

## **Application procedure for 0900 premium rate numbers**

### **1. Legal basis and purpose of the regulations**

Under section 108(1) third sentence of the Telecommunications Act (TKG) of 23 June 2021 (Federal Law Gazette I page 1858), as amended by Article 8 of the Act of 10 September 2021 (Federal Law Gazette I page 4147), in conjunction with section 4 of the Telecommunications Numbering Ordinance (TNV) of 5 February 2008 (Federal Law Gazette I page 141), as amended by Article 121 of the Act of 10 August 2021 (Federal Law Gazette I page 3436), the Bundesnetzagentur assigns numbers to telecommunications network operators, telecommunications service providers and end users. Under section 5(1) TNV, the Bundesnetzagentur can specify in particular the form of applications for number use, and must publish such specifications.

This Communication contains such details specified and describes the application procedure for premium rate numbers.

The Numbering plan for premium rate numbers has been determined separately as a general administrative order (Administrative Order No 25/2014, Bundesnetzagentur Official Gazette No 7 of 16 April 2014) and provides the basis for their assignment and use.

### **2. Applications**

Applications should be made where possible using the online tool at

<http://www.bundesnetzagentur.de>

The application form (Annex 1) should be completed using the online tool and submitted to the Bundesnetzagentur via the Internet. The completed application form must also be printed out, signed and sent or handed in to the following address:

Bundesnetzagentur  
Dienstleistungszentrum 22 Nürnberg  
Standort Fulda  
Marquardstr. 27-29  
36039 Fulda

or Fax +49 (0)180 3 110900 (9 ct/min).

Applications should be faxed where possible in order to avoid delays in processing.

Applications can also be made offline by completing and signing the application form and sending it or handing it in to the address given above. The application form is available at <http://www.bundesnetzagentur.de> or from the above address.

The 0900 guidance notes (Annex 2) contain information on how to complete the application form. The guidance notes are likewise available at <http://www.bundesnetzagentur.de> or from the above address.

Applications can also be handed in personally at the above address on working days from 08.00 to 16.15 on Mondays to Thursdays and from 08.00 to 15.00 on Fridays.

### **3. Processing**

#### **3.1 Order of processing**

Applications will be processed in the order in which they are received. Relevant in determining this is the time at which the complete application is received.

The time of receipt for postal applications is taken as 12.00. The time of receipt for faxed applications is the start of reception in the recipient's fax log. The time of receipt for hand-delivered applications is the actual time of receipt.

If an application is incomplete, the applicant will be given a deadline to complete the application. If the application is not completed within the time given, it will be rejected and a fee charged.

If an applicant submits more than one application at the same time, the same number may not be requested in more than one application. If two or more applications for the same number are received at the same time, the application processed first will be considered. All other applications will be disregarded and the applicant will be informed accordingly.

#### **3.2 Preferred dates**

Applicants may request a date on which the assignment is to become effective, taking the following into account:

- the date requested may be no more than 90 days after the date of receipt of the application;
- the date requested in applications for recovered numbers (cf 4 below) may be neither before nor more than 90 days after the reassignment date referred to in 7b) below.

If no date is requested, the assignment will become effective on the earliest possible date. Applicants requesting an inadmissible date and applicants requesting recovered numbers before the reassignment date and without requesting an effective date will be given a deadline to correct their applications. If the application is not completed within the time given, it will be rejected and a fee charged.

#### **3.3 Content indicators**

Applications not specifying a content indicator are considered as incomplete. The applicant will be given a deadline to correct the application. If the application is not completed within the time given, it will be rejected and a fee charged.

#### **3.4 Preferred numbers**

In deciding on the number to be assigned, account is taken in the first place of the applicant's preferred choice of number only.

If two or more applicants request the same number at the same time, the following priorities are assigned:

##### Level 1: Registered property right

The number requested is a vanity number as defined in 5 below and the applicant holds a registered property right to a word that can be represented by the subscriber number. The

applicant must have held the property right for a period of at least 90 days prior to requesting the number. The priority also applies where a brand/trade mark or a protected trade name does not correspond to the number as described in 5 below but corresponds directly to a sequence of digits in the number. Proof of the right held (valid certificate) must be submitted with the application.

#### Level 2: Right to a name

The number requested is a vanity number and the applicant holds a right to a name within the meaning of section 12 of the German Civil Code (BGB) that can be represented by the number. Proof of the right held (valid document) must be submitted with the application.

Applications claiming a priority and not accompanied by the required proof are considered as applications without a priority.

The priority given to registered property rights over rights to names is without prejudice to the substantive priority of rights to names and property rights as provided for by the special legal regulations.

If two or more applicants claiming the same priority request the same number at the same time, the number will be assigned in an electronic draw.

Where an applicant is not assigned the preferred choice of number because

- at least one other applicant has a higher priority or
- the number is assigned to another applicant in a draw or
- the number is assigned to another applicant whose application was received earlier,

the applicant's second choice will be considered and the application processed as described above, after all the preferred number choices requested in applications received at the same time have been assigned. This procedure is repeated down to the applicant's fifth choice of number.

If none of the applicant's chosen numbers can be assigned, the applicant will be assigned a different number, where requested in the application. If the applicant cannot be assigned any of the chosen numbers and does not wish to be assigned a different number, the application will be rejected and a fee charged. If an applicant does not specify a choice of number, the applicant will be assigned any number even where the applicant does not put a cross in the box for any number to be assigned.

### **3.5 Supporting documents**

In special cases, supporting documents such as the applicant's planned business model may be requested in order to verify that the conditions for assignment, in particular those concerning the intended purpose of use (4.1 of the Numbering plan), are met. This applies especially where there is reason to suspect misuse, one or more orders under section 123(1) TKG have previously been issued, or an unusually large amount of numbers is requested.

### **3.6 Fees**

Fees are charged for any processing of applications.

Under section 15 of the Federal Fees Act from 7 August 2013 (Federal Law Gazette I page 3154) as amended by Article 2 of the Act of 16 July 2021 (Federal Law Gazette I page 3019), an individually attributable public service to be provided upon application can be made conditional on payment of an advance or on a surety not exceeding the expected fees and

expenses. If payment is not made within the time given, the Bundesnetzagentur will discontinue the application procedure ex officio.

The fees payable will be specified in a separate notice.

#### **4. Reusing recovered numbers**

Numbers recovered through the revocation, withdrawal, return and expiry of assignments will be available for reassignment from the date published as described in 7b) below. All applications for such numbers received by the reassignment date will be taken as having been received at the same time. Numbers previously used can be reassigned 180 days after the date of recovery, with the exception of the cases described in 5.3.3 of the Numbering plan. Numbers not previously used can be reassigned 90 days after the date of recovery. The Bundesnetzagentur's electronic list of network operators' activation notices indicates whether or not a number has previously been used.

An application for a recovered number can only be considered if the applicant has specified the number as the preferred choice of number (numbers given as alternative choices but not available for reassignment at the time of application will not be considered).

#### **5. Vanity numbers**

Vanity numbers are numbers whose subscriber number corresponds to the letters in a certain name or word.

A premium rate vanity number comprises the six digits in the subscriber number. If a name or word consists of more than six letters, the number is considered as a vanity number if the six digits correspond to the first six letters in the name or word.

The recommended layout of letters and digits according to ITU-T Recommendation E.161 is as follows:

1	2 A B C	3 D E F
4 G H I	5 J K L	6 M N O
7 P Q R S	8 T U V	9 W X Y Z
	0	

#### **6. Applying for confirmation and amendment of assignments in the case of succession**

The application form (Annex 3) available at <http://www.bundesnetzagentur.de> or from the address given in 2 above should be used to apply for confirmation and amendment of assignments in the case of succession (cf section 4(6) TNV). The accompanying guidance notes (Annex 4) – also available at <http://www.bundesnetzagentur.de> – contain information on how to complete the application form.

#### **7. Publications**

The Bundesnetzagentur will maintain the following electronic lists:

- a) list of assigned numbers;
- b) list of numbers recovered through the revocation, withdrawal, return and expiry of assignments, together with the date on which each number is available for reassignment.

The lists may be viewed between the times and at the Bundesnetzagentur's address given in 2 above or online at <http://www.bundesnetzagentur.de>. Outdated lists will not be made available.

## **8. Entry into force**

The regulations laid down in this Communication will become effective on 16 May 2014.

Annexes (the current versions are available at [www.bundesnetzagentur.de](http://www.bundesnetzagentur.de)):

1. Application form for number assignment
2. 0900 guidance notes
3. Application for assignment confirmation and amendment in the case of succession per number range
4. Guidance notes on assignment confirmation and amendment

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