

Consultation Paper No. 14 /2004



Telecom Regulatory Authority of India

Consultation Paper

on

Issues Pertaining to

Publishing of Telephone Directory

and

Directory Enquiry Services

New Delhi

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Preface

Printed Telephone Directory and Directory Enquiry Service are essentially required to enable a person to locate the telephone number of any individual, firm, company, organization, agency etc. It also enables one to find the address of any subscriber, in case the telephone number or the name of the subscriber is known.

Presently, the printed telephone Directory is available only for fixed line subscribers of BSNL/ MTNL and the frequency of publication of these directories is generally three to five years. The private operators have so far not brought out printed Telephone Directories. Although the earlier Cellular Mobile licenses provided for publication of printed telephone directory, none of the CMSPs had published their telephone directory mainly on the basis that the mobile customers were not interested in publishing their names in the cellular directory as at that time the Receiving Party Pays (RPP) regime was in force for cellular mobile services. The requirements for publication of printed Telephone Directory and Directory Enquiry Services have increased manifold in the present multi-operator multi-service scenario, with intense competition coupled with a very high growth rate, so have the issues/ problems related to provision of directory services.

The cellular mobile service presently has the Calling Party Pays regime and incoming calls are free. As such, the mobile customers may not now be averse to having their names published in the Cellular Service Directory. The recent Unified Access Service License also provides for Determination of TRAI with regard to publication of Telephone Directory. This Consultation Paper aims to raise a number of issues, one relates to publication of printed Telephone Directory and the other pertains to Directory Enquiry. The licenses for mobile and basic services mandate for provision of Directory Enquiry Services. In the present multi-operator multi-service scenario, a need is felt for Directory Service Enquiry across different network and different service areas.

This paper analyses the various issues in regard to these matters and calls for the comments and suggestions of the stakeholders so that suitable policy could be formulated. The consultation paper has been placed on TRAI's website (www.traigov.in).

All stakeholders are requested to send their written comments on the issues raised in this paper on or before 10.9.2004. For any clarification on the matter, Advisor (QOS) may be contacted on Phone No. 26160404 or email sgupta03@bol.net.in.

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Chapter 1

Introduction

The DOT, as the monopoly state-owned service provider was providing each subscriber with a free telephone directory at the time of provision of a new connection. Subsequently, as and when the directory was updated, the old was exchanged with the latest updated directory free of charge. When a phone was surrendered, the directory was required to be returned. Directory enquiry service were also provided as a special service on '197'.

2. The availability of a printed Telephone Directory and the provision of Directory Enquiry services is essential for any person to obtain the telephone number or address of a particular subscriber, who may be an individual, a company, government official/deptt. or an organization. Usually, the name of a person or company and its general location are enough to enable the DQ staff to find a telephone number, if it is listed. The Directory Enquiry Services also help a person to find out the address of the subscriber if the telephone number is known. Presently, the printed telephone Directory is available only for fixed line subscribers of BSNL/ MTNL and the frequency of publication of these directories is generally three to five years. With the opening up of the telecom sector for competition, the sector has witnessed a very high growth rate with multiple operators offering mobile and fixed services. Today almost two million connections are added each month. With this high growth rate, the requirement for issuing a Telephone Directory and Enquiry Services has increased manifold and so has the issues/problems related to this activity. The private operators have so far not brought out printed Telephone Directories.

3. The licenses issued for provision of various telecom services have different provisions regarding the publication of telephone directories and provision of directory enquiry service. The license provisions relating to

publication of Telephone Directory and provision of Directory Enquiry Services, as contained in the license agreement for various services are given below:

Old Basic Service License

1.8 *DIRECTORY PRINTING AND DIRECTORY ENQUIRY*

1.8.1 *DIRECTORY PRINTING*

DOT will bring out SSA-wise common telephone directories containing the subscriber data-base of the Licensee as well. For this purpose the Licensee shall provide to DoT up-to-date directory data-base of its subscribers and shall provide to DOT all necessary facilities for bringing out timely, accurate and up-to-date directories. DOT shall supply to the Licensee adequate number of free copies of directories for distribution among its subscribers. The Licensee shall collect charges from its subscribers for bold and additional directory entries as per DoT's prescribed rates. All the revenue generated on account of the publication of the directory including the charges collected by the Licensee from its subscribers and advertisement revenue shall accrue to DoT and the Licensee will have no claim in this regard.

Where DoT brings out a directory without yellow pages, Licensee shall pay suitable charges per entry pertaining to Licensee's subscribers. This figure will vary from place to place and time to time.

The licensee will get collection charges equal to 5% (five percent) of the money collected for bold and additional entries pertaining to Licensee's subscribers. Presently prescribed frequency of publishing of directories is one year. Only smaller SSAs have directory without yellow pages.

1.8.2 *DIRECTORY ENQUIRY SERVICES:*

The Service covers providing and operating directory enquiry service by the Licensee for its subscribers. Recognising that it would be in the interest of subscribers of DoT and the Licensee to ensure that the directory enquiry service

operated by either party will be in a position to convey to callers of its directory enquiry service, telephone numbers of subscribers of the other, appropriate technical arrangement for running an integrated data base or for coupling the directory enquiry data bases of DoT and the Licensee shall be established. Common costs associated with such integration or coupling shall be shared between DoT and the Licensee in an appropriate manner mutually agreed.

New Basic Service license

33. DIRECTORY PRINTING AND DIRECTORY ENQUIRY : *It shall be mandatory for the LICENSEE to provide a computerized Directory Enquiry/ Information/ Assistance service with integrated data base of its own subscribers in the same service area. Printed directories, if required, can be published by the LICENSEE on its own discretion and cost. If any SUBSCRIBER does not wish his name, address and access number etc. to be included in the directory, the SERVICE PROVIDER can do so only after obtaining concurrence of the SUBSCRIBER in writing.*

Cellular Mobile Telephone Service License - Circle (Old)

24.10 Publication of Cellular Service Directory

24.10.1 The licensee shall publish a Cellular Service Directory containing all commercial information, name, address and number of the subscribers. If a subscriber does not wish to be listed in the directory, the Licensee will be free to delete his name from the directory after taking consent of the subscriber in writing.

24.10.2 All the subscribers of the service shall be entitled to one free entry in this directory and any additional information/ specific printing in a particular type at the request of the subscriber may be charged, extra, at a rate to be specified by Department of Telecom.

24.10.3 Any other charges relating to the directory to be charged from subscribers/ public shall be fixed in consultation with the Department of Telecom.

24.10.4 The Department of Telecom is entitled to include, free of cost directory information of the Cellular subscribers in the directory published by the DOT for PSTN/Telex/Data Services etc. and the licensee shall be bound to supply the above information as and when asked for.

24.10.5 The Authority[†] or any authorized person shall have an access to the Data base relating to the Cellular subscribers of the Licensee. The Licensee shall also update the data relating to his subscribers available with the Authority on a monthly basis. The Licensee shall make available, details of the subscribers using the service at any prescribed instant, to the Authority or its representative.

Cellular Mobile Telephone Service License - Metros (old)

1.8 PUBLICATION OF CELLULAR MOBILE TELEPHONE SERVICE DIRECTORY

1.8.1 The licensee may publish a C.M.T.S. (Cellular Mobile Service) user's directory containing all commercial information, names, address and number of the subscribers. If a subscriber does not wish to be listed in the directory, the Licensee is free to delete his name from the directory after taking concurrence of the subscriber in writing.

18.2 All the subscribers of the service shall be entitled to one free entry in this directory and any additional information/ specific printing in a particular type at the request of the subscriber may be charged for, extra, at a rate to be specified by Authority.

18.3 Any other charges relating to the directory to be charged from subscribers/ public shall be fixed in consultation with the Authority.

[†] Authority refers to Licensor

18.4 The Authority[‡] reserves the right to include directory information of the cellular subscriber in the directory published by the Authority of PSTN/ Telex/ Data Services etc. and the licensee shall be bound to supply the above information as and when asked for.

18.5 The Authority or its representative(s) will have an access to the Data base relating to the C.M.T.S. subscribers of the Licensee. The Licensee shall also update the data relating to his subscribers available with the Authority on a monthly basis. The Licensee shall make available, at any time, by the Authority or its representative details of the subscribers using the service.

Cellular Mobile Telephone Service License (fourth operator)

18. Publication of the Telephone Service Directory.

18.1 Determination of TRAI with regard to publication of telephone service directory containing information of subscribers of Cellular Mobile Telephone Service shall be applicable and binding.

30. Emergency and Public Utility Services:

30.1 Licensee shall independently provide all emergency and public utility services to its subscribers, **including directory information services with names and address of subscribers.**

UASP License Agreement

15. Publication of the Telephone Service Directory:

15.1 Determination of TRAI with regard to publication of telephone service directory containing information of subscribers of Telecom Service shall be applicable and binding.

[‡] Authority refers to Licensor

29. Emergency and Public Utility Services:

29.1 The licensee shall provide independently or through mutually agreed commercial arrangements with other Service Providers all public utility services including TOLL FREE services such as police, fire, ambulance, railways/ road/ air accident enquiry, police control, disaster management etc. While providing emergency services such as police, fire, ambulance etc. it shall be ensured that such calls originated shall be delivered to the control room of the concerned authority for the area from where call is originated.

Requirement to discuss the issue:

4. While most of the Basic Service Operators have migrated to the Unified Access Service License (UASL), many of the Cellular Mobile Service Providers are yet to migrate to the UASL regime. Though the UASL Agreement does not have any provisions relating to Directory Enquiry Services, but it provides for Determination by TRAI for publication of the Telephone Service Directory. The license agreement for the Fourth Cellular Mobile Telephone Service also provides for Determination by TRAI for publication of the Telephone Service Directory while it is mandatory to provide Directory Enquiry Services. TRAI did not issue any Determination on this issue because at that time CPP regime was not in force and it was thought that it will be appropriate to issue the Determination after the CPP regime is introduced. The old Cellular Mobile Telephone Service License for circles has made it mandatory to publish the Telephone Service Directory. But in the case of Metro licenses the publication of Telephone Service Directory is not mandatory. Keeping in view the provisions in the UASL Agreements and Cellular Mobile Telephone Service Licenses, which calls for Determination of TRAI with regard to publication of telephone service directory, the general consumer interest and the fact that the Cellular Operators have not yet published a Telephone Directory of their subscribers, a need has arisen for TRAI to issue a Determination for publication of the Telephone Services Directory and Directory Enquiry Services. This Consultation Paper may, therefore, be viewed in the above background.

Chapter 2

Issues relating to publishing Telephone Directory and provision of Directory Enquiry Services

As seen in the previous Chapter, the license Agreement for the Cellular Mobile Telephone Service (CMTS) provides for publication of a Cellular Service Directory containing all commercial information, name, address and number of the subscribers, except the names of subscribers who have chosen to have their names excluded from the Directory. In spite of these license conditions, which mandate publication of the Cellular Telephone Service Directory, the CMTS Operators have not yet published Telephone Directories of their subscribers. TRAI had been in discussion with the Department of Telecommunications and the CMTS Operators regarding the publication of the Telephone Service Directory. The various issues emerging out of these discussions (and other issues) are discussed below. The relevant practices in various European countries are also mentioned for information and to provide a basis for further discussion. Details in this regard are given in Annex.1.

Publication of Telephone Directory:

1. Should the publication of the Telephone Directory be mandated or not?

The license agreement for Unified Access Service, Cellular Mobile Telephone Service (fourth operator) and the new Basic Service Licence do not provide for mandatory publication of the Telephone Directory, but rather provide for a TRAI Determination on the issue. However, the old Cellular Mobile Telephone Service (CMTS) License for circles had made it mandatory for CMTS Operators to publish the Telephone Service Directory. The CMTS Operators had not published their Telephone Directory mainly on the ground that there is a reluctance on the part of the customers in getting their names and mobile numbers published. This was primarily on account of two reasons:

(i) The cellular subscribers did not wish to share their numbers for privacy considerations. This may be considered in the wake of recent complaints that marketing companies use mobile numbers for sales promotions and subscribers are disturbed by these invasive, unwarranted calls. In case the subscriber is roaming outside the service area, he may have to pay roaming airtime charges and PSTN charges on these unwanted calls answered. By publishing a Telephone Directory of mobile customers the chances of such invasive calls increases.

(ii) Till the CPP regime was implemented through the IUC Regime Regulation, the mobile customers were paying for all the calls received by them. Hence, they were reluctant to share their mobile numbers.

Issues:

(a) In the case of fixed line subscribers, the Directory/ Directory Enquiry Services can help a person to locate the address of an individual, company, firm, government organization, department etc. In the case of a mobile subscriber, the address is of little relevance and the billing address etc. may/ may not be the location of the company/ individual etc. The Directory in case of the fixed subscribers links the name, address and telephone number of the subscriber. This is not the case for cellular subscribers, where only the name and number can be linked.

(b) The issue of relevance of a printed directory, given the number of net additions and the growth rate every month needs to be addressed. In the given circumstances, a Directory would be out of date on the day it is issued. The problem is further compounded by the fact that there is a churn factor and also that a large number of pre-paid users are casual users of mobile services and may or may not remain with the service provider for a sufficient period of time. In the case of fixed telephones, the customers and the general public may require a

telephone directory to locate the telephone numbers of Government offices, organizations, companies, individuals etc. The Directory may also help them to locate the addresses of these offices, organizations etc.

International Practices:

In the countries of the European Union, it is obligatory, in accordance with the EU Directive, that at least one comprehensive directory is available to end-users in a form approved by the relevant authority, whether printed or electronic, or both, and is updated on a regular basis, at least once a year. In most of the European Union countries a comprehensive directory including subscribers of all operators (both fixed and mobile including pre-paid customers) are available, except those who have opted for exclusion of their names. It is seen from the practices prevalent in these countries that in some countries the mobile subscribers are included in the printed Directory while in some countries they are excluded from the printed Directory. Also in some countries mobile customers are included only on request. In some countries the responsibility for bringing out the Directory has been placed on the incumbent. In Singapore the incumbent, who is acting as the coordinator to consolidate telephone information from other operators, brings out a consolidated Directory of fixed subscribers.

2. Periodicity of publishing the Directory:

With the present rate of growth in the subscriber base of the various operators there may be a need for frequent upgradation of the Directory. It is also seen that the telephone numbers are being changed periodically because of installation of new exchanges, upgradation of exchanges etc. and the consequent shifting of subscribers to the new or upgraded exchanges. Changes in telephone numbers are also being effected because of shift in the customer premises. In case the Directory is published after quite a long time the customer would be put to lot of inconveniences and there would not be much utility of the

Directory. It may also be possible to publish a Supplementary Directory containing additions and changes, before a fresh Directory is published. The Department of Telecommunications (DOT) had opined that if need be, the Directory may be published once in a year. The Directory information could also be posted on the website of each service provider.

Issues:

There will always be a gap between the cut off date on which data is collected and the date of publication of the Directory given the present growth rates. Unless there is a system to update the printed directory on a fortnightly/monthly (at the most) basis, the relevance of the printed directory is lost. If the Directory is to be updated and printed so frequently, there will definitely be a cost involved and it is to be examined as to how the cost can best be covered.

International Practices:

The EU Directive mandates upgradation of the Directory regularly, at least once in a year.

3. Area to be covered by the Directory – whether at the SSA level or at circle level:

BSNL has been publishing its Directory of fixed line customers at the LDCA level. The private operators both fixed and mobile have not yet published their Directory. One of the issues for consideration is the geographical coverage of the Directory i.e whether it should be at the LDCA level or at the circle level. In the case of mobile services, the concept of LDCAwise coverage, as in the case of Basic Service, is not there and no data of subscribers on LDCA-wise basis is maintained by the Cellular Operators. Hence bifurcating the numbers LDCAwise will be cumbersome. Also in the case of mobile services, the number of mobile

customers is more and in their case there is no need for informing any change in address.

In case the Directory is to be printed on a circle-wise basis the number of subscribers to be covered would be very large. Consequently the volume of the Directory would be very big. For example, in Delhi the MTNL Directory of fixed subscribers of about 2 million was issued in 3 volumes. Today a number of circles are having subscriber base (fixed + mobile) of more than 4 million. As such, the size of the Directory would be very large to handle.

4. **Whether pre-paid mobile customers are to be included or not in the Directory?**

In the case of Telephone Directory for mobile services, one of the major issues for consideration is whether the pre-paid mobile customers are to be excluded or not.

Issue:

The pre-paid customers constitute the bulk of the customer base of the cellular operators. Many of these pre-paid customers remain with the service provider for a short time. DOT has opined that the prepaid subscribers may be included on the web for the duration of the service but excluded from the paper Directory.

International Practice:

In some of the countries of the European Union pre-paid customers are excluded from the printed Directory.

5. **Consolidated Directory:**

Presently the telecom sector has been witnessing multi service multi operator competition. The mobile subscriber base has almost caught up with the

fixed line subscriber base and the mobile sector has been witnessing tremendous growth. Because of this high growth the need for making inter-network calls has also increased substantially.

Issues:

The main issues that arise in this background are:

- Whether the Consolidated Directory should include both fixed and mobile subscribers or it should be separate for fixed and separate for mobile?
- The geographical coverage of such a consolidated Directory.
- Who should be entrusted to bring out such a consolidated Directory and the charges payable to such a person for publishing and managing the consolidated Directory? One of the possibilities could be that the incumbent operator may be authorized to manage such a consolidated Directory and all the operators could share the costs for such a Consolidated Directory.
- The methodology for furnishing and consolidation of data base.
- Is it possible/ necessary to issue a separate license for managing consolidated telephone Directory?
- The pricing of Consolidated Directory.

International Practice

In Belgium, Denmark, Germany, Ireland, Italy, Luxemburg, Netherlands, Austria, Portugal and Finland at least one directory including all subscribers (of all operators) i.e. for subscribers of fixed telephony services, mobile contracts, mobile pre-paid services and personal numbers, except for those who have expressed opposition to being listed, available to all users. In Belgium prepaid subscribers are excluded from the consolidated directory. In Germany and France the incumbent operator brings out the consolidated Directory. In France most of the mobile operators do not transmit data of their subscribers to the incumbent and hence mobile subscriber data is missing from the consolidated

Directory. In U.K., although no subscribers are formally excluded from the core database, there have been difficulties in ensuring all mobile data is available. In Singapore, licensees providing fixed local services are required to provide integrated telephone directories for all subscribers at no charge (unless approved by IDA) at annual intervals or any agreed intervals with IDA.

6. Pricing of Telephone Directory:

Presently the printed telephone Directory is provided freely to the subscribers of BSNL/MTNL. MTNL also sells Telephone Directory of its fixed line subscribers on CD-ROM. The pricing of telephone Directory arises where the service provider intends to sell the Directory to its subscribers or to the public. It may have to be considered whether such sale should be freely allowed and whether there is any need to regulate the price of the Directory. The license agreements are silent as to whether the subscriber should be charged for having a printed Directory. Of course they are entitled to one free entry in the Directory. According to DOT, the price of sale may be left to the Operator. It may be necessary to regulate the price in case the subscribers are not provided printed Directory free of cost. The issue is more relevant in case a consolidated Directory is brought out by the incumbent or any other agency and also if a separate license is issued for managing consolidated telephone Directory. In deciding the price of the consolidated Directory, the cost of the service providers in providing the data, the cost of the agency/operator who is managing the consolidated directory, the geographical coverage of the Directory etc. are the important considerations.

Provision of Directory Enquiry Services:

1. Should the provision of Directory Enquiry Services be mandated?

License Provisions:

While the Basic Service License Agreement and the fourth Cellular License mandates provision of Directory Enquiry Services, there are no such provisions in the old Cellular License and the UASP License.

Requirement:

In the printed Directory there is the limitation that the information is not up-to-date as the subscriber base is growing at a fast pace. Hence Directory Enquiry through telephone/internet becomes necessary. Also, it is seen that the telephone numbers are being changed frequently because of expansion and setting up of new exchanges. In such a case also the customer requires Directory Enquiry. Considering the above, it has to be decided as to whether provision of Directory Enquiry Services be mandated.

International Practice:

The EU Directives mandate availability of at least one comprehensive telephone enquiry service to all end-users, including users of public pay telephones.

2. Unified Directory Enquiry Services:

In the present multi operator and multi service scenario it is very difficult for a customer who is looking for the number of a particular organization to locate it because the organization can have telephone connection from different operators and also it can have fixed or mobile or WL(M) connection. Even if the customer has found out the operator and the type of telephone connection the organization has, he may not be able to contact that particular service provider's

Directory Enquiry service from his telephone if there is no mutual agreement between his service provider and the other service provider for mutual directory enquiry. Hence, it may be necessary to have a Unified Directory Enquiry Services comprising of all service providers. The Unified Directory could be at the circle level. It is often seen that it is difficult to find out a telephone number of another circle as there is no centralized Directory Enquiry Services at circle level or the Directory Enquiry Services number of that particular place is not known to the customer. The need for such an enquiry is often required if a customer receives a message on making an inter-circle call that the 'number has changed' or 'number does not exist' or similar message. The provision of a Unified Directory Enquiry Service at the circle level could mitigate this problem. **One of the possibilities for managing the Unified Directory Enquiry Services could be through a separate license or the incumbent may be mandated to provide such a service with payment of costs by other operators.**

International Practice:

In most of the EU countries the incumbent sets up the database. In some countries the operators set up the database jointly. Also in most of the EU countries, the prices for the provision of subscriber's data are cost oriented. In some countries like U.K., there is competition in the provision of Directory Enquiry Services.

In Australia, the incumbent operator Telstra is mandated under the license conditions to establish and maintain an Integrated Public Number Database. IPND is an industry-wise database of all listed and unlisted public telephone numbers to provide information for specific purposes including directory assistance service and publishing of telephone directories. All other service providers have to give necessary data to Testra for the database. However, it is contemplated that the ongoing maintenance and operation of the IPND may be transferred to another specified person or association. The Australian

Communications Industry Forum has developed an industry code, in consultation with all stakeholders, for IPND Data Provider, Data User and IPND Manager.

The Malaysian Communications and Multimedia Commission is contemplating a ministerial determination on Required Application Services (RAS), which covers Emergency Services, Directory Assistance Services, Operator Assistance Services and Services for disabled consumers.

3. Availability of Directory Enquiry services from telephones of other operators:

The old Basic Service License provides for a combined Directory Enquiry Services along with DOT (now BSNL). Since in this case the data base is combined one operator can give the information relating to the other operator. There were some representations that directory enquiry service relating to some of the private operators are not available through other phones. This requires a person to locate a telephone of that particular company for making a call to the Directory Enquiry Services. Some operators have agreements for allowing Directory Enquiry Services from each others phones. In consumer interest it may be necessary to make available Directory Enquiry services from telephones of other operators.

4. Should the Directory Enquiry services be charged or not?

Presently BSNL/ MTNL is not charging the customer for Directory Enquiry Services. Some of the private operators have also provided toll free numbers for Directory Enquiry Services. As mentioned in the above para, in many of the cases the need for Directory Enquiry by the customer has arisen because of the action of the Operator i.e. change of numbers etc. Possibility of a separate changed number services _1951/52 which could be free, while DQ is charged. As such the customer may not be charged for Directory Enquiry Services. In

case a separate license is issued for a Unified Enquiry Service, it may be necessary to levy charges for Enquiry Service.

Chapter – 3

Questions for Public Consultation

1. Should the publication of the Telephone Directory of both the mobile and fixed customers be mandated or not?
2. What should be the periodicity of publication of the Telephone Directory? Whether it should be annual, biannual or any other period?
3. What should be the coverage of the Directory i.e whether it should be at LDCA level or at the circle level?
4. Whether pre-paid mobile customers are to be included or not in the Directory? If yes, indicate how it is to be implemented in view of the heavy churn in this segment?
5. Is there any need for bringing out a Consolidated Telephone Directory of a circle? If so, whether the consolidated Directory should be separate for fixed and separate for mobile or it should be a combined one including all mobile and fixed customers? What are your suggestions regarding the modalities for bringing out a consolidated Directory?
6. Whether the Directory could be priced for sale? If so, whether the pricing should be regulated or left to the operator to decide?
7. Should the provision of Telephone Directory Enquiry Services be mandated?
8. Is there any need for a Unified Directory Enquiry Services for a circle? What are your suggestions regarding the modalities for installing such a Unified Directory Enquiry Service?

9. Should the Directory Enquiry Services telephone number be accessible from any telephone? What are your suggestions regarding the arrangements in this regard?
10. Should Directory Enquiry Service be charged or not?

International Experience

Provisions relating to Directory and Directory Enquiry Services in EU Member States:

The provision of directories

Member States' obligations concerning directories in relation to universal service are contained in Articles 5 and 25 of Directive 2002/22/EC of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) (USD).

Article 5 of the USD states that:

"1. Member States shall ensure that:

(a) at least one comprehensive directory is available to end-users in a form approved by the relevant authority, whether printed or electronic, or both, and is updated on a regular basis, and at least once a year;
(b) at least one comprehensive telephone directory enquiry service is available to all end-users, including users of public pay telephones.

2. The directories in paragraph 1 shall comprise, subject to the provisions of Article 11 of Directive 97/66/EC, all subscribers of publicly available telephone services.

3. Member States shall ensure that the undertaking(s) providing the services referred to in paragraph 1 apply the principle of non-discrimination to the treatment of information that has been provided to them by other undertakings."

Article 25 of the USD states, amongst other things, that:

"1. Member States shall ensure that subscribers to publicly available telephone services have the right to have an entry in the publicly available directory referred to in Article 5(1)(a).

2. Member States shall ensure that all undertakings which assign telephone numbers to subscribers meet all reasonable requests to make available, for the purposes of the provision of publicly available directory enquiry services and directories, the relevant information in an agreed format on terms which are fair, objective, cost oriented and non-discriminatory.

3. Member States shall ensure that all end-users provided with a connection to the public telephone network can access operator assistance services and directory enquiry services in accordance with Article 5(1)(b).

4. Member States shall not maintain any regulatory restrictions which prevent end-users in one Member State from accessing directly the directory enquiry service in another Member State.

5. Paragraphs 1, 2, 3 and 4 apply subject to the requirements of Community legislation on the protection of personal data and privacy and, in particular, Article 11 of Directive 97/66/EC”.

Implementation status of provisions relating to Directory and Directory Enquiry Services in the European Union Member States:

Member State	Is there at least one directory including all subscribers (of all operators) i.e. for subscribers of fixed telephony services, mobile contracts, mobile pre-paid services and personal numbers, except for those who have expressed opposition to being listed, available to all users? If not, which type of subscribers are excluded? (<i>Article 6.2.b, Dir. 98/10/EC</i>)	Is there at least one directory enquiry service including all Subscribers (for all operators) i.e. for subscribers of fixed telephony services, mobile contracts, mobile pre-paid services and personal numbers, except for those who have expressed opposition to being listed, available to all users? If not, which type of subscribers are excluded? (<i>Article 6.2.c, Dir. 98/10/EC</i>)	Have any specific measures been taken in order to guarantee the provision of these services to disabled users and users with special social needs? Please, specify.
Belgium	Yes. Prepaid subscribers are excluded.	Yes. Prepaid subscribers are excluded.	Directory enquiry service by SMS
Denmark	Yes	Yes	The universal service obligation shall also include provision of a nation-wide directory enquiry service for numbers in the Danish numbering plan, as well as call completion to the numbers in question at a reduced rate, for blind persons, deaf-and-blind persons, visually impaired persons, persons with reading disabilities, and certain groups of physically disabled persons, who, via the service in question, may be compensated

			significantly for their handicap.
Germany	Yes. The incumbent must provide a printed directory service, which is, in principle, yearly updated, including all the available subscribers' data provided that they have not opposed completely or partially their inclusion.	Yes. The incumbent must provide a printed directory enquiry service, including all the available subscribers data provided that they have not opposed completely or partially their inclusion. This also applies for foreign numbers.	There are some provisions for disabled users and users with special social needs.
Greece	Not yet in practice	Not yet in practice	Blind/visually impaired are entitled to make 20 calls/month to the phone enquiry service free of charge. US provider is obliged to make a text-only version of his electronic directory available for the use of blind/visually impaired persons
Spain	Not yet in practice. For mobile subscribers and those to whom special network numbers have been assigned, an opt-in approach applies, while an opt-out approach applies for fixed subscribers. The Spanish regulation, and specifically the Ministerial Order of 21 December 2001, deliberately guarantee subscribers' right (both fixed and mobile) to be included in the	Yes, in the applicable rules. The Spanish regulation guarantees the existence of telephone enquiry service available to all users.	Blind or those living with them are entitled to make 10 phone calls per month to Telefonica's directory enquiry service free of charge in the context of USO.

	directories.		
France	<p>No. Mobile subscribers missing. Mobile operators do not transmit data to the incumbent; however, 30% of Orange subscribers have voluntarily transmitted their data which are now included in the directory) as well as subscribers of new entrants' which have not signed an agreement with France Télécom</p> <p>The Décret on universal directory was published in the OJ on 6 August 2003</p>	No	<p>Specific measures are mentioned, but there is no financial compensation foreseen for possible actions. There are, in practice, no specific measures Among those benefiting from the telephone social discount (known as « tarifs sociaux ») are disabled war veterans who are entitled to an extra discount (+4,56 euros compared to others)</p>

Ireland	Yes	Yes	Yes – e.g specific measures for those with visual and hearing impairments (braille bills, specific directory enquiry services for the blind free of charge).
Italy	Yes. As from October 2002 directory and directory enquiry services are available for subscribers of all fixed telephony services. Procedures for collection of data subject consent are already compliant with 2002/58/EC Directive.	Yes. As from October 2002 directory and directory enquiry services are available for subscribers of all fixed telephony services. Users and subscribers of mobile services are being included in directory enquiry services. Procedures for collection of data subject consent are already compliant with 2002/58/EC Directive.	Yes, operators report annually to the NRA about the measures taken to provide these services to disabled users and users with special needs
Luxembourg	Yes	Yes	Yes
Netherlands	Yes since Sept 2002	Yes	No
Austria	Yes. Subscriber data are included according to the operator's and the client's preference.	Yes	No
Portugal	Yes	Yes	Blind people or visually impaired are entitled to make 20 phone calls per month to the incumbent's directory enquiry free of charge.
Finland	Yes	Yes	Yes, a special service financed by the Ministry of Social Affairs and Health.
Sweden	No. The printed directory provided by a sub-contractor	Yes	Yes. The Swedish NRA has procured a service for free directory enquiries for people

	to Telia includes mobile numbers only on subscriber's request and for an extra fee.		with specific functional disabilities.
UK	No. Although no subscribers are formally excluded from the core database, there have been difficulties in ensuring all mobile data is available. Oftel expects that mobile data will be more generally available in the core database towards the end of 2003.	No. All subscribers have access to a directory enquiry service listing all available numbers. However, there have been difficulties in ensuring mobile subscriber data is available and this data is not comprehensively provided at present. As above, Oftel expects that mobile data will be more generally available in the core database towards the end of 2003	A free directory service is available for those users unable to use a paper directory.

Competition in the market of Directory services

Member State	How are the relevant subscribers' data provided to all organizations willing to provide directory services/ directory enquiry services? (Please, specify)			How are prices for the provision of subscribers' data fixed?
	Database set up by NRA or independent body (Please, specify)	Database set up by the incumbent	Other. Please, specify.	
Belgium	No	Yes. The Incumbent set up the data base used by the universal directory enquiry service and the universal directory service. Operators have to put their data at the USO provider's disposal on a cost-oriented price	Operators have to put up their data at the directory services providers' disposal on a cost oriented price	Fixed between the operators under IBTP's control
Denmark	No	Yes. The incumbent's directory enquiry service	Providers of telecommunications networks or services who reassign subscriber numbers to endusers shall deliver number information data to any parties who wish so.	The payment for delivering number information data shall not exceed the costs of delivering it (the marginal costs).
Germany	No	Yes		The price for the provision of subscribers' data, if any, must be cost oriented ⁵⁵ . The Federal Competition Authority has noted that this is not a tariff of a

				telecommunications service.
Greece	No. Competition in directory services/directory enquiry services does not exist yet. However relevant provisions have been included in EETT Decision 255/83 14.06.02 on U.S.O content		The procedure of collecting subscribers' data is described in EETT Decision 255/83 14.06.02 on U.S.O. content.	The provision of subscribers' data to the U.S.O. provider must be cost oriented.
Spain	By the NRA. Although it has been foreseen that telephone service providers must provide CMT with their subscribers' data and CMT must provide the entitled entities with them, no provision have been included as regards how to do it. (Art. 14 RSU) The CMT, by resolution of 27 June			For free

	2.002, has set up a manual mechanism for the provision of subscribers' data to the directory services providers which will be applied transitorily until an automatic mechanism is set up by CMT.			
France	No	Yes and commercialised		Up to now, the tariff was agreed after commercial negotiation. The Ordonnance and Decret on universal service foresee that these tariffs are cost-oriented.
Ireland		Yes		Must be fair, cost-oriented and non discriminatory.
Italy	No	No	Database set up jointly by all operators (included the incumbent) under a specific agreement, which specifies how subscriber data shall be provided to all organizations operating in directory/ directory enquiry services.	For the database set up jointly by operators, prices are defined on a fair and non discriminatory basis.
Luxembourg	Direct provision	No		By comparison

	from operators to directory service providers.			
Netherlands	No	Incumbent has database for own directory services	Other publishers must get information from incumbent and new entrants separately.	The incumbent buys data from new entrants at cost oriented tariffs. Tariffs are unknown. New entrants do not contribute to publications costs. Other publishers deal with operators at same terms, as provision of data is legal matter.
A	No	Yes.	Request of data can be made to all operators	By contract between the parties
P	No	Yes		Price is fixed by the incumbent according to the principles of transparency and equality. This price is under analysis by the Directorate General for Fair Trade and Commerce (DGCC).
FIN	No	No, database is set up jointly by all operators	All operators shall submit information in a format appropriate for publication.	Prices shall be reasonably proportional to the costs.
Sweden			All notified operators are liable to provide available relevant subscribers' data to any party who	The Electronic Communications Act, which entered into force 25th of July 2003,

			requests it for the purpose of providing enquiry services.	prescribes cost-oriented pricing.
UK	N/A	Yes	N/A	The overall framework is one of cost-orientation and non discrimination. The actual detail of the charges is worked out in cross-industry negotiations. Should a formal dispute arise, Oftel would seek to investigate further but does not determine charges at this stage.

Source: Telecommunications Regulatory Package – 9th Implementation Report

DQ services in the UK

Following public consultation with the Industry and with other stakeholders, including consumer representatives, Oftel decided in 2001 to liberalise the DQ market, using the 118 XXX number range. Until then, each network operator had provided its own service, largely on 192 for national DQ and 153 for international DQ. Oftel's aim in liberalising the market was to introduce competition between DQ providers, by allowing consumers on each network to have a choice of which DQ service to call, all of which would be available via numbers of the same length, to avoid unfair advantages to some DQ providers. The first public stage in the introduction of the new services was in December 2002, when services on the new 118 XXX numbers began operating in parallel with the legacy 192/153 numbers. On 24 August 2003 the period of parallel running ended, after which

the legacy numbers could be used only to provide information about the new services, rather than a DQ service itself. In December 2002 the market for directory enquiries opened up to a wide range of companies offering new products and services in addition to the basic DQ service. These services operate on new 6-digit numbers, all starting with 118

There may be a fixed charge for calls, or a charge per minute while the call is connected, or both. As with other types of phone call, the charge for using a BT line may differ from the charge on another type of line such as cable or mobile. But remember that calls often cost more when using a mobile. If the person whose number you want is ex-directory, you will not be able to get the number. And you will only be able to get a number if you can give enough information about the person's name and address. In general, the DQ service provider will charge you for searching its database, whether or not the search is successful. So-called 'reverse searching', where someone who has your phone number can request your address, will not be allowed unless you have given your permission for it.

Singapore

As part of their basic obligations, Licensees providing fixed local services are required to provide integrated telephone directories for all subscribers at no charge (unless approved by IDA) at annual intervals or any agreed intervals with IDA. Currently, there is no requirement for mobile operators to publish such directories. In Singapore, fixed local voice subscribers are being provided an integrate telephone directory. The incumbent operator currently acts as a co-ordinator to consolidate telephone information from other operators for the purpose of printing an integrated telephone directory. Currently, the Licensees bear the costs of providing the directory.