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Pivotel Response to

Proposed changes to the Numbering Plan and other instruments

Consultation paper

November 2024

12th February 2025

Pivotel Response

Pivotel welcomes the opportunity to provide this submission in response to the ACMA consultation paper on its Proposed changes to the Numbering Plan and other instruments, Consultation Paper, November 2024 (the consultation paper).

Pivotel is in broad agreement with the ACMA's proposed changes in its consultation paper and acknowledges the detailed work performed by the ACMA to understand the complexity and functioning of the market, particularly with respect to the use of numbers and the Multi-Service Practice (MSP).

This submission reiterates Pivotel's original response to the ACMA's discussion paper and provides specific feedback on the ACMA's draft proposals as follows:

New Number ranges for internet of things (IOT) services

Pivotel supports the introduction of new IOT number ranges accompanied by a substantially reduced numbering charge. As mentioned in its initial response Pivotel believes the IOT market is poised to grow exponentially and given "the forecast usage and exponential requirement of IOT endpoints, the allocation of a mobile number would be an unsuitable use of mobile numbers, adding substantial costs and utilising existing number ranges unnecessarily".

A new number range will encourage the use of numbers for IOT. Pivotel supports a separate number range with different characteristics and charging principles as these devices generate substantially less revenue.

Grandfathering principles should apply where fixed and or mobile numbers have been used for existing IOT services and a transition period should be introduced to allow industry to develop the necessary capabilities, interconnect arrangements etc to support a new number range,

Mobile numbers classified as their own number type

Pivotel supports the classification of mobile numbers as their own number type as stated in its submission to the discussion paper stating the "historical classification of mobile numbers as a 'special service' number is no longer appropriate given the number of mobile numbers in use and is now the dominant number for end users with fixed/geographic numbers in decline".

The removal of redundant or low use number types and ranges

Pivotel's submission to the discussion paper stated that 'Number Types' with zero allocations could be made redundant and withdrawn including:

- Premium rate and paging
- Restricted access and premium
- Paging
- Calling Card

Scams and use of numbers

Pivotel acknowledges the ACMA's balanced approach to multiple service practice (MSP) regarding the use of mobile numbers by multiple Carriage Service Providers (CSPs) in Division 3 of the draft Numbering Plan. This approach recognises long-standing practices while fostering innovation and competition.

The evolution of mobile number usage, driven by Communications Platform as a Service (CPaaS) and cloud-based services, necessitates a flexible Numbering Plan. Recent technological advancements have enabled call and SMS origination from sources beyond traditional mobile handsets directly connected to mobile networks. As a result, the Numbering Plan needs to adapt to accommodate these emerging use cases and to maintain an efficient and competitive marketplace.

Cloud-based mobile numbering offers innovative applications, enabling:

- End-users to utilise different numbers for various purposes
- Businesses to provide integrated communication solutions, enhancing productivity, convenience, and security
- Improved service-based competition for voice and SMS services
- Greater consumer benefits
- More efficient use of telecommunications infrastructure

Pivotel supports a forward-looking Numbering Plan that embraces technological advancements and diverse mobile number applications, promoting innovation, competition, and choice for all end-users. Restricting mobile number use to receive a call or SMS, or originate a call or SMS, on a mobile network would impede innovation and disrupt existing services. Flexibility in mobile number usage is crucial to achieving these goals.

It is noteworthy that Mobile Network Operators (MNOs) are already utilising mobile numbers in alternative ways, including:

- Public mobile telecommunications networks
- Wi-Fi access over fixed networks
- SMS messaging between mobile network end users and application end users on other networks such as satellite personal communicators
- OTT applications
- Virtual mobile numbers for non-mobile operators
- Direct-to-Device (D2D) satellite services via Low Earth Orbit satellites (LEOs), not utilising the Public Mobile Telecommunications Service (PMTS)

Pivotel acknowledges the ACMAs approach to “take forward work under our scam reduction program to explore, and consult on, regulatory controls for MSP that will balance consumer choice and competition against scam reduction objectives and minimise any related costs and regulatory impact. These controls will be considered within a holistic scam reduction framework.”

In this regard, and as previously noted, Pivotel supports a mandatory CSP register with tighter enforcement of SCAM mitigation by CSPs. CSPs must have a local presence before they can be registered, international originating calls should only be delivered by registered service providers allowing the terminating carrier to verify the call origin, and facilitating improved trace back mechanisms and compliance.

Consumer protections will be improved by the implementation of a mandatory CSP register and a stronger KYC and KYT framework.

Regarding the implementation of the proposed approach in the draft Numbering Plan, Pivotel concurs with the definition of a mobile number in Section 18, which simply defines it as a number using the digits set out in Schedule 4. This definition provides a clear and unambiguous basis for identifying mobile numbers.

In Section 19, part (1)(b), we interpret this provision as a mechanism to enable more flexible use of mobile numbers without specifying the type of service. This approach is prudent and forward-thinking, allowing mobile numbers issued after the Plan's implementation to be used with appropriate flexibility, thus fostering innovation and competition in the telecommunications sector.

We understand that Section 19(2) addresses transitional arrangements in migrating from the old Plan. For instance, mobile numbers currently used for IoT services may continue to be used for such services, while any new IoT numbers must use the designated IoT range. This provision ensures continuity of existing services, including any mobile numbers issued prior to the new Plan's implementation, thereby preventing service disruption.

Definition of portable service

A consequential issue arising from the proposed changes is the need to review 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.

Given that the definition of public mobile telecommunications service is outdated and does not encompass the current and future uses of mobile numbers, we propose the following amendment to align with the proposed changes in the Plan:

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.

This revised definition would provide the necessary flexibility to cover current and future uses of mobile numbers, ensuring the Numbering Plan remains relevant and adaptive to technological advancements.

Furthermore, we assert that the existing mobile number portability system is well-suited to accommodate the increased flexibility in mobile number usage. No significant system developments would be required to implement these changes, ensuring a smooth transition to the new regulatory framework.

Definition of public mobile telecommunications service (PMTS) in the Telecommunications Act

The outdated definition of a public mobile telecommunications service (PMTS) in the Telecommunications Act has become a significant issue in the current telecommunications landscape. This definition, which requires a PMTS to be provided "by use of a telecommunications network that has intercell handover functions," no longer accurately reflects the diverse ways mobile numbers are being used by Mobile Network Operators (MNOs) and other service providers.

As discussed throughout the Numbering Plan review the telecommunications industry has undergone rapid technological advancements since the PMTS definition was first established and today's mobile services extend far beyond traditional cellular networks:

- **Wi-Fi Calling:** MNOs now offer services that allow calls and texts over Wi-Fi networks, which do not involve intercell handover functions.
- **VoIP and OTT Services:** Voice over Internet Protocol (VoIP) and Over-The-Top (OTT) applications use mobile numbers but operate over data networks including but not limited to a cellular mobile data network.
- **Fixed Wireless Access:** Some providers offer home phone services using mobile numbers but connected via fixed wireless technology.
- **IoT and M2M Communications:** Many Internet of Things (IoT) and Machine-to-Machine (M2M) devices use mobile numbers but may not require intercell handover capabilities.

At the most basic level, a PMTS supports voice, messaging and data services between end users, accessed via a range of connecting technologies, and managed by a mobile core network.

To address this issue Pivotel advocates for the following:

- **Technology-Neutral Definition:** Developing a new PMTS definition that focuses on the service provided rather than the specific technology used.
- **Expanded Scope:** Broadening the definition to include various forms of mobile communication services, regardless of the underlying network technology.
- **Flexible Regulatory Framework:** Creating a more adaptable regulatory environment that can accommodate rapid technological changes in the mobile telecommunications sector.

Addressing the outdated PMTS definition will better reflect the current use and evolving needs of mobile services of Australian consumers and businesses.

For any questions concerning this response please contact:

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