



COMMERCE COMMISSION

Please refer to:

2.6/J6951
391194-2

31 May 2005

Number Portability Functions and Standards Draft Determination – Point of Clarification

1. The purpose of this statement is to clarify the nature of the Commission's reference in the Number Portability Functions and Standards Draft Determination ('the Draft Determination') to the Numbering Allocation rules set out under the Number Administration Deed.
2. In the Draft Determination, the Commission expressed a view that the term "fixed telephone network service" is neutral in terms of the underlying network that is capable of supporting a fixed telephone network service. In Paragraph 71 of the Draft Determination, the Commission notes that this view is consistent with how numbers are allocated under the Number Administration Deed ('NAD').
3. The Commission's preliminary findings in paragraphs 68 and 71 of the Draft Determination relate to interpretation of the service description for the local telephone number portability designated multinetwork service as set out in Schedule 1 of the Telecommunications Act (the 'Act'). The Commission notes that responsibility for the administration and application of the NAD and Number Allocation Rules is placed on the Number Administrator, Management Committee and Independent Chair, under the NAD.
4. Any reference made by the Commission to Number Allocation Rules established under the NAD should not be treated as an authoritative or binding interpretation of the Number Allocation Rules. In particular, the Commission makes no ruling as to how the geographic structure requirements under the Number Allocation Rules might apply to the allocation of geographic numbers.
5. The Commission notes that the prescription of the requirements for geographic numbers in the Number Allocation Rules is a separate and different matter from the interpretation of "fixed telephone network service" and the application of the local telephone number portability designated multi-network service in Schedule 1 of the Act.