

Commpete’s response to proposed changes to the Numbering Plan and other instruments November 24

Commpete is an alliance for competition in digital communications representing non-dominant providers. Our members include specialised regional providers, mobile operators, MVNOs, data centre and fibre owners and RSPs servicing the 500+ small telco businesses and consumers all over metropolitan and regional Australia.

Commpete advocates for an open and dynamic telecommunications industry where end consumers benefit from a level playing field, diversity of providers and services and a competitive market.

For over 20 years, Commpete and its members have advocated for telecommunications regulatory policy and legislative reforms that have increased competition and encouraged both challenger and incumbent telecommunication service providers to deliver more to their customers.

We support the ACMA’s proposal to revise and update the Numbering Plan (the Plan) to ensure it is a forward-looking framework that meets the evolving demands of telecommunications services requested by customers. We reiterate our positions presented in prior submissions.

We address key topics of the Plan draft which are critical to the sustainability of our membership’s business.

Summary of changes in the draft Plan 2025

Specification of mobile numbers – definition and use

The Plan should be a framework that fosters innovation, competition, and choice for all end users, and allowing some flexibility in the use of mobile numbers supports these goals.

Commpete, in our original submission, have pointed out how the Plan definition and the Telecommunications Act definition of “Public Mobile Telecommunications Service” are at odds with the current usage of mobile numbers and a change in the Plan is warranted.

We agree with the definition of a mobile number in Section 18 which defines a mobile number as a number that uses the digits set out in Schedule 4.

In Section 19, part (1)(b), we understand this provision is intended to offer greater flexibility in the use of mobile numbers without specifying the type of service they are associated with. We view this as a practical approach, allowing mobile numbers issued after the Plan is implemented to be used more flexibly.

Additionally, we interpret Section 19, part (2) as addressing transitional arrangements from the old Plan. For example, if mobile numbers are currently being used for an IoT service, they can continue to be used for that service, but any new IoT numbers will need to fall within the new IoT range. This ensures that mobile numbers issued before the new Plan takes effect can still be used for their current services, avoiding any disruption to existing operations.

Another important consideration arising from the change in the use of mobile numbers is the need to reassess the definition of a portable service.

The current definition is as follows:

portable service means:

- (a) a local service; or
- (b) a freephone service; or
- (c) a local rate service; or
- (d) a public mobile telecommunications service other than a satellite telephone service.

We suggest a change to point (d) to include the change in the definition of a mobile number

portable service means:

- (a) a local service; or
- (b) a freephone service; or
- (c) a local rate service; or
- (d) a service using a mobile number

Regarding the use of mobile numbers, MNO's themselves employ a range of advanced technologies to manage and service mobile numbers across their networks. This includes Voice over Wi-Fi (VoWiFi) protocol that does not involve the use of cell sites and "inter-cell handover". Similarly national MNOs have partnered to provide SMS and voice services via LEO satellite providers in the near future. These call types do not require "intercell handover" as defined in the Telecommunications Act and lie outside of the present definition.

Local service definition

Commpete supports amending the definition of a ‘local service’ to reflect the common use of a ‘portable location’. This update aligns with technological advancements and evolving user behaviour, particularly the increasing adoption of VoIP-based calling services with geographic numbers. As communication technology has progressed, Australians no longer use these services as envisioned under the current Numbering Plan, making this amendment both necessary and appropriate.

Potential changes to be considered post remake of the Plan

We note other desirable changes requiring further consultation by the ACMA that are relevant to numbering issues and may be introduced to the Plan via amendment. We welcome participating in these further reviews as they arise. We consider critical of these is the **multiple use of numbers** and changes required to various instruments to support legitimate use of MSP by CSP’s.

Multiple service practice (MSP) and scams

We acknowledge and agree with the ACMA’s position the draft Plan does not restrict the well-established use of legitimate MSP. Commpete believes that the approach to numbering and MSP should be guided by principles rather than regulation, agreeing that the end customer should have confidence and trust regarding the number presented.

Beyond the recognised MSP services highlighted in the paper by the ACMA, it is also important to note that this technology can also provide redundancy capacity in the network. This is done by creating an alternative route to ensure traffic continues to flow across the network during times of mass outages, such as in November 2023, and at times where the clumsy use of filters pattern blocking has led to errors in the network.

Under these circumstances the ability to route traffic through multiple service providers ensures that legitimate traffic can continue to flow regardless of errors or outages. This is obviously ultimately in the long-term interest of end users across Australia.

In this context, it is important to note that calls from a provider that has not been assigned a specific number can lead to large scale misidentification of scam calls by terminating carriers. When a call appears to originate from Carrier A but uses a number allocated to Carrier B, it should no longer be automatically flagged as scam traffic. There are multiple legitimate reasons this may occur, and the industry should recognise these alternative explanations.

The regulatory focus on managing MSP and similar technologies must be that calls are being originated by the rights of use holder. Commpete is keen to work with industry colleagues and the ACMA to find solutions to ensure that telecommunications are both able to innovate and evolve while managing the potential for bad actors. Commpete wants to reiterate that all obligations and processes regarding whitelisting and registry's underpinning MSP needs to be consistent across the industry.

Commpete is willing to participate in more detailed discussions with the ACMA on this matter consistent with timeframes proposed by the ACMA.

Commpete agrees and supports the following proposals and amendments in the following sections of the draft and have provided note where we have additional comments above.

Key Changes:

- 1. Portability Service Suppliers Determination**
- 2. Provision of Pre-Selection Determination**
- 3. Draft Numbering Plan 2025 - Key Changes**
 - a) Removal of redundant number types
 - b) Discrete number type for mobile services – *commented on above.*
 - c) Introduction of a new special services number type for Internet of Things (IoT) services
 - d) Introduction of a new special services number type for public safety service
 - e) Definition of local service – *commented on above.*
 - f) Cancellation of enhanced ROU for number used for scam and fraud
 - g) Availability of geographic numbers
 - h) Number Portability – We recognise that the ACCC must be consulted on any changes to number portability. However, we believe that the Numbering Plan should focus on high-level principles regarding number portability, with more detailed operational requirements better suited for inclusion in industry Codes. This could be an area for future development.

Changes in the draft Numbering Plan 2025

Dictionary - Definition of mobile number -this refers straight to Section 18 of Chapter 3 – see *above comment*

Dictionary – Removal of redundant definitions - agree

Chapter 3 Addition of mobile numbers as a discrete type - we agree with the addition of mobile numbers as a discrete type. *See above comment.*

Part 4 - Provision relating to use of computer programs – *Commpete would appreciate further information in this additional section before commenting.*

Commpete thanks the ACMA for this opportunity to provide its comments and would like to continue engagement on matters raised in this response, please do not hesitate to contact us.

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