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On the basis of public consultation under Section 130 of the Act No. 127/2005 Coll., on electronic communications and on amendment to certain related acts (the Electronic Communications Act), as amended (the “Act”), and on the basis of the decision of the Council of the Czech Telecommunication Office (the “Office”) under Section 107(8)(b)(2) of the Act and in order to implement Section 70(23) of the Act, the Office as the appropriate state administration body under Section 108(1)(b) of the Act hereby issues this

Measure of General Nature No. OOP/11/10.2005-42
laying down the technical and organisational conditions for implementing carrier selection and preselection and the principles for carrier selection and preselection billing between undertakings.

PART ONE
GENERAL PROVISIONS

Article 1

Introductory Provisions

(1) This Measure of General Nature (“Measure”) sets out the technical and organisational conditions and principles for billing between undertakings operating a public telephone network and providers of publicly available telephone service in relation to the implementation of carrier selection and carrier preselection.

(2) The undertakings that carry out the process of carrier selection of preselection shall co-operate and shall avoid any action as might affect the provision of the service in terms of security and continuity or might lead to a distortion of the conditions of competition.

Article 2

Definition of Concepts

For the purposes of this Measure, the following terms shall have the following meanings:

- a) **interconnected undertaking** means an undertaking that provides publicly available telephone service through carrier selection or preselection and uses for the provision of the publicly available telephone service its own public electronic communication network or another undertaking's public electronic communication network and has established with the access provider either direct interconnection on the basis of an interconnection agreement or indirect interconnection through an undertaking directly interconnected with the access provider's network.
- b) **access provider** means the undertaking on which the Office imposed, by its decision based on Section 70 of the Act, the obligation to enable its subscribers access to the services provided by any undertaking that provides the publicly available telephone service through carrier selection or preselection, or any undertaking that decided by itself to provide such access;
- c) **carrier selection code** means the number explicitly identifying the provider of the publicly available telephone service through carrier selection or preselection;
- d) **eligible number** means a number to which carrier selection or preselection can be applied;
- e) **carrier selection (CS)** means the possibility for any subscriber to the network of an access provider to choose another provider of publicly available telephone service by means of the carrier selection code for each individual call;
- f) **carrier preselection (CPS)** means the possibility for any subscriber to the network of an access provider to choose another provider of publicly available telephone service through permanent setting of the carrier selection code in the access provider's network;
- g) **gateway exchange** means the connecting and routing equipment providing the functions for network interconnection;
- h) **gateway exchange catchment area** means the network catchment area, where the outgoing calls with carrier selection or preselection are processed through the given gateway exchange;
- i) **ordering system** means a set of organisation measures, based on the non-discrimination principle, for fulfilling orders coming from interconnected operators for the carrier preselection service to the access provider;
- j) **authorisation** means verification of a subscriber's authorisation to use the publicly available telephone service with carrier selection or preselection.

Article 3

The Conditions

(1) The carrier selection and preselection service applies to any calls except calls to the numbers that are not eligible.

(2) An interconnected undertaking is a holder of at least one carrier selection code.

(3) Where a publicly available telephone service user chooses a carrier selection code, or where the carrier selection code was permanently allocated (set) for such a user and the given number is an eligible number, the access provider shall carry the call to the interconnection point appropriate in respect of call origination, as stipulated in the interconnection agreement between the access provider and the directly interconnected undertaking.

(4) The access provider shall only route to the interconnection point the calls originating in the catchment area of the gateway exchange to which the interconnection point belongs. The determined interconnection point shall be the same for the entire catchment area of the gateway exchange. Where a directly interconnected undertaking defines more than one carrier selection code, the specific routing to the interconnection point is determined for every such carrier selection code in the interconnection agreement¹⁾ between the directly interconnected undertaking and the access provider.

(5) The interconnected undertaking is not obliged to support all the routes selected by the telephone service user. As to calls to unsupported routes, the interconnected undertaking shall terminate them at the announcement point in its network.

(6) The numbers that are not eligible shall be processed in the access provider's network as if no carrier selection code were chosen or as if the preselection were not preset.

(7) The carrier preselection that may be preset for the connecting lines of a private branch exchange in group with direct dial-in shall be the same for all those lines.

(8) The interconnected undertaking shall be responsible for the billing and collection of payments from its publicly available telephone service subscriber for every completed call in respect of which the interconnected undertaking's carrier selection code is chosen, or in respect of which the interconnected undertaking's permanently set carrier selection code is used, and the number concerned is an eligible number.

(9) The access provider is authorised to block calls through carrier selection or preselection where such calls are selected by a publicly accessible telephone service user whose outgoing calls are blocked by the access provider.

(10) For the handover of calls through carrier selection or preselection, the access provider uses one-way or two-way interconnecting bundles, based on an agreement with the directly interconnected undertaking, taking into account the interconnected undertaking's justified requirements in a way that does not affect the quality of operation in the interconnecting bundles.

PART TWO ROUTING AND SIGNALLING

Article 4

Call Routing and Signalling with the Use of Carrier Selection and Preselection

(1) The information about the calling subscriber's number shall be used by the interconnected undertaking for subscriber authorisation and charging.

(2) If the initial addressing message (ISUP:IAM) contains information about rerouting (the "Redirection Information" parameter), the number received in the "Redirecting Number" parameter is used for subscriber authorisation and charging. If information about rerouting is missing, the number received in the "Calling Party Number" parameter is used for subscriber authorisation and charging.

¹⁾ Section 80(1) of the Act

(3) The access provider shall not make any adjustments to the eligible numbers chosen with the use of the carrier selection service and shall hand over such chosen numbers to the interconnection point.

(4) The access provider shall prefix the permanently set carrier selection code before the chosen number, provided that the subscriber's carrier preselection service is activated.

(5) The access provider shall, for all calls, ignore the permanent setting of the carrier selection code, if the publicly available telephone service user selects the carrier selection code individually.

(6) The interconnected undertaking's incoming gateway exchange, which is an outgoing exchange for routing purposes, shall not be an outgoing exchange in respect of subscriber control of supplemental services. The codes for the subscriber control of supplemental services – if used directly while the call is being connected – shall be processed in the access provider's local exchange and shall not be transmitted by signalling No. 7²⁾.

(7) The access provider shall hand over the selected or preset carrier selection code and, after it, the selected number in the "Called Party Number" parameter, which is encoded as shown in the following tables:

a) for calls to the national routes:

ISUP parameter: called party number	Content of the parameter
Nature of address indicator	national (significant) number
Numbering plan indicator	ISDN (telephony) numbering plan
Address signal	10XX(X) [national (significant) number]

a) for calls to international routes:

ISUP parameter: called party number	Content of the parameter
Nature of address indicator	national (significant) number
Numbering plan indicator	ISDN (telephony) numbering plan
Address signal	10XX(X)00 [international number]

(8) The interconnected undertaking shall ensure that the initially received carrier selection code is separated before routing the call to another network.

(9) The access provider shall send the calling line identification in the "Calling Party Number" message parameter or "Redirecting Number" message parameter, which shall have the format shown in the table below:

ISUP parameter: calling party number, or ISUP parameter: redirecting number	Content of the parameter
Nature of address indicator	national (significant) number

²⁾ Network plan of signalisation of public communication networks No. SP/3/09.2005, published in Volume 13/2005 of Telekomunikační věstník (Communications Bulletin).

(Calling party) number incomplete indicator	complete
Numbering plan indicator	ISDN (telephony) numbering plan
Address presentation restricted indicator	any value
Screening indicator	user-provided, verified and passed, or network-provided

(10) The number sent for the identification of the calling line may be:

- a) the calling subscriber line number, stored in the local exchange;
- b) another number of the subscriber line allocated to provide the subscriber with access to the MSN supplemental service (Multiple Subscriber Number), on condition that it is received together with the call from the access;
- c) the number of the calling subscriber line with the DDI supplemental service (Direct Dial-In), on condition that it is received together with the call from the access with the DDI supplemental service.

(11) When calling to unsupported routes with interconnection to the announcement point as referred to in Article 3(5), the interconnected undertaking shall first send to the access provider's network a log-on indication to enable the access provider to process the call in the same way as a successful call. Once the announcement is completed, the interconnected undertaking shall send back a signalling "Release" message with the "Cause Indicator" parameter at "Cause Value #31".

(12) The interconnected undertaking shall send back a signalling "Release" message with the "Cause Indicator" parameter containing "Cause Value #4", on the basis of which the access provider shall send a reference tone in the case of calls rejected because the interconnected undertaking recognises the call as unauthorised.

PART THREE ORDERING SYSTEM

Article 5

Ordering System for Carrier Preselection

(1) The access provider shall ensure the ordering system for the ordering of a permanent setting of the carrier selection code and shall determine the ordering system's capacity for orders fulfilled. The access provider shall make public this total daily capacity limit by simple means, accessible through the means of remote access.

(2) The access provider shall offer the directly interconnected undertaking to divide the placed orders into at least national calls and international calls.

(3) At least one month before starting the service, the directly interconnected undertaking shall deliver to the access provider a forecast of the volume of orders for two years ahead with subdivision into individual year quarters. The access provider shall allocate to the interconnected undertaking a daily quota (number) of orders for the next year quarter, which quota the access provider guarantees. This quota shall not be higher than the forecast.

(4) The directly interconnected undertaking shall update the forecasts of the volumes of orders on a quarterly basis for two years ahead, subdivided into the individual year quarters, and shall deliver the updated forecasts to the access provider at least one month before the onset of the next year quarter – otherwise the previous forecast shall apply. The access provider shall allocate to the directly interconnected undertaking a daily quota (number) of orders for the next year quarter, which quota the access provider guarantees. This quota shall not be higher than the forecast.

(5) Allocating the quotas in accordance with Points 3 and 4 above, the access provider shall avoid any discrimination; it shall respect the forecasts received from the interconnected undertakings and take into account the levels of the allocated quotas actually utilised in the previous periods in order that the daily quota can ensure maximum satisfaction of the orders placed.

(6) The access provider shall fulfil all the placed orders up to the daily quota allocated to the individual directly interconnected undertakings within seven business days.

(7) The access provider shall fully utilise the capacity of the ordering system every day, provided that sufficient amount of orders has been placed. The access provider shall avoid any discrimination in fulfilling the orders beyond the allocated daily quota.

(8) The directly interconnected undertaking may place orders beyond the allocated daily quota. If the ordering system's maximum daily capacity is not fully utilised, the orders placed beyond the allocated daily quota shall be fulfilled up to this maximum daily capacity. Orders that remain unfulfilled after exhaustion of this value shall be returned.

(8) The directly interconnected undertaking shall place the orders so as to maximally utilise the daily quota allocated to it by the access provider.

Article 6

Order for the Carrier Preselection Service

(1) On the basis of the request from the subscriber or indirectly interconnected undertaking, the directly interconnected undertaking shall order the carrier preselection service from the access provider, using the ordering system described in Article 5 above.

(2) Every carrier preselection order shall always only contain one subscriber line number (CLI – Calling Line Identification). This applies to both simple and complex orders.

(3) Simple orders for the carrier preselection service are used for:

- a) subscriber line number (CLI) of the standard analogue access line;
- b) subscriber line number of the ISDN2A access line (digital access line ISDN2 with a passive point-to-multipoint bus), specified by a single CLI from a multi-subscriber number.

(4) Complex orders for the carrier preselection service are used for:

- a) entire bundle of access lines of the private branch exchange (PBX), specified by one CLI main prefix within the extent of the direct dial-in in the access line bundle;
- b) entire ISDN30 access line, specified by the CLI main prefix within the extent of the direct dial-in in the ISDN30 access line;
- c) ISDN2C access line (digital ISDN2 point-to-point access line with a series line function) and ISDN2D access line (digital ISDN2 point-to-point access line with the function of a direct dial-in exchange) specified by the main CLI.

(5) Considered as an unauthorised placement of an order for the carrier preselection service shall be any order from the interconnected undertaking not supported by a subscriber's request. The directly interconnected undertaking shall be responsible for proving the justification of the orders for the carrier preselection service.

(6) The access provider shall be responsible for proving the justification of any cancellation of the carrier preselection service on the basis of the orders for the provision of access to the access provider's services.

PART FOUR

PRINCIPLES FOR BILLING BETWEEN THE UNDERTAKINGS IN RELATION TO CARRIER SELECTION AND PRESELECTION

Article 7

Charging the Price for Services Related to Carrier Selection and Preselection

(1) The price for interconnection for carrier selection and preselection in the access provider's network consists of:

- a) the one-off prices, including, but not related to, the charge for establishing the service at the interconnection point, cancelling the service at the interconnection point, extension of the carrier selection service to carrier preselection, activation of the carrier preselection service to one subscriber;
- b) the repeatedly charged prices, i.e. the charges for call origination charged in accordance with the volume of traffic (e.g. number of minutes).

(2) In the contractual arrangements referred to in Article 8(5), the undertakings shall agree the prices referred to in Article 7(1) and the mode of payment thereof.

(3) The access provider is the party that charges the prices for interconnection for carrier selection or preselection and the party responsible for generating the records needed for settlement of the charges for the calls made. The directly interconnected undertaking is the party that shall pay those prices.

PART FIVE

JOINT, TRANSITION AND CLOSING PROVISIONS

Article 8

Contractual Arrangements Regulating the Carrier Selection and Preselection Service

(1) The access provider and the directly interconnected undertaking shall arrange their relations in the form of a written agreement on interconnection³⁾.

(2) If a directly interconnected undertaking makes its public electronic communication network available to another undertaking for the purpose of the provision of the publicly available telephone service through carrier selection and preselection, then such a written agreement on interconnection with the access provider shall only be concluded by the directly interconnected undertaking.

(3) If an undertaking that has arranged for direct interconnection with the access provider makes its public electronic communication network available to an undertaking indirectly interconnected with the service provider, then the undertaking having direct interconnection with the access provider shall, before concluding a written agreement on interconnection, submit to the access provider such an indirectly interconnected undertaking's consent to the routing of the traffic to the carrier selection code allocated to the indirectly interconnected undertaking and shall also so submit an authorisation for concluding such a written agreement on interconnection.

(4) Failure testing and repairing shall be governed by the principles specified in the agreement on interconnection between the access provider and the directly interconnected undertaking.

(5) Undertakings that are obliged to provide the carrier selection or preselection service under Section 70 of the Act shall amend the general conditions of the services they provide by the inclusion of provisions regulating the conditions for the carrier selection or preselection service in accordance with the Act and this Measure, and shall do so within four months after the effective date hereof.

(6) Undertakings that are obliged to provide the carrier selection or preselection service under Section 70 of the Act shall amend the concluded agreements on the interconnection of the public telephone networks they operate so that they contain the conditions necessary to secure carrier selection or preselection in accordance with the Act and this Measure, and shall do so within four months after the effective date hereof.

(7) In the agreement referred to in Point 1, the undertakings shall also mutually arrange other conditions⁴⁾ related to the implementation of the provisions of Article 5(5) and (9) and of Article 6(5) and (6).

Article 9 Transition Provisions

Until the effective date of the Decree of the Ministry of Informatics, setting out the numbering plans, the numbers to which carrier selection and preselection is applied under Section 70 of the Act, and the carrier selection codes, are determined on the basis of the Public Telephone Network Numbering Plan⁵⁾.

Article 10

³⁾ Section 80 of the Act

⁴⁾ Sections 544 and 545 of the Act No. 40/1969 Coll., Civil Code, as amended, and Sections 300 to 302 of Act No. 513/1991, Commercial Code, as amended

⁵⁾ Public Telephone Network Numbering Plan published in Volume 9/2000 of Telekomunikační věstník (Telecommunications Bulletin), as amended by Amendment No. 1, published in Volume 7/2002 of Telekomunikační věstník and Amendment No. 2, published in Volume 10/2003 of Telekomunikační věstník

Effect

This Measure of General Nature shall come into force on 15 November 2005.

Explanatory Memorandum

To implement Section 70(3) of the Act, the Office issues Measure of General Nature No. OOP/11/10.2005-42 (the “Measure”), laying down the technical and organisational conditions for implementing carrier selection and preselection and the principles for charging the prices for carrier selection and preselection between undertakings.

This Measure is based on the principles set out in the Act and in European legislation, including, but not limited to, Directive 2002/19/EC of the European Parliament and of the Council on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive) (the “Directive”). This Measure was prepared with respect to the purpose of regulation in the electronic communications area as defined in Section 4 of the Act, including, but not limited to creating conditions for proper functioning of economic competition and for the protection of users and other market participants.

In accordance with the provisions of Section 70 of the Act, this Measure specifies in detail the technical and organisational conditions for implementing carrier selection and preselection and the principles for charging the prices for carrier selection and preselection between undertakings. In determining the range of the conditions, the Office based their considerations on the hitherto gained experience.

The objective of this Measure and the basic principles of co-operation between undertakings are defined in Article 1 – the undertakings must co-operate in order to ensure the security and smoothness of operation and maintain the conditions of competition.

Some of the concepts used in the text of this Measure are specified and defined in Article 2. The methods by which carrier selection and preselection can be provided are indicated with the necessary precision and specificity in order to prevent differences in interpretation. It is emphasised that the directly and indirectly interconnected undertakings are equal to each other even in those cases where an indirectly interconnected undertaking uses the network of a directly interconnected undertaking for the provision of publicly available telephone service through carrier selection or preselection.

Article 3 lays down the basic general conditions that need to be met in order to make it possible to provide the services concerned and to determine the relations between the individual undertakings involved. The Office considers it essential that at least one carrier

selection code is allocated to any provider of publicly available telephone service through carrier selection or preselection, in order to ensure the equality of all such providers.

The conditions of routing and signalling needed to ensure calls within the carrier selection and preselection services are determined in Article 4 of this Measure on the basis of the already established practice so as to avoid any damage to the integrity of the service provided.

The ordering system is defined in Articles 5 and 6. The access provider should organise the ordering system so as to ensure satisfaction of the highest possible number of orders from interconnected operators. Also specified in these articles is the manner of placing the orders for the carrier preselection service.

The principles for charging the prices between the undertakings in relation to carrier selection or preselection are set out in Article 7.

Article 8 sets out the procedure used in the contractual arrangements between the operators who are directly interconnected for the provision of the carrier selection and preselection services. Article 8 also contains the requirements for the adjustments that have to be made in the general conditions of the provision of the publicly available telephone services through carrier selection and preselection.

At present the eligible numbers are as defined in the public telephone network numbering plan currently in force; consequently, this situation is laid down as a transition provision in Article 9 to remain in effect until the Czech Ministry of Information issues a Decree under Section 29(4) of the Act to set out the numbering plans.

The actual effective date of this Measure is given in Article 10.

On the basis of Section 130 of the Act and in accordance with the Czech Telecommunication Office's Rules for maintaining consultations with the affected parties at the discussion site, the Office published at the discussion site its draft Measure No. OOP/11/XX.2005 (laying down the technical and organisational conditions for implementing carrier selection and preselection and the principles for charging the prices between undertakings in respect of carrier selection and preselection) on 6 May 2005 for the first time, together with an invitation for comments on the draft Measure. On 4 July 2005 the Council of the Czech Telecommunication Office discussed this draft measure and decided not to issue it, because the text had been substantially changed, as compared with the draft submitted for discussion. The amended draft measure was made public at the discussion site again on 24 August 2005.

During the public consultation period the Office received comments focused both on the general principles of this Measure and on its individual provisions. The comments focused on greater precision of the text were accepted and reflected in the final version of the Measure. Comments that required more detailed regulation were accepted by the Office in those cases where the need for more detailed formulations was confirmed by the experience gained so far.

The comment settlement table, made public at the discussion site, contains the texts of all comments and the way they were settled.

Abbreviations generally known to the professional public are used in the Czech text of the Measure. These are:

Abbre-	English term	Czech term	Description, detailed
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viation			explanation
CLI	Calling line identification	Identifikace volající přípojky	
CPS	Carrier preselection	Předvolba operátora	
CS	Carrier selection	Volba operátora	
DDI	Direct dial-in	Provolba	Type of ISDN supplemental service. The DDI service enables the calling subscriber to call directly (without an operator) the subscriber connected to a direct dial-in private branch exchange (PBX). This service is also applicable to analogue (non-ISDN) PBXs.
IAM	Initial address message	Počáteční adresa	Message concerning the initial address (signalling SS7)
ISDN	Integrated service digital network	Integrované služby digitální sítě	
ISUP	ISDN user part	Uživatelská část ISDN	
MSN	Multiple subscriber number	Vícenásobné účastnické číslo	Service allowing to use a multiple subscriber number on the basis of the ETSI ETS 300 050 Standard
PBX	Private branch exchange	Pobočková telefonní ústředna	

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