Annexes 1–6: Supplementary information

1. List of organisations interviewed
2. Interview script
3. Template for desk-based research
4. Various media for delivery of directory services
5. Article 6 of the EC Voice Telephony Directive
6. Article 12 of Directive 2002/58/EC (12 July 2002)

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Annex 1: List of organisations interviewed

The following tables summarise basic information about the contacts used in the interview programme, grouped by country.

Belgium

Type	Company	Function of interviewee	Date
Regulator	BIPT	Universal directories and operator litigation	4 June
Incumbent	Belgacom	Manager customer data marketing	14 June
		Marketing director of Directory Information Services	18 June
Mobile operator	Mobistar	Manager national directory enquiry service	7 June
		Manager international directory enquiry service	7 June

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Finland

Type	Company	Function	Date
Regulator	FICORA	Head of Economic Regulation	31 May
		Legal Counsel	31 May
Leading service provider	Fonecta	Business Development Officer	9 & 31 May
		General Council (Regulatory)	6 June
Service provider	Aktivist	Country Manager - Finland	7 June

France

Type	Company	Function	Date
Regulator	ART	Head of the economic evaluation unit	28 May
		Responsible for USO audits	28 May
Incumbent (holding)	France Telecom	External Relationships	1 June
		Directory Services	1 June
Mobile operator	Bouygues Telecom	Responsible for regulation	23 May
		External Affairs amd Regulation	23 May
		Legal Director	23 May

Germany

Type	Company	Function	Date
Regulator	RegTP	Enquiry Services issues	3 June
Solutions provider for directory services	Varetis AG	Head of Product Line Marketing	11 June
Directory service provider	Telegate	Head of Regulatory Affairs Germany/ Austria	14 June
National association	VDAV *	Representative of VDAV	14 June

* Verband Deutscher Auskunfts- und Verzeichnismedien e. V.

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Ireland

Type	Company	Function	Date
Regulator	ODTR	Member of the Market Operations Group	31 May
Incumbent	eircom	Head of eircom's directory enquiry service	29 May
		Manager – National Directory Database	29 May
Directory service provider	Conduit	Regulatory Affairs Director	30 May

Italy

Type	Company	Function	Date
Regulator	AGCOM	Legal expert	5 June
Mobile operator	Wind	Strategy and Regulatory Affairs	27 May
Directory service provider	Seat Pagine Gialle	Directory Services Marketing	13 June
		Corporate Legal Affairs Representative	13 June
		Regulatory Affairs Manager	13 June

Netherlands

Type	Company	Function	Date
Regulator	OPTA	Advisor universal services	28 May
Ministry	DGTP	Expert on new ONP regime	4 June
Incumbent	KPN	Head of universal service delivery	30 May
	Telemedia	Marketing Director	6 June
		Contractual issues	6 June
Directory service provider	Gouden Gids/ Nationale Telefoon gids	Director	5 June
		Marketing Director	5 June

Spain

Type	Company	Function	Date
Regulator	CMT	Technician	10 June
Incumbent	Telefónica Publicidad e Informacion	Head of Regulatory Affairs	28 May

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International

Type	Company	Function	Date
International organisations	Infobel (Kapitol)	Head of Online Business & Webvertising	31 May and 6 June
	Xpherix	CEO	21 May
International associations	EIDQ	Secretary	27 May
		Head of F510 working group	6 June
		Chairperson	27 May and 5 June
		Responsible for European deregulation process	31 May
	EAPD	EADP EU Affairs representative	23 May
	EADP/Yell	Regulatory Liaison and Compliance Manager	18 June
		Head of external relations	18 June
Consumer interest groups	BEUC	Economic adviser	10 June
	National Consumer Council (UK)	Adviser	7 June
	Consumentenbond (Netherlands)	Adviser	10 June
	The Consumer Association		
Telecoms user association	Telecom Users Association	Chairman	6 June

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Annex 2:   Interview script

2.1 General

- What is your position in your organisation? (responsibility)
- How are you involved in directory services?

I would now like to ask you a number of questions from five different categories, on the topics of the directory database, the competitive situation, international service provision, and some questions on technical and regulatory aspects. If there happens to be a topic you are less knowledgeable of, I would appreciate if you can provide me with another contact in your organisation who can answer these questions.

2.2 Directory information database

In this category, I would like gain an understanding of the functioning of the wholesale directory information database.

- Is there a *unified directory database*, i.e. a database that includes all information from all subscribers in your country?
- What data does it hold: fixed, mobile, personal numbers?
- Are really all subscribers included at the moment?
- Is there an opt-in or opt-out policy (are subscribers automatically included or not?)
- How was this database developed? (what stimulated its creation)
- How is it maintained? Who is responsible for it?
- Is the database physically unified or logically unified? Does this solution work well – do you believe that is the best solution? (this is something the EC is considering)

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- In your opinion, would it be a good solution if an independent agency, like perhaps the regulator, were to manage this unified database, rather then the incumbent? (this is something the EC is considering)

- How do *telecom operators* (the incumbent as well as alternative operators) input their subscriber information into the database?
- Are access conditions secured by law? Do you know which law and which conditions?
- What is the pricing structure? (who pays who how much)
- Are there currently, or have there been, any disputes on this? If yes – who was involved, what was the main issue, how was it resolved, etc.
- Is the current situation satisfactory? (any additional information is great)

- How do *directory service providers* access this directory information database?
- Are access conditions secured by law? Do you know which law and which conditions?
- What is the pricing structure? (who pays who how much) Are these wholesale tariffs published?
- Are there currently, or have there been, any disputes on this? If yes – who was involved, what was the main issue, how was it resolved, etc.
- Is the current situation satisfactory? (any additional information is great)
- What are the prospects for the future?

2.3 Competitive situation

In this category, I would like gain an understanding of the competitiveness of the directory services market:

- What is your view on the *level of competition* in the current market? (make sure you understand which market the interviewee talks about: directory enquiry services, or telephone directories, yellow pages or white pages, CD-ROM or Internet, etc)
- How many service providers are active in your area? Has this always been the case? (try to get some historical data on shrinking or growing market)
- How many operators do you think the directory services market can sustain? What level of competition do you believe is economically viable?

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- What is, in your opinion, the main barrier to the development of competition? (regulatory, commercial, or technical)

- To what extent and in what areas do you believe the incumbent operator has a competitive advantage over alternative directory service providers? (if question is not understood, prompt with example of best enquiry short-code, like 118).

- Does the incumbent's retail directory service provider face the same access and pricing conditions to the database as any other alternative directory service provider?

- (question for regulator/ incumbent) To what extent are the retail and wholesale directory service provision of the incumbent separated? Are directory enquiry services subject to accounting separation (between wholesale and retail)?

- Is there any regulation on the retail prices of directory services – enquiry services as well as telephone directories?

- (not for regulator) What does your business model look like? (if no answer, prompt with: where do your revenues come from, are you cross-subsidising any activities, do you have any partnerships?)

- Do you have any information on the *usage trends* of directory services that we can use?

- Have you seen any indication of demand for mobile directory information?

2.4 International service provision

In this category, I would like gain an understanding of the international directory services market.

- How easily can *users* access directory services in other membership states?
- What are the pricing mechanisms for users?

- How easily can *alternative directory service providers* access directory information from other countries, and thus provide an international service?
- What are the pricing mechanisms for the directory service providers?

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- How do *incumbent operators* exchange directory information internationally? (if not mentioned, prompt: are there any peering agreements in place?)
- Are incumbents in any competitive advantage through agreements they have internationally? (discriminatory effects of peering agreements)

- In your opinion, would one pan-European directory service database be viable?
- If so, what would it look like and how would it work? (if no answer, prompt: physically unified or logically unified)

2.5 Technical aspects

In this category, I have some questions on technical aspects of directory service provision.

- What standardisation issues are important – especially with an eye on the development of standards enabling a potential pan-European directory database?
- In your opinion, are there any technical limitations on providing all operators in the market with access to a unified data base?
- Are there any technical issues for international access to directory service databases?
- What are the relevant issues surrounding the data format in which information is stored?

2.6 Regulatory aspects

(mainly for regulator) In this category, I have some questions on regulatory aspects of directory service provision.

- What national regulatory framework and licensing conditions exist and are planned? (quickly check country profile content)
- Which tariffs and access conditions to directory information are regulated? (if not mentioned, prompt: for users (retail), for directory service providers (wholesale), and for alternative operators)
- To what extent do you believe the current regulation takes into account Article 6 of the EC Voice Telephony Directive 98/10/EC?

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- To what extent do you believe the current regulation takes into account the new EC Directives (if clueless, prompt access for disabled users)

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Annex 3:   Template for desk-based research

This document provides the template for data gathering for the "Study on the regulatory framework and market developments concerning directory services in EU and EEA Member States". In order to ensure consistency and enable direct comparison across the individual countries, the Analysys team structured their research based on this template.

The categories in which data was collected divides the data in: commercial, regulatory, technical and content-related information.

The specific bullet points included in each sub-category give an indication for the type of information Analysys has looked for – the actual information collected in each country varies depending on its availability.

3.1 Commercial information

3.1.1 Description of market players

- directory service providers (retail)
- database owners (wholesale)
- ownership structures
- market share
- industry organisations

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For each service provider we will seek the following information:

- product offering (DQ, white pages, yellow pages, CDROM, internet)
- format (how is the offering accessed)
- type of services (what information can be obtained)
- new services

3.1.2 Access and pricing structures for users

- availability of directory services, as part of USO
- availability of directory services from other MS
- cost of access and pricing structures for users
- billing mechanisms
- complaints and follow-up procedures

3.1.3 Access and pricing structures for other service providers

- cost of providing directory services
- level of prices and pricing structures (including whether the prices are cost-based)
- terms of access
- peering agreements between incumbents and discriminatory effects
- evidence on competitive disadvantage of alternative directory service providers
- complaints and follow-up procedures

3.1.4 Usage trends

- as much information as possible on frequency and how the directory services are being used
- ex-directory subscribers (trends, how and whether they are included in database)
- demonstration of demand for mobile directory enquiry services

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3.1.5 Competition

- level of competition in the market (number of players, indications on intensity of competition)
- commercial barriers to competition in the market

3.1.6 Economics of directory services (viability of competition)

- commercial initiatives (recent financial transactions)
- links to other services, transactions and revenue models (e.g. e-commerce)

3.1.7 Sources

- incumbent operators
- new entrants (including cable providers, Indirect Access Providers)
- user group reports
- NRA

3.2 Regulatory information

3.2.1 Current and planned regulation

- regulator for directory services
- current and new regulations (since 1997), including implementation of art 6 of the EC Voice Telephony Directive 98/10/EC
- numbering system for directory services (118XY)

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3.2.2 Licensing arrangements

- national conditions (licence, registration) for offering retail directory information services
- obligations in PTO licence (to provide directory services, to allow access to database information, numbers included in directory services – mobile, fax, ex-directory)
- indirect access providers (obligations with regards to directory services)

3.2.3 Tariffs

- regulation of charging (method and level) for DQ services
- cost-orientation of data provision (wholesale/ retail)
- publication of tariffs by SMP operators

3.2.4 New directives and implications/ linkages to current conditions

- new data protection framework
- DQ services for disabled users

3.2.5 Competition

- regulatory barriers or incentives to competition in the market

3.2.6 Sources

- NRA
- legislative documents
- consultative documents

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3.3 Technical information

3.3.1 Technologies

- technologies available, their capacity and access methods
- services enabled by technologies (new services) such as Internet and other delivery methods
- technical limitations to interconnection of database

3.3.2 Standardisation issues

- development of standards enabling pan-European co-operation
- definition of protocols
- data format for storage of information

3.3.3 Unified directory database

- physically unified, logically unified or other structure
- technical problems with data quality and reconciliation
- initiative of NRA to operate a common (wholesale) database

3.3.4 Competition

- technical barriers to competition in the market

3.3.5 Sources

- user group reports
- industry bodies (e.g. EIDQ, EADP)

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3.4 Content information

3.4.1 Data protection

- Current data protection law in force and its provisions
- contractual aspects: what is involved in ticking the yes/no box
- infringement procedures

3.4.2 Comprehensiveness of database

- opt-in or opt-out policy for fixed and mobile subscribers
- inclusion of mobile, personal and ex-directory numbers
- treatment of prepaid subscribers
- charge for ex-directory subscribers

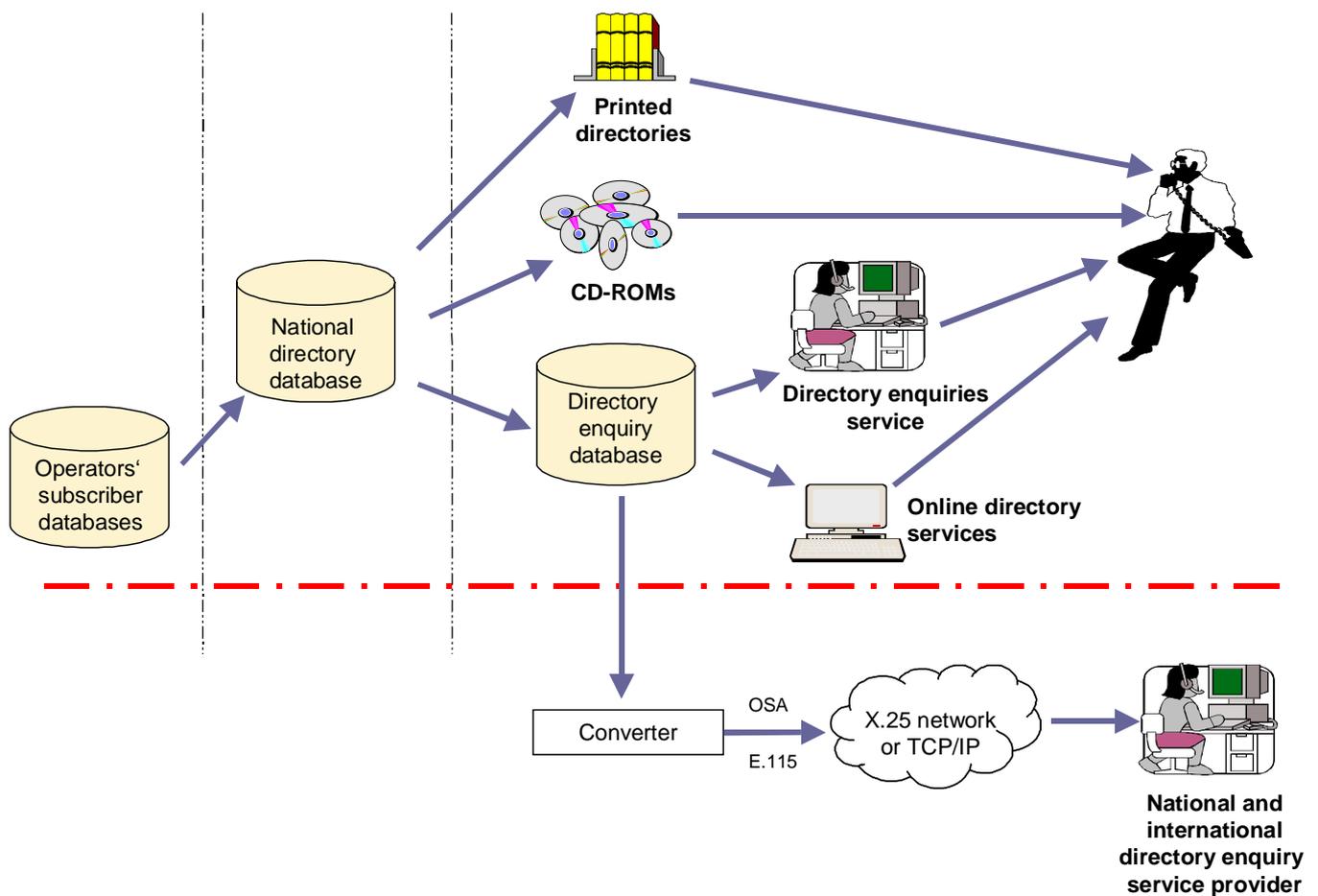### 3.4.3 Additional fields and services

- Policy on reverse searches
- Quality of basic data in databases
- Inclusion and regulation of additional data-fields

3.4.4 Sources

- incumbent operators
- new entrants (including cable providers, Indirect Access Providers)
- NRA
- industry bodies (e.g. EIDQ, EADP)

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Annex 4: Various media for directory services

The diagram below [Source: EIDQ] illustrates the provision of directory services through a variety of media: print, CD-ROMs, Internet and telephone.

Printed directories

CD-ROMs

National directory database

Operators' subscriber databases

Directory enquiry database

Directory enquiries service

Online directory services

Converter

OSA

E.115

X.25 network or TCP/IP

National and international directory enquiry service provider

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Annex 5: Article 6 of the EC Voice Telephony Directive

DIRECTIVE 98/10/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 February 1998

on the application of open network provision (ONP) to voice telephony and on universal service for telecommunications in a competitive environment

(31998L0010) Official Journal L 101 , 01/04/1998 p. 0024 – 0047

CHAPTER II

PROVISION OF A DEFINED SET OF SERVICES WHICH MAY BE FUNDED IN THE CONTEXT OF UNIVERSAL SERVICE

Article 6

Directory services

1. The provisions of this Article are subject to the requirements of relevant legislation on the protection of personal data and privacy, such as Directive 95/46/EC and Directive 97/66/EC.

2. Member States shall ensure that:

   (a) subscribers have the right to have an entry in publicly available directories and to verify and, if necessary, correct or request removal of that entry;

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(b) directories of all subscribers who have not expressed opposition to being listed, including fixed, mobile and personal numbers, are available to users in a form approved by the national regulatory authority, whether printed or electronic, or both, and are updated on a regular basis;

(c) at least one telephone directory enquiry service covering all listed subscribers numbers is available to all users, including users of public pay telephones;

3. In order to ensure provision of the services referred to in paragraph 2(b) and 2(c) , Member States shall ensure that all organisations which assign telephone numbers to subscribers meet all reasonable requests to make available the relevant information in an agreed format on terms which are fair, cost oriented and non-discriminatory.

4. Member States shall ensure that organisations providing the service referred to in paragraph 2(b) and 2(c) follow the principle of non-discrimination in their treatment and presentation of information provided to them.

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Annex 6: Article 12 of Directive 2002/58/EC (12 July 2002)

Directories of subscribers

1. Member States shall ensure that subscribers are informed, free of charge and before they are included in the directory, about the purpose(s) of a printed or electronic directory of subscribers available to the public or obtainable through directory enquiry services, in which their personal data can be included and of any further usage possibilities based on search functions embedded in electronic versions of the directory.

2. Member States shall ensure that subscribers are given the opportunity to determine whether their personal data are included in a public directory, and if so, which, to the extent that such data are relevant for the purpose of the directory as determined by the provider of the directory, and to verify, correct or withdraw such data. Not being included in a public subscriber directory, verifying, correcting or withdrawing personal data from it shall be free of charge.

3. Member States may require that for any purpose of a public directory other than the search of contact details of persons on the basis of their name and, where necessary, a minimum of other identifiers, additional consent be asked of the subscribers.

4. Paragraphs 1 and 2 shall apply to subscribers who are natural persons. Member States shall also ensure, in the framework of Community law and applicable national legislation, that the legitimate interests of subscribers other than natural persons with regard to their entry in public directories are sufficiently protected.

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