

## **DECISION**

**on the transfer of rights of use for numbers resulting from the merger by means of acquisition of MEO - Serviços de Comunicações e Multimédia, S.A. (formerly TMN - Telecomunicações Móveis Nacionais, S.A.) into PT Comunicações, S.A. (renamed MEO - Serviços de Comunicações e Multimédia, S.A.)**

### **1. Background**

By determination of the Management Board of Autoridade Nacional de Comunicações (ANACOM), of 5 April 2018, a draft decision was approved on the transfer of rights of use for numbers resulting from the merger by means of acquisition of MEO - Serviços de Comunicações e Multimédia, S.A. (formerly TMN - Telecomunicações Móveis Nacionais, S.A.) into PT Comunicações, S.A. (renamed MEO - Serviços de Comunicações e Multimédia, S.A.).

The referred draft decision was submitted to the prior hearing of MEO - Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.), pursuant to articles 121 *et seq* of the Administrative Procedure Code, the company having been given 20 (twenty) working days to reply, if it so wished.

Having received a notification for the purpose on 9 April 2018, MEO - Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.) assessed the matter by letter of 8 May 2018, within the deadline set for this purpose.

The corresponding report was thus drafted, integrating this decision and including a summary of positions taken on the draft decision submitted to the prior hearing of the interested party, as well as ANACOM's views thereon.

### **2. Application**

By letter sent to ANACOM on 18 December 2014, the then PT Comunicações, S.A. (PTC) and MEO – Serviços de Comunicações e Multimédia, S.A. (formerly TMN – Telecomunicações Móveis Nacionais, S.A. (TMN)) informed ANACOM that, on 21

November 2014, the two companies had submitted an application for registration of the plan for the merger by means of acquisition of MEO into PTC to the competent Commercial Register, the necessary authorization having been requested on the same date also from the Minister for Economy<sup>1</sup>.

The company stressed that the merger registration implied *“MEO’s formal winding up, all its rights and obligations being transferred, under the law, to PTC’s legal sphere, in particular the ones that result from titles enabling the exercise of electronic communication sector activities, titles assigning rights of use for numbers and codes of the National Numbering Plan (...)”*.

PTC thus requested ANACOM to take all appropriate steps to formalise the required changes, taking into account that *“as a result of the merger, PTC has taken over all rights of use of numbering resources formerly allocated to MEO and corresponding obligations, stemming from conditions established under the law and/or imposed by the Regulatory Authority in the respective assignment titles”*.

As regards the right of use for numbers corresponding to the company code (D096CCC) assigned to MEO, which integrates the Network Routing Number (NRN), PTC informed that *“the technical aspects and possible economic impact related to the potential removal of situations where there could be some overlap between numbering resources was still under examination”*.

The company informed also that *“given the existence of two different public electronic communication networks (fixed and mobile)”*, *“the company wishes to maintain in its legal sphere the coexistence of NRN codes currently held (020 and 096), first of all in order to allow an adequate call routing for portability purposes”*.

Acknowledging *“that numbering resources are scarce and that there may be overlap situations that may result in surplus resources in the sphere of a sole company”*, PTC offered to analyse and define, together with ANACOM, the best way to remove such overlap situations.

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<sup>1</sup> Having brought this notification to the notice of ANACOM through a copy attached to the letter sent to this Authority.

Subsequently, by letter received on 2 January 2015, MEO further communicated to this Authority that, in 29 December 2014, it had registered MEO's merger by means of acquisition into PTC, "*taking into account the authorizations granted by the Minister for Economy*".

It informed also in the referred communication, "*for the purpose of paragraphs 1 and 6 of article 21 and article 22 of the Electronic Communications Law, and in order to fulfil the obligation agreed upon under point g) of paragraph 4 of Clause 7, both of the contract for the provision of the Universal Service Public Pay-Phone Offering, and of the contract for the provision of the Universal Service of a comprehensive telephone directory and directory enquiry service, concluded on 20 February 2014 with the Portuguese State, that, together with the registration of the merger, PT Comunicações also registered the change of the respective corporate name, having been renamed, on 29 December 2014, «MEO – Serviços de Comunicações e Multimédia, S.A.» and having changed its headquarters to Avenida Fontes Pereira de Melo, No. 40, 1069-300 Lisbon.*"

Recently, MEO – Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.), by letter received on 23 March 2018, communicated the termination of its Short Message Service - SMS - over the fixed network, having applied, for this purpose, for the return of the "02" Mobile Network Code (MNC), which had been allocated by ANACOM for the provision of the referred service, with effect as from 16 April 2018.

### **3. Framework**

#### **3.1 Electronic Communications Law**

Law No. 5/2004, of 10 February, as it stands<sup>2</sup> (Electronic Communications Law, ECL), lays down in point b) of paragraph 2 of its article 17, that ANACOM is charged with "*Managing the National Numbering Plan according to the principles of transparency, efficiency, equality and non-discrimination, including the establishment of conditions for the allocation and use of national numbering resources*".

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<sup>2</sup> Law No. 5/2004, of 10 February, as amended over the course of time, posted at <http://www.anacom.pt/render.jsp?categoryId=323676&tab=&a=324015&b=&c=>

It follows from paragraph 3 of article 19 of ECL that the use of numbers is subject to the general authorisation regime and is always dependent, additionally, on the allocation by ANACOM of the corresponding rights of use.

According to article 36 of ECL, the use of numbers depends on the allocation of rights of use, which, under paragraph 2 of the same provision, “*may be allocated both to providers of electronic communication networks or services and to bodies that use such networks or services, under the applicable rules*”.

Rights of use for numbers may be transferred, pursuant to article 38, “*under terms and conditions to be established by ANACOM, which terms and conditions shall provide mechanisms intended to safeguard, in particular, the effective and efficient use of numbers and rights of users*”.

### **3.2 Principles and criteria for the administration and assignment of numbering resources**

According to point 4 of the “*Principles and criteria for the administration and assignment of numbering resources*”<sup>3</sup> (on the conditions for usage of primary assignments), resources assigned by ANACOM “*should be used effectively and efficiently in order to prevent their underutilization*”.

In this scope, it is also laid down that “[*t*he recipient of a primary assignment may not transfer or sell their assigned resources, except in exceptional circumstances and with prior authorisation” from ANACOM.

### **3.3 Companies Code**

Attention must also be drawn, in this scope, to article 122 of the Companies Code, pursuant to which, with the registration of the merger in the Commercial Register, acquired companies or, where a new company is created, all merging companies, cease to exist, all rights and obligations being transferred to the acquiring company or to the new company.

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<sup>3</sup> Posted at: <https://www.anacom.pt/render.jsp?categoryId=5355&languageId=1&tab=>

## 4. Assessment of the application

### 4.1. Acquired company/Transferor of RUN

At the time of the merger, the then MEO – Serviços de Comunicações e Multimédia, S.A. (formerly TMN – Telecomunicações Móveis Nacionais, S.A.) was registered in the registry of companies that provide electronic communications networks and services, kept by ANACOM, for the provision of following offerings of networks and services:

- Land mobile service;
- UMTS network;
- Public communications network;
- Voice transport service in closed user groups;
- Internet access service;
- Message-based valued added services;
- Telephone service provided at a fixed location.

In this context, MEO held the following numbering resources, assigned on a primary basis by ANACOM:

Plan	Description	Resources
E.164 (UIT-T)	Short numbers	1096; 1696; 1896
	Publicly available telephone service at a fixed location (blocks of 10.000 numbers)	21050; 21051; 21052; 21053; 21054; 22050; 22051; 22052; 23101; 23201; 23301; 23401; 23501; 23601; 23801; 23901; 24101; 24201; 24301; 24401; 24501; 24901; 25101; 25201; 25301; 25401; 25501; 25601; 25801; 25901; 26101; 26201; 26301; 26501; 26601; 26801; 26901; 27101; 27201; 27301; 27401; 27501; 27601; 27701; 27801; 27901; 28101; 28201; 28301; 28401; 28501; 28601; 28901; 29101; 29201; 29501; 29601
	Private Voice Network Service (block of 10.000.000 de numbers)	70596

Plan	Description		Resources
	Direct access to mailbox at numbers of the mobile telephone service	(blocks of 10.000 numbers)	6092400 to 6092449; 6092500 to 6092799
		(block of 10.000.000 numbers)	6096
	Fax services of the mobile telephone service	(blocks of 10.000 numbers)	6392400 to 6392449; 6392500 to 6392799
		(block of 10.000.000 numbers)	6396
	Data services of the mobile telephone service	(blocks of 10.000 numbers)	6592400 to 6592449; 6592500 to 6592799
		(block of 10.000.000 numbers)	6596
	Direct deposit of voice mail messages intended to numbers of the mobile telephone service	(blocks of 10.000 numbers)	6692400 to 6692449; 6692500 to 6692799
		(block of 10.000.000 numbers)	6696
	Universal Access Service (blocks 10.000 numbers)		70796
	Mobile telephone service	(blocks of 10.000 numbers)	92400 to 92449; 92500 to 92799
		(block of 10.000.000 numbers)	96
	Freephone Services (blocks of 10.000 numbers)		80096
	Shared-Cost Call Services (blocks of 10.000 numbers)		80896
	Message-based valued added services	(individual numbers)	61906; 61966
		(block of 10 numbers)	6229x; 6231x; 6232x; 6233x; 6236x; 6237x; 6238x; 6921x; 6922x

Plan	Description	Resources
Q.769.1 (UIT-T)	NRN - Network Routing Number (blocks of 1.000 numbers)	D096
Q.704/Q.705 (UIT-T)	NSPC – National Signalling Point Code UIT-T No. 7	00-01-00 to 00-01-63; 00-04-00 to 00-04-63
Q.708 (UIT-T)	ISPC – International Signalling Point Code UIT-T No. 7	3-249-0; 3-249-1
E.212 (UIT-T)	Mobile Network Code	268-06; 268-80
E.118 (UIT-T)	Identification Number of International Telecommunications Card Issuers	89-351-06; 89-351-80

## 4.2. Assessment

### As *preliminary issues*:

- It is clarified that this assessment is without prejudice to the deadlines and conditions imposed under ANACOM's Determination of 29 May 2014 on the transfer to PT Comunicações, S.A. of the rights of use for numbers held by, formerly, PT Prime – Soluções Empresariais de Telecomunicações e Sistemas, S.A.; and
- It is clarified that, at the time of the merger by means of acquisition into PT Comunicações, S.A., MEO – Serviços de Comunicações e Multimédia, S.A. (formerly TMN – Telecomunicações Móveis Nacionais, S.A.) held rights of use for frequencies (RUF), having ANACOM, by determination of 19 February 2015<sup>4</sup>, approved, free of any conditions, the transfer of such RUF for terrestrial electronic communication services set out in title No. 02/2012 and of respective radio licenses No. 512291 and 513926.

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<sup>4</sup> Posted at <https://www.anacom.pt/render.jsp?contentId=1348060&languageId=1>.

The application having been assessed, it was concluded that the process of merger by means of acquisition of MEO – Serviços de Comunicações e Multimédia, S.A. (formerly TMN – Telecomunicações Móveis Nacionais, S.A.) into PTC (renamed «MEO - Serviços de Comunicações e Multimédia, S.A.» at the time of the final registration of the merger with the competent Commercial Register) implied the transfer of the full range of rights, obligations and assets from the former to the latter, involving, as such, the transfer to PTC (renamed MEO) of all rights of use for numbers held by the acquired company, which must be assessed by this Authority under article 38 of ECL and according to the “*Principles and criteria for the administration and assignment of numbering resources*”.

As such, as it is incumbent on ANACOM to safeguard, in compliance with the relevant legal provisions, the effective and efficient use of numbering resources, this Authority must check whether, in the scope of the transfer of rights of use for numbers, the acquiring company - PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.) - acquires resources it would not be able to obtain through an assignment on a primary basis, in the light of current assignment criteria and, consequently, the Authority must decide on measures to be applied in case there is an accumulation of resources that contradicts these criteria. In fact, merger operations by means of acquisition of operators and the inherent transfer of rights of use for numbers may create situations of accumulation of resources where companies involved have been assigned rights of use of the same type of numbers, due to the provision of the same type of services.

In fact, PTC itself (renamed MEO – Serviços de Comunicações e Multimédia, S.A.) acknowledges in its communication that, as resources are scarce, there may be situations where an overlap could result in surplus resources in the sphere of a single company.

In this specific situation, PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.) accumulated, in this way, numbering resources (numbers and network resources) assigned to MEO – Serviços de Comunicações e Multimédia, S.A. (formerly TMN – Telecomunicações Móveis Nacionais, S.A.), of a type for which it already held rights of use.

This accumulation could evolve in a different way according to the type of resources under consideration, the cases resulting from this accumulation according to the type of numbering resource being identified and analysed specifically below. As such:



- A.** In the case of **numbers used to identify network termination points** where terminals are linked and which identify the respective subscribers - geographic numbers (“2” range) and numbers of non-geographic services (“707”, “800” and “808” ranges) that are active - it is deemed that the accumulation of resources may be authorized without constraints that imply the return of numbers in use, as this would be to the detriment of interests of users, who wish their numbers to be maintained.

In this scope, it is deemed that the safeguard of user interests must be reconciled with the principle of effective and efficient use of numbers, bearing in mind that the use of numbers that does not take these principles into account not only leads to a waste thereof, but also gives a competitive advantage to the provider over other providers on the market with poorer conditions of access to numbers.

Given that non-geographic numbers have, in general, their own commercial value of association to companies or brands, the ease of recollection is deemed to be a valuable input conferred by the way digits that make up numbers are grouped.

An initial larger set of free numbers allows, of course, a larger set of easy-to-recall numbers to be made up - the so-called “golden numbers”.

As such, while it is important to maintain non-geographic numbers of clients (e.g. call centres), it must be ensured that the referred benefit does not occur as regards unassigned numbers (vacant or becoming vacant) of surplus blocks, and that the assignment/reassignment of these numbers is prevented, blocks to which they belong thus being “frozen”.

- B.** In the case of **numbers used to identify the network or specific network points to which end-users are not connected**, or also other **numbers or codes that identify the operator/provider itself**, it is necessary to adopt the alternative of migrating to a single number or range, with the return of released resources to ANACOM.

According to the presence or absence of commercial effects as regards these numbers, that could represent undue competitive advantage, different deadlines could be

established for the return of numbers. A similar approach was adopted by ANACOM in its Determinations of 29 December 2008<sup>5</sup>, 14 May 2014<sup>6</sup> and 29 May 2014<sup>7</sup>.

While numbers assigned to subscribers, whether geographic or non-geographic, are not to be changed unless subscribers themselves so desire, a different type of numbers exist, including numbers which the public is familiar with, such as the operator's/provider's customer support numbers - call centres -, that may be altered, being incumbent on the provider to ensure the dissemination of new numbers. As such:

- i. Customer support numbers - 1620 and 1696 -, numbers used as carrier selection and/or pre-selection prefix - 1020 and 1096 - and enquiry service numbers - other directories - 1820 and 1896**

**16xy(z) numbers** are numbers with commercial value, reason for which it is deemed, as in other determinations issued by this Authority involving situations of mergers between a predominantly mobile operator and one or more fixed operators<sup>8</sup>, that PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.) could choose between:

- returning one of the two 16xy(z) numbers the rights of use for which it holds, bearing in mind that i) there are benefits for users in accessing a customer support number through a single point/number; ii) there are no constraints, namely of a technical nature, to the use of a single 16xy(z) number in the provision of customer support services; and iii) the use of a single number, of the 16xy(z) format, is compatible with various types of market segmentation, residential vs business, or service segmentation (e.g. fixed vs mobile); or
- maintain both 16xy(z) numbers the rights of use for which it holds, taking into account possible migration costs of customer support services and the respect for the principle of non-discrimination, given that, in the past, ANACOM

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<sup>5</sup> Posted at <https://www.anacom.pt/render.jsp?contentId=799778&languageId=1>.

<sup>6</sup> Posted at <https://www.anacom.pt/render.jsp?contentId=1225712&languageId=1>.

<sup>7</sup> Posted at <https://www.anacom.pt/render.jsp?contentId=1247252&languageId=1>.

<sup>8</sup> Posted at <https://www.anacom.pt/render.jsp?contentId=799778&languageId=1>.

determined, in similar situations<sup>9</sup>, that this type of numbers, associated to the offer of mobile services, could coexist with numbers associated to the offer of telephone services at a fixed location, a situation which, however, does not correspond to the current reality of the national market. In fact, the increasingly wide availability of bundled offerings (4P and 5P) has blurred the differentiation between customer service answering points according to the telephone service under consideration (fixed and mobile), and it is expected that such differentiation will become increasingly blurred. This situation leads end-users to easily associate a single 16xy number as the provider's answering point, the provider being able to segment the market or specify that answering point through IVR (Interactive Voice Response) or 16xy(z) numbers.

Given that MEO - Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.), in its prior hearing assessment, chose to keep both 16xy(z) numbers (1620 and 1696), presenting its justifications, it must ensure that a clear and unambiguous separation exists between customer services (intended for end-users of the fixed telephone service and of the mobile telephone service) provided through each of those numbers, so as to prevent that end-users are forced to change their habits and to ensure an efficient use of numbering resources.

The same view does not apply to the **10xy indirect access code** and to **enquiry services - other directories 18xy**, as ANACOM considers it excessive to maintain two numbers in a single company for the same type of offer. It is deemed, for this reason, that one of the two 10xy prefixes (1020 or 1096) and one of the two 18xy numbers (1820 or 1896) could be discontinued without any significant impact, a one-year time limit being deemed to be reasonable for the return of such numbers to ANACOM. During this period, MEO must ensure the dissemination of relevant information to end-users.

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<sup>9</sup> ANACOM Determination of end-December 2008 and 14 May 2014, posted at: <https://www.anacom.pt/render.jsp?contentId=1225712&languageId=1>.

*ii.* **Network Routing Number (NRN) – D020 and D096**

As regards resources associated to the **Network Routing Number (NRN)** - D020 and D096 - for the purpose of **routing communications to ported numbers**, the Portability Regulation<sup>10</sup> and the contract for provision of services concluded between the Reference Body (RB) and companies under portability obligations provide for mechanisms that enable the change of NRN for all numbers ported from an operator to another.

As such, it is deemed that, depending on the technical solutions to be implemented by PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.), the return of an NRN to ANACOM is possible without any significant impact for this operator and for other parties involved in portability operations.

Nevertheless, acknowledging that the migration difficulties underlying the return of an NRN increase according to the volume of numbers involved, ANACOM takes the view that the position to be taken on this matter must take into account the operational and economic impact and other risks that depend on the solution and systems in use by the company.

Taking also into account that, in its determination of 23 December 2009, on the amendment of conditions associated to the return of rights of use for numbers transferred to Sonaecom, SGPS, approved by determination of 29 December 2008<sup>11</sup>, and in Decision of 14 May 2014 on the return of numbers by Optimus<sup>12</sup>, ANACOM admitted that two NRN could be maintained - one for the fixed network and another for the mobile network - and bearing in mind that ANACOM's actions must abide by the principle of equal treatment in similar situations, duly substantiated, it is not excluded that PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.) may maintain both NRN (D020 and D096), according to the wish expressed by the company.

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<sup>10</sup> Posted at: [https://www.anacom.pt/render.jsp?categoryId=333120&languageId=1&tab=.](https://www.anacom.pt/render.jsp?categoryId=333120&languageId=1&tab=)

<sup>11</sup> Posted at: [https://www.anacom.pt/render.jsp?contentId=1001534&languageId=1.](https://www.anacom.pt/render.jsp?contentId=1001534&languageId=1)

<sup>12</sup> Posted at: [https://www.anacom.pt/render.jsp?contentId=1225712&languageId=1.](https://www.anacom.pt/render.jsp?contentId=1225712&languageId=1)

MEO – Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.), in its assessment to the prior hearing, justifiably restated its wish to maintain the two NRN. This is without prejudice to the company's voluntary return of such resources to ANACOM, as admitted by principles and criteria governing the management and use of numbering resources in force.

This is also without prejudice to ANACOM's position to apply the principle of efficient use of numbering resources to all numbering resources that do not identify subscribers.

In addition, it must be emphasized that NRN are technical numbers used for the purpose of network communication routing, with no visibility to end-users.

However, as there are numbers associated to different NRN (D020 and D096), it is deemed, for the sake of consistency, namely of statistical reporting, that these intra-company ported numbers must not and cannot be reported as ported numbers.

**iii. National/International Signalling Point Codes (NSPC/ISPC) and Mobile Network Code (MNC)**

Numbering resources corresponding to **UIT-T No. 7 national/international signalling point codes (NSPC/ISPC)**<sup>13</sup> and to **mobile network codes (MNC)**<sup>14</sup> - the former corresponding to signalling network points for national and international interconnection and the latter associated to the existence of a network requiring the identification of its own or other mobile terminals (roaming) and to the existence of a network or equipment that uses protocols established in the scope of GSM/UMTS standards to achieve coherence and ensure interoperability of services provided to the end-user<sup>15</sup> - are resources that depend on the configuration of the network, for which the operator is responsible.

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<sup>13</sup> National/International Signalling Point Codes and International Signalling Point Codes in the scope of UIT-T Q.704, Q.705 and Q.708 Recommendations.

<sup>14</sup> Mobile Network Code, in the scope of UIT-T E.212 Recommendation.

<sup>15</sup> As set out in the regulatory framework of MVNO activity, posted at: <https://www.anacom.pt/render.jsp?contentId=457465&languageId=1>.

The “02” MNC was assigned to the then PTC by determination of ANACOM of 6 February 2003<sup>16</sup> to allow the offer of the short message service - SMS - over the fixed network, in a full operability with mobile operators. However, as referred earlier, PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.) communicated, on 23 March 2018, the termination of the provision of the SMS service over the fixed network, thus applying for the return of the “02” MNC, with effect as from 16 April 2018.

As regards the “80” MNC, which is used by a large client in the scope of a project that involves a machine-to-machine (M2M) solution over TMN’s (renamed MEO – Serviços de Comunicações e Multimédia, S.A.) mobile network, there are grounds, in the light of the specificity of the respective assignment process<sup>17</sup>, for maintaining this code, as it is up to the discretion of the parties and of ANACOM to apply the conditions for use provided in the assignment of the respective right of use, as provided for in the law, as far as the restoration, return or transfer of numbering resources are concerned.

As such, further to the application for return of the “02” MNC and as the “80” MNC is in use by a large client, MEO – Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.) is left only with the right of use for the “06” MNC, thus no accumulation of this type of numbering resources occurs, the imposition of any type of conditions not being justified.

As far as **signalling network point codes** (NSPC/ISPC) are concerned, there are at present no obstacles to their accumulation, insofar as they are in use and comply with requirements established in the respective UIT-T recommendations.

Consequently, in compliance with principles that apply to the use of numbering resources and to safeguard the rights of end-users, it is incumbent on ANACOM to determine, among numbers transferred by MEO – Serviços de Comunicações e Multimédia, S.A. (formerly TMN – Telecomunicações Móveis Nacionais, S.A.) to PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.), as a result of the merger, the resources that must be

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<sup>16</sup> Posted at: <https://www.anacom.pt/render.jsp?contentId=418460&languageId=1>.

<sup>17</sup> Posted at: <https://www.anacom.pt/render.jsp?contentId=1122161&languageId=1>.

returned and by which deadline. Numbers or block of numbers, that for the above-mentioned reasons, may not be accumulated by the same company, must be the subject of a migration plan for the purpose of the return to ANACOM of resources released in the meantime, PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.) being entitled to decide which number or blocks are to be returned for each type of resource.

It must be stressed that any number assigned unitarily that has not been activated or blocks of numbers without any activated numbers or under quarantine must always be returned to ANACOM.

As regards the use of other resources for which the return is not determined, ANACOM acknowledges that, further to the referred merger, 16xy(z) customer support numbers (for the relevance to end-users and market habit) and NRN (due to the impact and risks resulting from the process of resource return) may coexist (two NRN and two 16xy(z) numbers, the latter being bound to the obligation to safeguard rights of end-users and to minimize any impact on the use of the service provided in each of the 16xy(z) numbers). ANACOM also admits that NSPC and ISPC may be maintained, under the assumption that there is an effective need for their use, according to the applicable requirements/standards.

ANACOM will monitor this matter in detail in order to continuously ensure, on the one hand, the effective and efficient use of numbers by PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.) and, on the other, non-discrimination of conditions of access to NNP resources between the company and other providers of electronic communication services, bearing in mind the *“Principles and criteria for the administration and assignment of numbering resources”*.

PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.) is thus also required to ensure that numbering resources that it came to hold as a result of the referred merger and those it currently holds are used effectively and efficiently, in order to prevent their underutilization. Where numbering blocks, especially geographic or non-geographic, without any active number, or which have been ported-out, are found, they must be returned by PTC (renamed MEO – Serviços de Comunicações e Multimédia, S.A.).

Finally, rights of end-users are safeguarded, given that all services concerned will continue to be provided.

## 5. Decision

In the light of the above, and in fulfilling the assignments conferred on ANACOM by points a) and f) of paragraph 1 of article 8 of its Statutes, approved by Decree-Law No. 39/2015, of 16 March, to pursue regulatory objectives set out in point a) of paragraph 1 and point d) of paragraph 2 of article 5 of ECL, and also under articles 17, 37 and 38 of the same Law, the **Management Board of ANACOM**, in the exercise of powers conferred on it by article 26, paragraph 1, point q) of the Statutes, hereby determines as follows:

1. To acknowledge, with effect as from 29 December 2014, that further to the respective process of merger by means of acquisition, the then MEO – Serviços de Comunicações e Multimédia, S.A. (formerly TMN – Telecomunicações Móveis Nacionais, S.A.) transferred to PT Comunicações, S.A. (renamed MEO - Serviços de Comunicações e Multimédia, S.A.) the rights of use for the following resources of the National Numbering Plan, without prejudice to paragraphs below:

Plan	Description	Resources
E.164 (UIT-T)	Short numbers	1096; 1696; 1896
	Publicly available telephone service at a fixed location  (blocks of 10.000 numbers)	21050; 21051; 21052; 21053; 21054; 22050; 22051; 22052; 23101; 23201; 23301; 23401; 23501; 23601; 23801; 23901; 24101; 24201; 24301; 24401; 24501; 24901; 25101; 25201; 25301; 25401; 25501; 25601; 25801; 25901; 26101; 26201; 26301; 26501; 26601; 26801; 26901; 27101; 27201; 27301; 27401; 27501; 27601; 27701; 27801; 27901; 28101; 28201; 28301; 28401; 28501; 28601; 28901; 29101; 29201; 29501; 29601
	Private Voice Network Service  (block of 10.000.000 de numbers)	70596
	Direct access to mailbox at numbers of the mobile telephone service	(blocks of 10.000 numbers)  (block of 10.000.000 numbers)



	Fax services of the mobile telephone service	(blocks of 10.000 numbers)	6392400 to 6392449; 6392500 to 6392799
		(block of 10.000.000 numbers)	6396
	Data services of the mobile telephone service	(blocks of 10.000 numbers)	6592400 to 6592449; 6592500 to 6592799
		(block of 10.000.000 numbers)	6596
	Direct deposit of voice mail messages intended to numbers of the mobile telephone service	(blocks of 10.000 numbers)	6692400 to 6692449; 6692500 to 6692799
		(block of 10.000.000 numbers)	6696
	Universal Access Service (blocks 10.000 numbers)		70796
	Mobile telephone service	(blocks of 10.000 numbers)	92400 to 92449; 92500 to 92799
		(block of 10.000.000 numbers)	96
	Freephone Services (blocks of 10.000 numbers)		80096
	Shared-Cost Call Services (blocks of 10.000 numbers)		80896
	Message-based valued added services	(individual numbers)	61906; 61966
(block of 10 numbers)		6229x; 6231x; 6232x; 6233x; 6236x; 6237x; 6238x; 6921x; 6922x	
Q.769.1 (UIT-T)	NRN - Network Routing Number (blocks of 1.000 numbers)	D096	
Q.704/Q.705 (UIT-T)	NSPC – National Signalling Point Code UIT-T No. 7	00-01-00 to 00-01-63; 00-04-00 to 00-04-63	

Q.708 (UIT-T)	ISPC – International Signalling Point Code UIT-T No.7	3-249-0; 3-249-1
E.212 (UIT-T)	Mobile Network Code	268-06; 268-80
E.118 (IUT-T)	Identification Number of International Telecommunications Card Issuers	89-351-06; 89-351-80

2. To subject rights of use for numbers identified above to compliance, on the part of MEO – Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.), with conditions set out in article 37 of ECL.
3. To order MEO – Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.) to ensure that its customers are not allocated free numbers of blocks of non-geographic numbers with lower percentage of use, of Universal Access Services (707xx), Freephone Services (800xx) and Shared-Cost Call Services (808xx), as well as numbers that in the meantime cease to be active, and to report to this Authority, every year, by the last day of January of the following year, the status of occupation of “frozen” blocks.
4. To establish a one-year deadline for MEO – Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.) to return to ANACOM an indirect access provider code (1020 or 1096) and a code intended for the provision of enquiry services - other directories (1820 or 1896).
5. To maintain the right of use granted to MEO – Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.) for 1696 and 1620 numbers, for the provision of customer support services, this company being bound to disseminate and publish clear, appropriate and transparent information to safeguard the rights of end-users and to minimize any impact on the use of the customer service provided in each of the 16xy(z) numbers.
6. To order MEO – Serviços de Comunicações e Multimédia, S.A. (formerly PT Comunicações, S.A.) to return to ANACOM all geographic or non-geographic numbering blocks without any active number after the quarantine period, or which have been ported-out.

7. Time limits defined in the preceding paragraphs shall run as from the date of notification hereof.

Lisbon, 14 June 2018