

Telecommunications Carriers' Forum

Numbering Terms of Reference

Date: 31 March 2009

1. Introduction

This Terms of Reference sets the scope of the work to be undertaken by a joint working party to review New Zealand numbering administration and governance.

The parties to the Number Administration Deed (NAD) and the Telecommunications Carriers' Forum (TCF) agreed in March 2008 to undertake a joint initiative, to review who should be responsible for managing the numbering plan, and how it should be managed.

The key issues addressed were:

- differential membership between the NAD and the TCF;
- differential voting structure between the NAD and the TCF;
- quasi judicial function exercised by the NAD Chair;
- whether there are efficiencies to be gained from a change in governance/housing; and
- not creating inappropriate barriers to entry.

In July 2008 the TCF prepared a report with input from the NAD on the different options available for managing the numbering plan. This report was sent out for consultation to TCF Members, NAD Management Committee members, Ministry of Economic Development (MED) and the Commerce Commission. Responses from the various parties to the options outlined were received.

The Commerce Commission (Commission) subsequently issued a draft report on the numbering plan in August 2008. In the Commission's report the issue of governance was raised in terms of best practice. International trends showed that in most cases the numbering plan was administered by an independent regulator. The TCF made a submission on the Commerce Commission's report (dated 19 September 2008) and proposed a joint project team be formed with the primary purpose of re-designing the New Zealand numbering regime to reflect world best practice. It was proposed the project team comprise of representatives from the TCF, NAD, Commission, MED and any other parties that would add value and expertise to the discussion.

The Commission released its final report on 5th December 2008 and supported the TCF's recommendation to establish a cross sector working party to review numbering administration and governance issues.

2. Background

The NAD was established in December 1998 and the TCF was established in September 2001.

The NAD is a contract between various telecommunication companies, which establishes a numbering mechanism. At the heart of this mechanism:

- Are rules governing the allocation of numbering resources;
- Is a Management Committee, the governance body responsible for administering the NAD (NAD Management Committee); and
- Is a Number Administrator, responsible for performing various number administration tasks, including allocating numbers, addressing queries about numbering resources, providing secretariat services to the NAD Management Committee and maintaining a numbers register.

Number portability was originally a key function of the NAD, however the TCF and NAD agreed in 2003 that this function should be transferred to the TCF, as it had a better governance and project management structure to oversee the design of the technical and operations requirements and the subsequent implementation. The transfer of number portability to the TCF left the NAD with the core number administration tasks.

In 2004 both the NAD and TCF separately discussed whether the remaining functions of the NAD should come under the governance of the TCF and a number of papers were prepared outlining the pro's and cons of the NAD coming under the TCF and discussing the various issues needing to be considered. The matter was not progressed beyond this point until 2008, when the TCF instigated a project to form a joint working party with the NAD, to review who should be responsible for managing the numbering plan, and how it should be managed. From this review the working party issued a report for consultation.

3. Purpose

This section sets out the scope of the work to be undertaken by a cross sector working party in terms of reviewing the numbering administration and governance issues.

The review needs to take into account the following areas which the Commerce Commission has identified as core elements for establishing best practice in relation to numbering:

- The numbering plan is a national resource;
- Management should be in the overall national interest;
- Allocation and use should be:
 - Objective, timely, transparent and non discriminatory;
 - Technologically flexible;
 - Efficient in managing demand;
 - Effective in meeting customer expectations;
 - Have the capacity to support Emergency Services; and
 - Supportive of competition for the long term benefit of end users.

4. Scope

The scope of this work is to:

- Establish a cross-sector working party with members from TCF, NAD, MED, Commission, TUANZ and any other interested party who may add value, to review the current numbering administration and governance.
- Review the analysis work undertaken by the Commission to compare the current NZ numbering structure with international best practice.
- Prepare a report which outlines recommendations to change the current numbering management structure and governance to ensure the core elements as outlined by the Commission are met.
- In the course of preparing the report the working party should consider:
 - the governance of the numbering resource. If changes to governance are required, then a recommendation to change the governance should be outlined first, followed by any recommendations to update the management structure.
 - issues relating to the number allocation rules that were raised in the Commission's report, and identify the most appropriate means of addressing each.
 - the forward looking information management and database requirements for numbering management.
 - an investigation into potential ENUM implementation models, to the extent relevant.
 - any other matters that the WP considers relevant.
- Issue the report for public consultation and solicit feedback from interested parties.
- Review any submissions received and prepare a final report with recommendations and a timeframe for moving forward with a numbering management and governance structure which reflects best practice.

The working party will use the Commission's Draft Report and the NAD/TCF Working Party's draft report on Numbering Administration (issued for public consultation in July 2008) as key inputs to its work.

Keys areas for the working party to take into account are:

- How best to re-design the New Zealand numbering regime to reflect world best practice.
- Determining the appropriate roles for the industry and the regulator.
- How to transition from the current numbering structure and governance to a new improved structure.

5. Deliverables

The table sets out the timeline.

Milestone	Date
TCF, NAD and Commission agree the Terms of Reference	April 2009
Establish cross sector Numbering working party	TBD determined as part of agreeing the Terms of Reference.
Develop draft report	
Obtain TCF Board and Commerce Commission approval to release the report for public consultation	
Consultation period	
Review submissions received	
Draft final report	
Obtain TCF Board and Commerce Commission approval of the final report	

6. Working Party Membership

All TCF and NAD members, TUANZ, MED and the Commission will be advised of the establishment of this working party and will be invited to participate.

7. Recommendation

That the TCF Board, NAD Management Committee and the Commission approve this Terms of Reference.