

Rules for the allocation of national numbers

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1. Type of number

These rules apply to the allocation of national numbers. National numbers are telephone numbers for subscribers of services characterised as follows:

- Provision of access to the public telephone network, ie calls to and from a public telephone network.
- No linkage to any geographic location.
- Within the service, the sub-allocation of national numbers requires subscribers to have their place of residence or business location in Germany.
- The service is not a premium rate service, ie dialling the number does not entail a contract for any chargeable services provided in addition to the conveyance service. Payments or other credits for incoming calls to the subscriber are not permitted.
- The service is not comparable to carrier selection in commercial terms.
- Porting data are exchanged in accordance with the procedure for the exchange of porting data for local numbers.
- Availability of carrier selection and carrier preselection as provided for in section 40 of the Telecommunications Act (TKG) of 25 July 2004 (Federal Law Gazette Part I page 1190) for the numbers; in respect of calls between national numbers carrier preselection for local calls applies, in respect of other calls carrier preselection for national calls applies. Note: whether or not a caller's provider is required to provide the carrier selection and carrier preselection facility is determined by section 40 of the TKG.
- The retail price for a call to a subscriber with a national number is fixed by the caller's provider or the carrier selected in accordance with section 40 of the TKG.

National numbers are numbers within the meaning of section 3 para 13 of the TKG. They are allocated under section 66 of the TKG in accordance with these Rules.

National numbers are allocated in a two-stage procedure:

- Allocation of numbers in blocks of 1,000 (tRNB) by the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway to qualifying applicants as provided for under section 4 (primary allocation).
- Suballocation of individual numbers to subscribers by the primary allocatee of a tRNB or a third party offering access to the public telephone network on the basis of a contract with the primary allocatee. A prerequisite for suballocation is the provision of access to the public telephone network. Access to the public telephone network is provided on the basis of a contractual agreement between the access provider and the subscriber. The allocatee is free to decide which of the numbers allocated to him to sub-allocate.

The allocation and suballocation of numbers constitutes a right of use in accordance with the Telecommunications Act and these Rules.

The Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway may change these Rules where this proves necessary. If it does so, it shall also determine whether or not the changes also apply to previous allocations.

2. Numbering space

National numbers occupy the (0)32 range in the national numbering space for public telephone networks as defined in ITU-T Recommendation E.164.

The numbers begin with the two-digit service code 32, preceded by the prefix (0) and followed by a subscriber number consisting of a six-digit block code and a three-digit terminal number.

The standard length of subscriber numbers is therefore nine digits and that of national numbers eleven digits.

Prefix	National number (11 digits)		
0	Service code 32	Subscriber number (9 digits)	
	(2 digits)	Block code (6 digits)	Terminal number (3 digits)

Each block of 1,000 subscriber numbers is identified by the service code 32 and a block code.

For the time being only the following block codes will be used in allocations:

Block code	Purpose of use
21xyyy *1)	Applications for single tRNBs
22xyyy *1)	Applications for 10 consecutive tRNBs (ztRNBs) *2)

*1) x = 1 ... 9; y = 0 ...9

*2) The application must be for 10 tRNBs or a whole multiple thereof.

The other block codes will be kept in reserve; they will be made available only after an announcement to this effect.

3. Qualifying criteria

Eligible to apply is anyone who

- provides, or intends to provide, a service as defined in section 1,
- participates in the exchange of porting data or intends to do so by the planned in-service date, and
- is listed on a German commercial register or a comparable register of another Member State of the European Union.

To prove their eligibility applicants shall submit the following documents:

- Description of the current or envisaged services for which the requested numbers are to be used;
- Implementation concept for the services, in particular with regard to public telephone network access (to be supported, for instance, by an agreement on the interconnection of a self-operated network with other public telephone networks or a declaration of intent to this effect, or by other network sharing agreements);

- Proof of participation in the exchange of porting data (or implementation concept for participation, including technical and operational planning);
- Valid extract from a German commercial register or a relevant certificate on entry in a comparable register of another Member State of the European Union.

Note: The Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway is aware that, at the time these Rules come into effect, the procedure agreed by network operators for the exchange of porting data for local numbers will only support the implementation of tRNBs allocated to network operators and the porting of numbers between network operators.

4. Application procedure

4.1 Guiding principles

Applicants may apply for up to ten tRNBs in the (0)32 number range at a time (lot size = 10). Where more than ten tRNBs are requested applicants must provide concrete evidence of their requirements in excess of this. For technical reasons it is not possible to process more than 50 tRNBs per application.

Applicants may specify whether they are applying for consecutive tRNBs or a particular block (preferred tRNB). Applicants requesting 10 consecutive tRNBs must specify the relevant block codes (see table at the end of section 2). Where applicants indicate preferred tRNBs with block codes in an "Application for a single tRNB", they will not necessarily be allocated consecutive blocks even if this was requested ("preferred tRNB" has priority over "consecutive tRNBs"). In the same way it is possible, when several preferred tRNBs are applied for, that they will not be consecutive, even if this was requested.

Applications may be filed from 24 November 2004.

Applicants can specify a date on which the allocation should take effect. The in-service date must be at least 21 days after the date of receipt of the complete application. Applications may be made no earlier than 180 calendar days prior to the requested in-service date.

On submission of their first application for a tRNB, applicants must demonstrate their eligibility. This is not necessary for subsequent applications, unless there have been changes. Where the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway has reason to doubt an applicant's continuing eligibility, it may request him to provide proof.

Applicants submitting subsequent applications must specify the extent of use of their current blocks in the (0)32 number range. Such applications will only be granted if the use of all blocks previously allocated in the (0)32 range exceeds 75 per cent. The percentage use is calculated using the following formula:

$$\text{Percentage use (\%)} = \frac{\text{sum of all suballocated numbers}}{\text{sum of all primary allocated numbers}} \times 100$$

The sum of all suballocated numbers must also include those ported to other providers.

This procedure need not be applied if-

- the applicant demonstrates that he does not have sufficient numbers to satisfy the requirements of a particular user;
- particular number requirements are otherwise shown to exist, or
- the total of all allocated tRNBs, including the newly requested blocks, does not exceed ten.

4.2 Address to which applications should be sent, and application form

Applications for allocation should be sent to the following address:

Bundesnetzagentur für Elektrizität, Gas, Telekommunikation,
Post und Eisenbahnen
Nummernverwaltung
Postfach 8001
D-55003 Mainz
Federal Republic of Germany

or:

Bundesnetzagentur für Elektrizität, Gas, Telekommunikation,
Post und Eisenbahnen
Nummernverwaltung
Canisiusstr. 21
D-55122 Mainz
Federal Republic of Germany

Applications should be made using the prescribed application form (Annex 1).

Additionally, the application data should be transmitted on floppy disk or CD. A floppy disk set or a CD with the required software can be ordered from the above address or by fax (fax no +49 61 31 18– 56 37). The software-prescribed format must be observed.

Applicants who have concluded an individual agreement with the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway may send the contents of the floppy disk or CD electronically. However, in such cases, too, applications will only be deemed received when the signed application form is to hand.

Hand-delivered applications will be dated by the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway upon receipt; applications may be handed in at any time between 7.30 and 16.15 hours on Mondays to Thursdays and between 7.30 and 15.00 hours on Fridays.

4.3 Processing of applications

Applications are processed in the order of receipt. Relevant in determining this is the time at which the application in full is received. All applications received in the course of one day are deemed to have been received at the same time. Applications that are hand-delivered to the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway's mailbox will be taken to have been delivered on the following day.

All applications received by 16.15 hours on 10 January 2005 will be treated as having been received at the same time (day one procedure); applications received after 16.15 hours will be deemed to have been received on 11 January 2005.

When deciding on the allocation of tRNBs the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway will first consider preferred blocks only.

If two or more applicants apply for the same tRNB at the same time, the block will be allocated by drawing lots.

If an applicant cannot be allocated his preferred tRNB because–

- the tRNB has been allocated to another applicant by lot, or
- the tRNB has been allocated to another applicant whose application was received earlier,

he will be given another tRNB, provided he requested this in his application. If the allocation of an alternative tRNB was not requested, the application will be turned down and a charge will be payable for each preferred tRNB not available.

Applicants not stating a preferred tRNB will be allocated a non-specified tRNB.

The Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway may refuse to allocate tRNBs if an applicant has received allocations before and fails to comply with the information requirement under 6.4. Incomplete applications will be rejected.

Note: Under section 16 of the Administrative Expenses Act (VwKostG) a requested administrative act may be made conditional on advance payment of a reasonable sum or on a reasonable security not exceeding the expected costs of the act. If such advance payment is not received in time, the application procedure will be terminated by the Authority.

4.4 Turnaround time

A tRNB is allocated, as a rule, within 15 working days of receipt of the complete application. Where it is not possible to process an application within this period, the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway will inform the applicant, stating reasons and the expected processing time.

4.5 Taking effect of the allocation

If the applicant has specified a date on which the primary allocation should take effect, it will generally happen on this date. If the requested in-service date is less than 21 days after receipt of the complete application, the allocation will, as a rule, take effect 21 days after the date of application. If a date is not specified, it will, as a rule, take effect 30 calendar days after receipt of the complete application.

5. Conditions

5.1 Primary allocation

- a) The allocatee may use the allocated tRNB solely for applications as defined in section 1.
- b) The allocatee may use the allocated tRNB solely for suballocations and functions essential to network operation (eg testing numbers).
- c) The allocatee may not contractually transfer to a third party the right to use the allocated tRNB.

In the event that–

- there is a takeover or legal succession, or
- a tRNB is to be transferred to an affiliated undertaking within the meaning of section 15 of the Stock Corporation Act,

a written application for modification of the allocation notice, accompanied by the relevant supporting documents (eg commercial register entry, articles of partnership) must be submitted to the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway without delay.

The primary allocatee is permitted to task a third party providing access to the public telephone network on the basis of a contract with the primary allocatee with suballocating numbers.

- d) The allocatee must use the allocated tRNB not later than 180 calendar days after the in-service date. A tRNB qualifies as being in use if customers of the allocatee can be reached from the public telephone network by a number from the block being dialled.

5.2 Suballocation

- a) The primary allocatee shall suballocate numbers on a non-discriminatory basis.
- b) Prior to suballocation it must be verified that the subscriber has a place of residence or business location in Germany.
- c) The primary allocatee may charge for suballocating a number to a subscriber. The charge may not exceed the costs connected with suballocating the number.
- d) The primary allocatee shall keep the standard length prescribed by the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway (11 digits) when suballocating numbers.

Suballocatees are generally permitted to extend numbers (adding of digits). The following should be noted, however:

- No legal claims shall arise from the extension of numbers by the suballocatee. This applies in particular with regard to numbering changes that may become necessary and to porting.
 - The technical accessibility of extended numbers depends on the facilities of the network operators involved in a connection.
 - Under ITU-T Recommendation E.164 the maximum length of telephone numbers in Germany is 13 digits (excluding the prefix).
- e) Efficient use shall be made of the allocated tRNBs. Only as many numbers may be suballocated per subscriber as are required for the services requested by the subscriber. The number of suballocable numbers will be regulated in a separate order.
 - f) Subscribers must tolerate numbering changes resulting from measures or decisions taken by the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway under section 66(2) of the Telecommunications Act or any of the procedural rules pertaining thereto, or from false information provided by the subscriber.

5.3 Use of the numbers

- a) National numbers may only be used for a service as defined in section 1.
- b) The provision, on a commercial or other basis, of a service which is comparable to carrier selection in commercial terms is not permitted.
- c) Sub-allocated national numbers may not be contractually transferred to a third party. Use of a number for customers within the framework of a service is permitted, provided the suballocatee, who holds the right to use the number, requests a telecommunications network operator to implement the number and thus remains the user within the meaning of section 5.3 a).
- e) Trading of national numbers is prohibited. This also applies to agreements linking the return of a number to payment of a sum of money to the current allocatee. Advertising and marketing activities suggesting that a number is available for sale or temporary use against payment of a premium are not permitted, either.

5.4 Obligation to return the allocated block

The allocatee must return, without delay, any tRNB no longer required. Blocks must be returned in particular if the qualifying criteria have ceased to apply or business operations have terminated (cf section 5.5d). A tRNB *in use* can only be returned in the cases specified. The Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway must be notified in writing of any return.

5.5 Obligation to provide information

- a) The allocatee shall inform the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway immediately and automatically of any change of name or address.
- b) The allocatee shall, on request, provide the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway with information on the use of the tRNB. Such information will be treated as confidential. The Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway will expressly inform the allocatee if it is necessary, and intended, to publish specific information.
- c) The Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway may, after hearing the parties concerned, request from the allocatee up-to-date information on suballocated and ported subscriber numbers, and prescribe the transmission medium and data format for such information.
- d) Where qualifying criteria have ceased to apply or business operations have terminated, the allocatee or his legal representative must return the tRNB (see section 5.4), notifying the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway of the status of all numbers previously allocated. Such notification requires the format given in Annex 2 for unused tRNBs and the format in Annex 3 for used tRNBs. The formats can be obtained from the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway in a file.

6. Expiry of allocation

6.1 Principle

The right to use an allocated tRNB shall expire-

- a) on return
- b) on revocation as set out in section 6.2
- c) on withdrawal of an allocation made on the basis of false or incomplete information, as provided for in section 48 of the Administrative Procedures Act.

6.2 Revocation, prohibition

Apart from the cases referred to in section 49 of the Administrative Procedures Act the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway may revoke a tRNB allocation if-

- a) the numbers are used in violation of statutory provisions or provisions of these Rules in their latest applicable version,
- b) the allocatee fails to pay the fee for the allocation,
- c) the block is affected by a change made under section 66(2) of the Telecommunications Act in the type of number,
- d) the allocatee cannot be reached at the address given (non-availability).

The Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway may prohibit the use of allocated tRNBs completely or in part if this is necessary in the public interest.

The Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway will consult with the allocatee before revoking an allocation or prohibiting the use of a block.

6.3 Reuse of recovered blocks

Blocks recovered following return, revocation or withdrawal of an allocation are reallocated by the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway only after expiry of a specified period. This period is 180 days for preused tRNBs and 90 days for unused tRNBs.

7. Publications

The Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway publishes a list of

- allocated tRNBs, and
- free tRNBs.

8. Fees

The fees payable for official acts relating to number allocation decisions under section 66 of the TKG in conjunction with section 142(1) para 2 of the TKG are determined by the Telecommunications Number Fee Ordinance in its latest applicable version.

The fee(s) payable may be specified in a separate notice.

Annexes:

1. Application Form
2. Data format for the return of unused tRNBs
3. Data format for the return of used tRNBs

Application for Allocation of National Numbers in the (0)32 Range**I. Applicant Details**

 Name (Company)

 Carrier code (if known)

 Street

 Postcode, Town

 Name of Contact Person

 Telephone

 Fax

 Email (optional)

A valid certificate of registration in the commercial register

has been submitted along with another application for national numbers or with an application for local numbers.

is enclosed.

II. Type of application

First-time application

Subsequent application

Number of blocks of 1,000 subscriber numbers (tRNBS) already allocated in the (0)32 range:

Percentage use of these tRNBS: ____%

III. Application

I/we hereby apply for allocation of _____(state number) tRNBS in the range 3221 *1)

I/we hereby apply for allocation of _____(state number) tRNBS in the range 3222 *1) *2)

*1) Please note the table at the end of section 2 of these Rules for Allocation.

*2) The number must be 10 or a whole multiple of 10.

The total number exceeds 10 or the percentage use is less than 75%; proof of requirements is enclosed.

The tRNBS

need not be consecutive.

should be consecutive.

No particular tRNBS are requested.

The preferred tRNBS are specified in the Annex. (Please specify the service code and the complete block code and note the table at the end of section 2 of these Rules!)

Note: Applicants indicating their preferred tRNBS may obtain blocks which are not consecutive even if they have requested consecutive blocks.

If the preferred blocks indicated in the Annex are not allocable, I/we request allocation

of no alternative tRNBS

of any other tRNBS.

The requested allocation in-service date is _____ (The specified date must be at least 21 and no more than 180 days after the date of receipt of the complete application).

Data format for the return of unused tRNBs in the (0)32 range

The data should be transmitted in a text file, using either a floppy disk or CD as a data carrier. If the capacity of one data carrier is not sufficient, two or more data carriers may be used. Each data carrier may contain one file only and the name of the file must be written on it. Data carriers must be accompanied by a letter indicating the number of data carriers enclosed.

File names must comprise the following:

Carrier code (see allocation notice)	Key-date to which the notification applies	Serial number *1)	Code indicating that the file contains numbers from returned tRNBs
5 digits	YYYYMMDD	5 digits	_R

*1) Please indicate "00001" if one data carrier (one file) only is transmitted; if two or more data carriers are transmitted, they should be numbered in the order of the key date.

Files must have the following structure:

Field 1	Field 2	Field 3
32xx, with xx = first two digits of the block code	Digits 3 to 6 of the block code (4 digits) plus terminal number (3 digits)	Digits 3 to 6 of the block code (4 digits) plus terminal number (3 digits)
4-digit field Entry without zero at the beginning (num)	7-digit field (num)	7-digit field (num)
Example: 3259 3267	Example: 4567000 5670000	Example: 4567999 5679999

Please note the following when completing the table:

1. All tRNBs obtained by primary allocation which are completely free must be indicated.
2. All indicated tRNBs must definitely be free so that they can be reallocated.
3. Every field must be completed.
4. Each tRNB may appear in the table once only.

Data format for the return of used tRNBs in the (0)32 range

The data should be transmitted in a text file, using either a floppy disk or CD as a data carrier. If the capacity of one data carrier is not sufficient, two or more data carriers may be used. Each data carrier may contain one file only and the name of the file must be written on it. Data carriers must be accompanied by a letter indicating the number of data carriers enclosed.

File names must comprise the following:

Carrier code (see allocation notice)	Key-date to which the notification applies	Serial number *1)	Code indicating that the file contains previously imported numbers
5 digits	YYYYMMDD	5 digits	_I

*1) Please indicate "00001" if one data carrier (one file) only is transmitted; if two or more data carriers are transmitted, they should be numbered in the order of the key date.

Files must have the following structure:

Field 1	Field 2	Field 3	Field 4
32xx, with xx = first two digits of the block code	Digits 3 to 6 of the block code (4 digits) plus terminal number (3 digits)	Digits 3 to 6 of the block code (4 digits) plus terminal number (3 digits)	Carrier portability code (PK-ID)
4-digit field Entry without zero at the beginning (num)	7-digit field (num)	7-digit field (num)	4-digit field (alphanum)
Example: 3267 3267 3268 3269 3269 3269 3270	Example: 3456778 5550000 1234500 1234530 1234501 1235502 2233771	Example: 5559999 1234529 1234599	Example: D000 D021 D021 D032 D005 D021 D001

Please note the following when completing the table:

- All numbers obtained by primary allocation must be indicated unless included in a notification under Annex 2.
- Fields 1, 2 and 4 must be completed; completion of field 3 is optional. The numbers must be entered individually one below the other in field 2, while field 3 remains empty. In the case of consecutive numbers of equal status the notification can be combined by indicating the start number in field 2 and the end number in field 3.
- Field 4 should indicate:

For exported numbers	PK-ID of the recipient carrier
For disconnected numbers	PK-ID of the Federal Network Agency for Electricity, Gas, Telecommunications, Post and Railway (D000)

- Each number may appear in the table once only.