meet future demand for geographic numbers – published 11 March 2016.

Annex 1: Decision to amend the “Numbering Conditions of Use and Application Process”

PART I – DEFINITIONS

A 1.1 Unless otherwise indicated or the context so implies, terms herein have the same meanings as set out in regulation 2 of the Framework Regulations¹, regulation 2 of the Authorisation Regulations², or in Commission Document No. 15/136, as applicable.

PART II – STATUTORY REMIT

A 1.2 The functions, objectives, duties, and powers of the Commission for Communications Regulation (“the Commission”) in relation to its management of the national numbering resource are set out in the Communications Regulation Acts 2002, as amended (“2002 Act”) and in the Common Regulatory Framework (including the Framework Directive, Directive 2002/21/EC as amended, and the Authorisation Directive, Directive 2002/20/EC as amended, as respectively transposed into Irish law by the corresponding Framework Regulations and the Authorisation Regulations). These functions, objectives, duties and powers of the Commission are set out in greater detail in Annex 8 of the “Numbering Conditions of Use and Application Process”, first published by the Commission on 22 December 2015 (Commission Document No. 15/136) and a revised, third edition of which is hereby established by the Commission pursuant to this Decision.

PART III - THE DECISION

A 1.3 The Commission:

- pursuant to its function under section 10(1)(b) of the 2002 Act to manage the national numbering resource and its objectives in the exercise of that function as set out in section 12 of the 2002 Act and in regulation 16(1) of the Framework Regulations;
- having regard to its duty under regulation 16(2) of the Framework Regulations to apply objective, transparent, non-discriminatory and proportionate regulatory principles in pursuit of its statutory objectives;
- having conducted a public consultation (Commission Document No. 19/88) and having considered all responses received by it on foot of that consultation;
- pursuant to Decision D06/18 contained in Review of Mobile Numbering – Response to Consultation and Decision (ComReg Document 18/46);
- pursuant to Decision D15/18 contained in Review of Non-Geographic Numbers, Response to Consultation 18/65 and Decision (ComReg Document 18/106);

¹ European Communities (Electronic Communications Networks and Services) (Framework) Regulations 2011 (S.I. No. 333 of 2011)

² European Communities (Electronic Communications Networks and Services) (Authorisation) Regulations 2011 (S.I. No. 335 of 2011)

- for the reasons set out in its Response to Consultation to Document No. 19/88 to which this Decision is attached; and
- in exercise of its powers under regulations 13(2), 14(1), and 15(1) of the Authorisation Regulations and Part C of the Schedule thereto;

hereby makes the decisions as set out below.

The Commission hereby establishes and shall publish a third edition of its “Numbering Conditions of Use and Application Process” (first published on 22 December 2015 as Commission Document No. 15/136) setting out open, objective, transparent, non-discriminatory and proportionate procedures for the granting of rights of use for any class or description of number to any authorised undertaking.

The revisions made to the second edition of the “Numbering Conditions of Use and Application Process”, the full text of which shall be published as the third edition, are as set out in Decision D06/18 contained in Review of Mobile Numbering – Response to Consultation and Decision (ComReg Document 18/46); Decision D15/18 contained in Review of Non-Geographic Numbers, Response to Consultation 18/65 and Decision (Com Reg Document 18/106); and in the sections entitled “Com Reg’s Assessment” contained in Response to Consultation 19/88 (ComReg Document 19/104).

The third edition shall be identified as Commission Document No. 15/136R2 and shall come into effect at midnight on 30 November 2019, and Commission Document No. 15/136R1 shall stand revoked as and from that same time and date (except to note, for the avoidance of any doubt, that Commission Document No. 15/136 shall remain in full effect insofar as it may apply to any relevant matter as may occur prior to its revocation).

PART IV. EFFECTIVE DATE

A 1.4 The third version of the “Numbering Conditions of Use and Application Process” (Commission Document No. 15/136R2) shall come into effect at midnight on 30 November 2019.

A 1.5 The second version of the “Numbering Conditions of Use and Application Process” (Commission Document No. 15/136R1) shall stand revoked from midnight on 30 November 2019 (save that both documents shall remain in full effect insofar as they may apply to any relevant matters as may occur prior to their revocation).

Signed:



Robert Mourik,

Commissioner,

The Commission for Communications Regulation

Dated this 28th day of November 2019