



European Association of Directory and Database Publishers

*Founded in 1966, the EADP (European Association of Directory and database Publishers) is a European Association of both large telephone directory publishers as well as business-to-business directory publishers producing directories tailored to individual professions. It has 187 members in 37 countries worldwide, including companies based in 24 EU Member States as well as in the Eastern European countries (Romania and Russia). Directory publishers generate an estimated turnover of 8.2 billion euro in Europe, employ roughly 37 000 people and are in day-to-day commercial contact with more than four million advertisers. Our member companies provide both paper and on-line directories.*

### **EADP comments on the ERG Common position on VoIP**

EADP members are pleased to see that the ERG has produced a draft position on VoIP since they believe it is a very important shift in the electronic communications which will have a direct impact on their daily business. However, they are a bit confused concerning the Voice over the Internet Protocol (VOIP) providers' obligations vis à vis universal service obligations, and would like to take the opportunity of this open consultation to ask ERG members to clarify some of the following points:

- **Legal requirements for VoIP providers vis à vis directory listings and universal service obligations**

The Universal Service Directive 2002/22/EC in Art. 5 stipulate that there shall be at least one universal directory per Member State containing all subscribers' listings on paper or electronic format. Furthermore, in order to ensure the comprehensiveness of the listings for directories, this Directive also prescribes in Art. 25 paragraph 2 that:

"Member States shall ensure that all undertakings which assign telephone numbers to subscribers meet all reasonable requests to make available, for the purposes 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."

However, the current legislation does not oblige VoIP providers to fulfil the same obligations to transmit listings for directory inclusion. The unique mandatory inclusion in a universal database is mentioned on p.13 of the ERG draft position paper but concerns only emergency services (112). EADP members believe that there shall be similar clause of mandatory inclusion in the universal database for directory listings to provide comprehensive universal directories.

Specifically, we believe that the VoIP providers should be obliged (not just have the right) to collect the subscriber's choice when a new registration is signed. If there is no such obligation, a new subscriber will have to ask for an inclusion into a directory after the line has been activated and this would certainly reduce the percentage of listed VoIP numbers.

Should it not be the case, e.g. should the VoIP numbers not be communicated to directory providers, this would seriously endanger the comprehensiveness and completeness of directories (regardless the used platform: print, online and voice) which is the key instrument for European citizens and the right of end-users and the core asset for directory publishers to provide their services via print, online and voice services. This negative trend has already been seen in the US, where the disappearance of large numbers of subscribers from Directory Assistance services and White and Yellow pages has already been observed. It is therefore vitally important to us to ensure that the



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universal obligations as prescribed by the European Directive apply also to the VoIP service.

In addition to the US case, we would like to share the results of a study from Frost & Sullivan "Regulatory Obligations for the Provision of Directory Listings Information on VoIP Operators - Impact on European Directory Inquiry Markets" (2006).

This study analyses specifically 3 countries: France, UK and Norway and the French case is identified as an example of best practice in VoIP regulation, as all operators with access to numbering are committed to providing information for the Universal Directory and all subscribers have the right to be included on the Universal Directory and have access to DA services: the French experience shows that the French National Regulator's strong market control benefits the DA market. Despite the lack of hard restrictions on virtual numbering, its stance on meeting DA obligations combined with the likelihood of increasing strength of VoIP regulation makes it the top regulatory environment

- **Extension of PATS requirements to other providers**

For the moment, universal service obligations only apply to PATS (Publicly Available Telephone Services), as regards directory listings also. EADP members would like to see an extension of the scope of the universal directive to non-PATS services, including VoIP services and providers, since in accordance to the general rule of "technology neutrality" there is no reason at all to treat differently the landline and mobile subscribers (whose numbers are to be collected and inserted into the UDB) versus the VoIP subscribers.

- **Distinction between private and business numbers**

Also important for directory and database publishers is that a distinction is made between private and business numbers, to enable publishers to put the subscribers listings either in the White or in the Yellow Pages. This distinction does not appear throughout the ERG position and we would therefore urge the ERG to call for this distinction to be made by VoIP providers when attributing numbers. The distinction may be enhanced, keeping in mind that business numbers are less "nomadic", as they are linked to specific location (i.e. where the offices are located), and the distinction could therefore be extended to all core data.

- **Lack of geographical identification of the number**

An additional problem for directory publishers in connection with VoIP numbers also exists in the lack of geographical identification of the number. This poses additional difficulty to publishers when including the subscribers' listing into geographically organised directories. Particularly, as in some very liberal countries, a citizen of that country can sometimes acquire a number with an area or even country code that would appear to indicate that he is located in another region, or even another country. However, this regionalisation identification may disappear as long as directories become more and more online directories. This issue may be associated to the mobile listings, as mobile numbers are not geographically identified, but can nonetheless be listed in a directory (for instance, by reference to the residence of the subscriber). This concept is relevant for printed, online and voice directories.



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**In summary :**

The ERG paper proposes some solutions to be enhanced by VoIP providers to allow a better and more reliable geographical localisation of the VoIP numbers. EADP members favours this approach and would like to insist that in order for them to be able to deliver customer-tailored and enhanced services (like maps...) they need to get a clear geographical identification of the number used.

European directory publishers are therefore welcoming the initiative of the European Regulators Group for some guidelines to clarify the obligations on VOIP providers to supply their listings, so that directory publishers can further benefit from legal clarity created by the Directive in their future publishing activities. They would only call for more clarification on the issues raised above, and EADP remains at ERG disposal if any other question needs further explanation.