

**COMMUNICATIONS
ALLIANCE LTD**



ACMA Number Discussion Paper
Submission by Communications Alliance

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1 Background

Communications Alliance is pleased to have this opportunity to provide comments on the ACMA Discussion Paper on Numbering.

Communications Alliance is the peak communications industry body in Australia. Its membership is drawn from a wide cross-section of the information and communication technology (ICT) industry, including service providers, vendors, consultants and suppliers as well as business and consumer groups.

Our vision is to provide a unified voice for the ICT industry and to lead it into the next generation of converging networks, technologies and services.

More information about Communications Alliance can be found at:
www.commsalliance.com.au

Communications Alliance understands that individual organisations will be responding to the specific questions posed in the Discussion Paper and will defer to those organisations to address those questions.

2 Executive Summary

Communications Alliance commends the Authority for the important initiative it has undertaken through the issuing of this Discussion Paper.

In summary, the primary issues identified in the review of the Discussion Paper are:

- to ensure that the current regulations are optimally being used before consideration of further regulations and at the same time being mindful of any potential consequences to the industry.
- to achieve a better understanding of what are the compliance issues with the Numbering Plan through stronger engagement with industry members.
- to adopt a technology neutral approach to any proposed regulations.

The themes presented in this submission reflect the views expressed by the industry members that contributed. It should be noted that limited input has been provided by VoIP Service Providers.

In carrying out this review it became apparent that there is a divergence in the views expressed on some of the issues presented in the Discussion Paper. This reflects the commercial and competitive nature of the industry and that on some issues it will be difficult to achieve consensus across the various interests within the industry. By way of example, whether out of area numbers should be extended or removed or whether geographic information in numbers should be preserved or discarded have many aspects that are CSP dependant.

3 General themes

The comments received reflected a general concern that the proposed solution was being presented without sufficient appreciation of the issues being considered. In reviewing the Discussion Paper the following themes became apparent:

- A lack of detail of the proposed SPINS solution to instil a necessary level of confidence that all the issues have been sufficiently thought through.
- That a technology neutral approach should be considered in keeping with the preferred approach for telecommunications regulation. By way of example, in reference to VoIP-out services, a consistent regulatory approach would be beneficial as there are other types of outgoing services such as PABX outbound lines.
- Concern in setting up additional regulatory processes to address issues that have not been adequately defined for a sector of the industry that in itself has not been defined. The question was raised whether any thought had been given to what constitutes a small CSP and at what point does a small CSP no longer remain a small CSP as it grows?

The proposal to introduce further regulation in this area was considered to be premature, noting the following:

- Insufficient consultation with individual CSPs to define the exact nature of the problem being addressed. It was noted that no support for SPINS was voiced at the ACMA forum that was held last year and that we are unaware that there has been any conveyed since that time.
- Potential costs to industry, including the impact on billing and other ancillary systems. Industry participants that have sunk costs in existing systems such as LNP and would be wary of any consequences from proposed regulatory changes.
- The potential to stifle innovation and new services and impose additional costs which will eventually borne by the end user.

- The necessary tools are already in place to address the issues (including the LNP exemption process). It appears that the problem is one of lack of understanding of these regulations by smaller CSPs and a lack of enforcement by the regulator.
- There are already multiple providers who supply the services that SPINS is designed to address. The introduction of SPINS amounts to unnecessary intervention by the regulator in the market which will likely have substantial impact on existing businesses.

It was felt that there was room for ACMA to work more closely with industry to better define these issues. ACMA is encouraged to engage with industry in having more dialogue particularly in areas of regulation that potentially have a substantive impact on businesses. In addition any solution involving changes to the Numbering Plan that ACMA proposes needs to undergo due process with adequate industry consultation. Issues need to be prioritised to determine what actions can be taken now to address the immediate issues being raised.

4 Principles

Acknowledging that there was a lack of support for the proposed solution, the members recommended the following principles as a basis for further consideration of any changes to the Numbering Plan:

- The cost of any solution to be borne by the users of the service.
- No costs are to be related back to the LNP process.
- Delegation to an industry non-commercial self-regulatory body, rather than the regulator or a commercial body. An example where this is working well is the INMS. The industry cannot afford the risk in having critical systems in the responsibility of commercial entities that can potentially fail.

5 Enforcement and compliance

A number of comments questioned why some industry members were not meeting their obligations and if so, what would be an appropriate course of action. The following was noted:

- It is necessary to develop a better understanding of why some service providers are not following the rules that are in place. Refer to Telecommunications Numbering Plan Variation 2007 (No. 3).
- Any regulatory action should be commensurate with the problem being addressed. The danger of taking inappropriate action could adversely have an impact on competition, innovation and end-user choice of services. For example, if a CSP based in Perth has no interconnection or alternately periodically interconnects a couple

of calls, what would be the appropriate regulatory action to take in this case?

- In relation to increasing the transparency of the movement of numbers, the information ACMA seeks is already contained in the IPND. All relevant parties are already aware of or can be apprised of the movement of numbers. Further compliance issues are currently dealt with at both the regulatory and contractual level. It has also been suggested by some members that CSPs should be registered and proof of registration must be presented before numbers are provided by any other CSP to that CSP. ACMA should also consider modifying its data base so it can identify and track CSPs that obtain numbers from other CSPs.

6 Specific issues

LICS

It was noted that all carriers (both fixed and mobile) need to have interconnection and billing systems in place for LICS deployment.

VoIP-Out services

Outgoing services should be captured in the Numbering Plan so they are issued with a ‘permanently’ unique number. Having the ability to make anonymous calls is contrary to the approach of telecommunications regulation to date.

Untimed local calls

The policy of Untimed Local Calls was considered in the context of this Discussion Paper. The question was posed whether the objectives of the policy are still being met in the current regulatory environment and with the evolution of technology. Is it time to start considering the impact of maintaining the policy of untimed local calls into the future? In support of this proposal, the following is noted:

- The cost of communications have fallen, notably:
 - distance independent charging inherent in mobile and internet charging.
 - mobile charges are approaching those of fixed and VOIP charges are typically below those of fixed services.
- Communications choices have increased.
- The cost of compliance (billing systems, number management) may exceed benefits that the policy delivers.

ECC Report 87

Communications Alliance would also like to direct ACMA's attention to the Electronic Communications Committee (ECC) report on 'The Future of E.164 Numbering Plans and Allocation Arrangements' in the context of this Discussion Paper. A copy of ECC Report 87 accompanies this Communications Alliance submission.



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