

**Clarification of the “REGULATORY FRAMEWORK FOR THE ACTIVITY OF
MOBILE VIRTUAL NETWORK OPERATORS (MVNO)” as regards the
allocation of addressing numbers of signalling system no. 7**

1. By determination of 9 February 2007, the Management Board of ICP-ANACOM approved a document entitled “Regulatory Framework for the activity of Mobile Virtual Network Operators (MVNO)”¹ (hereinafter “MVNO Framework”), which summarizes the arrangements applicable to these operators, namely concerning matters such as the general authorization scheme, and numbering and interconnection rights and obligations².

As explained on the occasion, the document did not intend to alter the regulatory framework, which accepted the existence of MVNOs, but to be useful as far as regards the transparency and predictability of regulations, providing all market participants with the same level of information³.

2. Recently, in the scope of the analysis of a communication concerning the start-up of an MVNO and of the corresponding application for reservation of numbering resources, specifically the reservation of National Signalling Point Codes (NSPC), ICP-ANACOM found that the provision on this specific matter in the “MVNO Framework” requires a clarification, namely in the light of provisions established in the “Criteria and principles for the management and assignment of numbering resources”⁴, also approved by this Authority.

3. In fact, in the scope of the “Criteria and principles for the management and assignment of numbering resources”, Point 10. “Specific criteria for resources in compliance with UIT-T Recommendation Q.708” lays down, *inter alia*, that:

- The assignment of national signalling point codes (NSPCs) shall be made when the applicant has a national C7 signalling network;
- The assignment of codes for identification of international signalling point codes (ISPC) will be made when the applicant has one or more international traffic switches that use C7 signalling.

The “MVNO Framework”, in its point D on “Numbering”, paragraph 23, lays down that according to the need demonstrated, MVNOs (both light and full versions) may be granted rights of use for the following numbers:

“(…) e. Addressing numbers of signalling system no. 7, intended for the identification of signalling points required for the establishment of an electronic communications network, assuming the physical existence, on national territory, of one or more traffic switches using this signalling system” (emphasis added).

This means that this last document does not specify requirements which apply on their own terms to the allocation of NSPC or ISPC - which the “Criteria and principles for the management and assignment of numbering resources” do -, and a general interpretation could lead to the conclusion that the *need for physical existence, on national territory, of one or more traffic switches using this signalling system* refers to both types of codes, and consequently

¹ <http://www.anacom.pt/render.jsp?contentId=457406>

² *Vd.* §4 of the referred document.

³ *Vd.* §5 of the referred document.

⁴ <http://www.anacom.pt/render.jsp?categoryId=5355>

NSPC allocation requirements become more demanding for MVNOs than for other service providers.

However, ICP-ANACOM does not acknowledge the need to impose on MVNOs this additional requirement and, as clearly and unambiguously stated in the “MVNO Framework”, the document *did not intend to alter the regulatory framework*. In fact, the Authority takes the view that a C7 signalling network that supports the establishment of national communications acts as a national signalling network, thus requiring the identification of the respective signalling points through NSPCs.

4. In conclusion, in the spirit prevailing in the approval of the “MVNO Framework”, ICP-ANACOM hereby clarifies that the allocation of addressing numbers of signalling system no. 7 to MVNOs is governed by the “Criteria and principles for the management and assignment of numbering resources”, thus the need for *physical existence, on national territory, of one or more traffic switches* does not apply in the case of allocation of NSPC to MVNO.