

Symbio's reply to submissions received to the Australian Communications and Media Authority Review of the Telecommunications Numbering Plan and associated instruments

August 14 2024

Symbio welcomes the opportunity to respond to submissions to the Australian Communication and Media Authority's (ACMA) public inquiry into review of the Numbering Plan and other instruments.

Introduction

Symbio strongly believes that the Numbering Plan should evolve towards a forward looking document to support Australia's innovative telecommunications market, to ensure Australia is internationally competitive and to ensure that services requested by customers can be efficiently provided. We noted that certain submissions are advocating the restriction of numbers and the ability to provide the services that customers are seeking.

NUMBERING PLAN

1. Numbering Plan to support Innovative and forward-looking services

We agree with submissions that support the view that the Numbering Plan should promote the supply of diverse and innovative carriage services, ensure Australia is internationally competitive and provide services to all users.

This principle is espoused in a number of responses, including Twilio, Verizon and Bandwidth. Even the TPG submission states that "The Plan must encourage competition, delivery of innovative new services and treat all carriers and carriage service providers equitably".

Telstra states that "the Numbering Plan should support both new and legacy services" and the ACCC also states that "As the use of numbers, technology, and consumer needs continue to evolve, these underlying policy objectives remain essential to developing a numbering framework that facilitates ongoing competition, innovation, and consumer benefits".

Conversely, the Optus submission appears to focus primarily on increasing compliance efforts rather than the consideration of new service developments.

We agree that the Numbering Plan is connected to other regulatory instruments that may also need adjustment and the Twilio submission addresses this aspect effectively.

2. International Competitiveness

We note the information provided by Verizon, Twilio and Bandwidth on international developments in numbering and agree that international developments should be taken into account in the Australian Numbering Plan to ensure Australia does not drop behind in terms of international competitiveness. Service developments often occur first in key markets overseas so these provide a lead into the issues that we need to address locally.

3. Mobile Numbers

We agree that the use and application of mobile numbers has changed over time with the development of CPaaS services and cloud-based services. This is well covered in the Pivotal submission. Bandwidth and Twilio also cover this matter well. Even the ACCC submission states that “limiting the use of mobile numbers to mobile networks may stifle innovation”.

We note that TPG and Optus refer to the definition of PMTS in Section 32 of the Telco Act, particularly noting the need for intercell hand-over functions. We suggest that this definition is already out-dated and needs to be changed as mobile numbers are already used to deliver services over wi-fi and to fixed modems and in the future it is likely that mobile numbers will be used to deliver services of LEO satellites that don't have inter-cell handoff.

Limiting the use of mobile numbers as proposed by existing MNO's creates significant barriers to entry and excludes many smaller providers who deliver higher levels of innovation, quicker time to market, diverse competitive offerings, and ultimately improved outcomes for the long term interest of end-users.

4. Use of Numbers by Multiple CSP's

We agree multiple-use numbers enhance flexibility and efficiency in communication by integrating multiple functions into a single number and this approach is well justified in the submissions from Twilio, Bandwidth and Verizon, with the Verizon submission in particular drawing on overseas development to support this case. We agree that the dual use of numbers is driven by customer needs, which CSP's are actively working to accommodate.

5. International Access for Australian Numbers

We agree that there are cases where international access for Australian numbers should be permissible. This is supported by Twilio and Pivotal on the basis that there are legitimate call cases for this and it would restrict competition and efficiency as call centers are often located overseas. Even Telstra allows that some leeway should be available here and there should not be a blanket ban on such traffic.

6. Additional Comments

(a) TPG Submission re Multiple Use of Numbers – ROU Code

TPG states the following on page 29 of their submission:

“There is no ‘right’ to use a number on another network either explicit or implicit in any regulation. In fact quite the opposite. In Industry Code C566 Number Management - Use of Numbers by Customers states:

4.3.4 CSP's must consider a Number as Issued at the time that a CSP or its delegate and the Customer agree to the provision of a specific Number for the Customer's use in association with a Listed Carriage Service, to be provided on the Network provided by that CSP "

However, in the discussion on the development of the Use of Number Code, the following paragraph **was specifically removed** from an earlier version of the ROU Code:

"ROU of a Number does not include any right for the Customer to choose any alternate network routing for any Number they are Issued beyond the normal network routing used by the CSP that Holds the Number."

Further, our reading of this Code aligns with Telstra's response (page 3) which states that *"as part of delivering a service a service to a customer, once the number has been issued, there is no explicit obligation preventing another CSP from using this number to deliver a service to the same customer"*

This point highlights that after a number is issued to a customer, it's possible for another CSP to use that same number to provide a service to the customer and supports the view that the current regulations do not prohibit the multiple use of numbers by CSP's. It should also be noted that the ROU Code is consistent with the Scam Code in this respect

(b) TPG Submission on Multiple Use of Numbers – IPND

In relation to multiple use of numbers, TPG states on page 29 of its submission that there are "very clear obligations in the Act relating to the IPND are being ignored both by CSPs using numbers not held by them and by the ACMA through its lack of enforcement."

Two points can be made here

- i) It is the **Customer** that takes the initiative to use multiple CSP's and this Customer has ROU for this number from a CSP.
- ii) The IPND includes numbers that are issued by CSP's to Customers and it is the Customer data that is included in the IPND. Hence, the Customer details are included into the IPND regardless of whether a Customer uses a single CSP for carriage services or multiple CSP's to provide carriage services. This logic is covered in the Symbio submission.

(c) Telstra Submission on Multiple Services to a Number

Telstra in its answer to Q46 states that there is "lack of evidence of significant demand" for the multiple use of numbers. Symbio and others including Bandwidth, Twilio and Verizon have provided evidence of strong demand for such services particularly by large and global customers. In fact, removing such capability would create significant issues for such customers and potentially exclude such providers from the Australian market.

Symbio thanks the ACMA for this opportunity to provide further comments on the issues raised in various submissions to the Numbering Plan review. We stand by our position and comments made in our initial submission and emphasize a focus on the requirements and use of numbers so the Numbering Plan can best meet customers' needs now and into the future.

If you would like to discuss matters raised in this submission please do not hesitate to contact us.

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