

Comments on Draft ECC Report 248 “Evolution in CLI usage – decoupling of rights of use of numbers from service provision”



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Sources

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(1) The European Telecommunications Network Operators' Association (ETNO) represents 41 major companies, which provide electronic communications networks over fixed, mobile or personal communications systems across 35 countries. ETNO is Europe's leading trade association for telecoms. More information about ETNO can be found at: www.etno.eu

1 General Comments

ETNO welcomes the opportunity to comment on the Draft ECC Report 248 “Evolution in CLI usage – decoupling of rights of use of numbers from service provision”.

As a general comment, in ETNO's view this Report has some basic drawbacks that should be overcome:

- 1) The impact on the implementation of emergency services and the collaboration with the judicial authorities should be considered.
- 2) Following the European Regulatory Framework, that is applicable just in EU countries, E.164 numbers access is already open to any entity, provided that this entity is authorized as an operator/ provider of communication services. So E.164 numbers are intrinsically assigned to operators and not directly to end users. End users rights are very important but these rights include consumers' protection and end users' possibility to maintain their number when they change their authorized operator or provider. A clearer and explicit balance regarding users rights protection should be underlined in the Report conclusions: the CLI misuse should be included in the more general problems of E.164 numbers misuse at international level, as ongoing ITU-T SG2 activity demonstrate. Suggested CLI flexibility will cause an impossibility to protect end users when all involved parties are not authorized and without explicit commercial agreements for each service component provision.
- 3) Over The Top (OTT) issues, in ETNO's view, cannot be approached as proposed in the draft Report, since the real problem is that OTTs are not authorized operators/ providers inside the existing European regulatory framework and generally they have no commercial agreements with operators for E.164 numbers use in order to provide “similar” services, as perceived by the end users. So the draft Report should better

underline that this is the main cause for users' protection lack in Internet-based services provided by OTTs and then the Report could identify real proposals to solve it. If OTTs would be allowed to use E-164 numbers, they should be subject to the same regulatory obligations as the other notified operators, the same rules should apply for all providers using E.164 numbers.

- 4) E.164 numbers are usually associated to publicly available communications services with associated availability, quality levels and global interoperability. Public Internet-based services are intrinsically “best effort” in nature and so specific requirements cannot be assured towards end users. That is another form of E.164 numbers misuse that the ECC draft Report should consider when end users’ protection is concerned.

As a consequences the draft Report tends to generate confusion and some considered assumptions may not really work. Basically the draft Report should focus to promote the need of transparent commercial agreements among all involved parties in the service provision chain, also differentiating in the analysis the authorized and not authorized parties. In fact only authorized operators/ providers have the responsibility regarding end users’ services provision and E.164 numbers correct use.

One of the conclusions of the report mentions that "operators to whom numbers are assigned should not be able to restrict the use of those numbers as CLI for other services as long as this is in conformance with the regulatory framework". ETNO would like to underline that if an operator is the assignee of an E.164 number, than the operator himself offers services associated with this number; so either there is a commercial agreement with other parties for service offering associated with the same number or this scenario should not be allowed.

OTTs (mentioned in Clause 6.4.1 "Service providers perspective") usually are not authorized operators for the offering of communication services, that are often “similar” to the public services, and have not the right to directly get E.164 numbers from Regulators in most EU countries; so OTTs are not responsible for E.164 numbers use. Nevertheless OTTs use E.164 numbers of authorized operators, in most cases without even commercial agreements with the assignees operators. This scenario completely neglects that the authorized operators assignees of E.164 numbers have obligations related to the provision of public communications services and to the use of E.164 numbers, and remain the only responsible parties towards the Regulators for communications services using E.164 numbers.

In addition, numbers are assigned to operators in association with their authorization and so the operators themselves are responsible for all the uses of their numbers; consequently the end users have not the right to use the numbers if not in association with their subscribed services and the NP ambit. There is however the possibility of voluntary commercial agreements between operators assignees of E.164 numbers and other parties for new service offerings associated with the same E.164 numbers.

Regarding the reference to alphanumeric identifiers (so called “alias”), in ETNO's view careful analysis should be done before introducing alphanumeric identifiers.

Other general comments on specific Clauses follow:

- Clause 4.1.2 describes the service "On Top SIM / SIM Stickers". This service is however not widespread nor common and so it cannot be considered a valuable scenario for E.164 numbers and CLI role analysis. Indeed also in that case no issue would exist with commercial agreements between all the involved parties. In ETNO's view such a scenario should not be inserted in the Report.
- Clause 4.2.1 describes the service "A PBX or ACD with services obtained from competing service providers using different PSTN access networks" and Clause 4.2.2 describes the service "An IP-PBX with PSTN and Broadband Access". These are scenarios in which the complete E.164 number meaning, roles and uses have to be considered in order to make a correct analysis. In fact an E.164 number is mainly associated with a single subscription of an end user and so, in order to enable a correct communication handling by the access operator, the CLI must be the E.164 number associated to the used public network access. That requirements is independent from access and network technology (ISDN or VoIP/ IP). As a consequence the proposed scenario in the real world cannot work and it would cause E.164 numbers misuse and confusion inside the public networks and the provided services (also for charging, accounting, communication recognition and handling, etc.). These points should be taken into consideration in the draft Report revision.
- Clause 4.2.4 is not related to E.164 numbers uses by other operators or providers, since it is related to roaming agreements between home and visited operators and providers. So it does not represent a scenario for E.164 number or CLI analysis.
- Clause 5 seems to misunderstand the CLI validation issue, confusing it with end users subscription validation by services providers. In fact the E.164 number screening and validation can only be applied by the access operator that associate such an E.164 number to his end user. That should not be mixed up with other service provision authentication process in charge of the service provider for service configuration. No evolution for E.164 number or CLI validation can be identified, since it cannot substitute the necessary access operator screening and validation process related to the associated end user.
- Clause 5.5 describes "Possible future validation techniques". That does not look like an interesting evolution regarding E.164 number or CLI validation, since it is again an authentication procedure for service subscription and access. Indeed regarding E.164 numbering use CEPT/ ECC should more properly consider ETSI/ 3GPP specifications and standards and their evolution, and only consider IETF documents when relevant.
- Clause 6.1 describes "European Regulatory Framework". The regulation foresees the possibility to restrict the presentation of the calling user CLI to the called user, but inside a network and between different networks the CLI has to be transmitted for

commercial, technical and regulatory reasons. It does not exist a concept of "anonymous calls" inside and between public networks, and inside regulation itself. In any case E.164 numbers are always present during the communications setup and they are also exchanged at interconnection.

- Clause 6.5 should align with previous evaluations, including ETNO's previous comments. In fact no real need and advantage for more flexible E.164 number or CLI use can be identified; a requirement for commercial agreements among all involved parties should be clearly indicated in the clause. The confusion related to the subscription validation should not be considered in the draft Report revision.
- Clause 6.5.2.3 describes "CONS of providing more flexibility in use of CLI - for NRA and other authorities". The CLI in emergency services is used to uniquely identify the calling user by his voice service provider (that is by the provider with whom the calling user has subscribed a telephone service). So the scenario described should not be considered since it is not a real functioning network scenario.
- Clause 7 should be aligned with the previous Clauses underlining the need of agreement among all the involved parties for E.164 number or CLI correct usage, since only the E.164 numbering assignee operator can validate the numbering use, being the only responsible party. Also the need to authorize OTTs in the European regulatory framework should be considered by the ECC recommendations, also considering the ongoing EU regulatory framework revision by EC.

ETNO specific proposals focus on the Conclusions (Clause 7). The proposed comments should be considered valid also for the Executive Summary, the body of the Report and for all the iterations of the same concepts.

2 Proposals related to the ECC Deliverables

[**Note:** proponents are invited to use the following table to provide comments. It is also possible to provide as an annex the proposals with track changes and related justifications.]

Comment number	Section number/ Clause	Paragraph Figure/ Table	Type of comment (General/ Technical/ Editorial)	COMMENTS	Proposed change
XX/ 1	Clause 7	Paragraph 1	General	<p>This Report tend to generate confusion and some scenarios may not work. It would be much preferable to have as a starting point commercial voluntary agreements between the operators assignees of E.164 numbers and other parties, and then an evaluation of possible scenarios could follow.</p> <p>The CLI is first of all a base mechanism to recognize the user</p>	<p>In this report several scenarios, which promote competition and innovation, are described where the CLI is used by different networks and the advantages and disadvantages for the end user and other stakeholders are analyzed. <u>Through appropriate commercial agreement between assignee operator and service provider possible negative effects on E.164 number and/or CLI use can be managed, especially with regards to the risk of end user harm.</u> If sufficient validation measures are implemented then the negative effects of CLI flexibility are reduced, especially with regards to the risk of end user harm</p>

				who has subscribed a telephone service and the voice service provider with whom the user has subscribed the voice service.	
XX/ 2	Clause 7	First bullet point	General	If the number is assigned to an operator in association with his authorization, the user has not the right to use the number if not associated with the subscribed service and the NP ambit.	CLI validation techniques should be made mandatory. The alternative service provider should commercially agree with the assignee operator for the the provision of further services using the E.164 number associated by the operator to his own end user. Then the service provider should apply the appropriate authentication measures related to the responsible and correct use of the E.164 number. The authentication should be made at the service activation. Since the E.164 number is associated with the end user for the public service subscribed with his original operator, the E.164 number is subject to the applicable rules defined in the regulatory framework regarding public services authorization, number portability, ceased services procedures, etc. The alternative service provider should provide validation measures ensuring that the end user has the right to use the number. The validation should be made periodically in order to prevent the number from being re-assigned to a new end user from the original provider.

XX/ 3	Clause 7	Third bullet point	General	<p>If the number is assigned to an operator, the operator himself is responsible for all the uses of the number, and so there is not a right of the end user. There is however the possibility of voluntary commercial agreements between operators assignees of E.164 numbers and other parties for new service offerings associated with the same E.164 numbers.</p>	<p>End users should have the right to use their number¹ in alternative services. Operators to whom numbers are assigned should not be able to restrict the use of those numbers as CLI for other services as long as the flexible use is in conformance with the regulatory framework. <u>according to the subscribed public service contracts with their assignee operator. Operators and service providers can commercially agree for end user's associated E.164 number use in further services, respecting the regulatory framework and the related responsibility regarding E.164 number rights of use and associated obligations.</u></p>
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¹ ECC Recommendation (07)02 "Consumer Protection Against Abuse Of High Tariff Services" recommends "that it is not allowed to use a premium rate number in CLIP" and ECC Recommendation (11)02 "Calling Line Identification And Originating Identification" recommends "that premium rate numbers should be excluded as valid OI/CLI. The NRA decides what national number ranges could or could not be used as OI/CLI";