

RESPONSE
TO
NUMBER PORTABILITY CONSULTATION DOCUMENT

LIME

Landline | Internet | Mobile | Entertainment

By E-mail to: consultations@tcitelecommission.tc

31 May 2012

I. Introduction

1. CWI Caribbean Limited, on behalf of its affiliate Cable and Wireless (TCI) Limited, trading as LIME (“LIME”), is pleased to provide the following responses to the Commission’s consultation document titled ‘*Number Portability Consultation Document*’ (the consultative document) published 30 April 2012.

2. LIME expressly states that failure to address any issue raised in this consultative document does not necessarily signify its agreement in whole or in part with the Commission’s position. LIME reserves the right to comment on any issue raised in the consultation at a later date.

II. Response to Questions

Question 1

NP should be restricted to service provider number portability, specifically porting between mobile to mobile and fixed to fixed numbers only. It is not proposed to offer hybrid fixed to mobile and mobile to fixed NP in TCI. In the case of fixed NP, it is intended to allow porting of fixed numbers within the same Local exchange and local call areas only. Please provide your comments and views regarding this proposed approach.

3. Location portability should be mandated at the Local Charging Area only after a technical assessment has been done of the ability of the companies to provide the service. Since the customers would be porting within the same network and Local Charging Area, LIME is happy to augment the services offer to its customers if the provision of location portability is feasible. Without prejudice to any other issues that may exist, LIME notes

that location portability is only feasible if all operators limit portability to the smallest local charging area offered by any one of the operators.

Question 2

The NP process of moving a customer's number from one provider to another provider can be achieved by either Recipient Led (the customer requests porting through the new Recipient operator) or Donor Led (the customer porting approaches their current operator to seek permission to leave). Please state your preference and outline your reasoning?

4. In establishing porting processes, it is common for these processes to be Recipient Led. This arises from the thinking that the Recipient Operator, who is gaining a customer, would be eager to complete the porting while, on the other hand, the usually-unsubstantiated expectation is that the Donor Operator, who is losing a customer, may not act with the same urgency. In LIME's view, whether the process is Donor Led or Recipient Led, the customer's instructions to port should be fulfilled in the agreed timeframe.

Question 3

It is proposed that NP is to be managed and operated in TCI through a centralized NP system which will track all TCI numbers, manage the porting process between recipient and donor operators and provides some ancillary administration functionality. This approach enables a standardized porting process to be operated across all TCI providers. Please provide your comments and views regarding this proposed approach.

5. LIME agrees with the approach proposed by the Commission to manage and operate NP in TCI through a centralized NP system which will track all TCI numbers, manage the porting process between recipient and donor operators and provide some ancillary administration functionality.

Question 4

By proposing to adopt the centralized driven NP approach, it is proposed that the successful provider of the NP Clearinghouse will be licenced by the TCI Telecommunications Commission to provide NP services and will be required to contract directly with the licenced TCI operators. Please provide your comments and views regarding this proposed approach.

6. LIME agrees that the provider of the NP Clearinghouse must contract directly with the service providers. LIME submits that the Commission has not provided an adequate rationale for its proposal to licence the NP Clearinghouse provider, and therefore there is an insufficient basis for LIME to comment on the proposed approach.

Question 5

It is proposed that the NP Clearinghouse may be either operated from TCI or hosted overseas. Please provide your comments and views regarding this proposed approach.

7. Where the NP Clearinghouse is located is a commercially-driven decision. LIME's concern is that a competent, database vendor provide the service. In other Caribbean countries like the Cayman Islands, an RFP was published, proposals were received and a vendor selected according to the criteria established in the RFP. Any vendor, whether domestic or overseas, could submit a proposal.

Question 6

It is proposed that all fixed and mobile traffic to ported and non-ported numbers originated and terminated in the TCI will be directly routed by the originating network to the terminating network using the All Call Query approach. All Call Query direct routing is widely used in NP implementations across the world and is considered to be the most operationally efficient and reliable form of routing in NP jurisdictions. Please provide your comments and views regarding this proposed approach.

8. LIME shares the Commission's understanding that All Call Query direct routing is widely used in implementations of NP around the world. An advantage of this call

routing scenario is that the Donor Network is not involved in any way in the routing of calls to telephone numbers ported to the Recipient Network. This call routing scenario also lends itself to the implementation of a central routing database. However, LIME also understands that there are different ways to implement central databases supporting All Call Query, and reserves its rights to further comment on this.

Question 7

Introducing NP is likely to enhance competition and choice in the TCI telecommunications market. Please provide your comments about this statement.

9. Taken at face value, LIME agrees with this statement. However, the Commission has to take into consideration the realities in which operators find themselves. Monies spent by operators on implementing number portability will not be available for other initiatives that consumers may also value. Acknowledging that NP can be expensive and asserting that NP can bring other benefits to the TCI economy does not discharge the Commission's obligations under section 13(1) of the Numbering Regulations.

Question 8

It is proposed that each operator and the successful provider of the NP Clearinghouse will be responsible for their set-up costs to prepare for the implementation and launch of NP in TCI and that such set-up costs shall not be recoverable from consumers or other stakeholders. Please provide a cost estimate of set-up investment your organization is likely to incur in preparing for the possible introduction of NP into TCI, and your comments and views regarding this proposed approach.

10. LIME disagrees with the Commission's approach. LIME believes that, in general, as the porting customer is receiving the benefit from porting their number, the porting customer should bear the cost of that porting. However, we also understand that the per-unit costs of the implementation of number portability will not be stable over time

and may decline if and when more customers port and new operators come onboard. It would be difficult to attribute all costs solely to customers who port at any given time. Therefore, the burden of recovering costs must be shared to some extent between those who are porting and those who could potentially port in the future.

11. Assuming a centralized database solution were to be implemented, LIME proposes that, a three-part cost recovery would be appropriate:

- **Common system setup and recurring costs** would be shared by all subscribers of all carriers. In particular, after vetting the common costs associated with NP implementation, the Commission would instruct each operator how much should be billed to each customer to cover the amortized set-up and maintenance costs of the database. This fee would be the same for each subscriber irrespective of which network he/she subscribes to. The Commission could revise the charge on an annual basis, given changes in expectations of total subscriber base or costs.
- **Internal system set-up and one-off porting-specific costs** would be charged to the porting customer directly, or indirectly to the Recipient Network, by the Donor Network. As with common set-up costs, internal system set-up costs should be amortized over the expected lifetime of the system and the volume of number porting transactions. The Commission would vet the calculations of these charges on an annual basis to ensure that they are reasonable.

- **Internal recurring maintenance costs** would be recovered by the Donor Network as it sees fit, just as it would for any recurring overhead cost.

12. Again, assuming a centralized database solution is implemented in Turks and Caicos, common NP costs would include the set-up and administration/maintenance of NP database hardware and software as well as any database licence fees and the cost of signaling facilities between the operator and the database. Internal costs would include one-off PSTN and mobile switch upgrades and support system upgrades; one-off and recurring costs of adding signaling facilities between network operators and the central database; one-off costs specific to porting a customer as well as recurring systems' maintenance costs.

13. LIME submits that cost recovery is fundamental to encouraging investment in NP, which could cost up to US\$2M for an operator. It is reasonable that, if NP is to be implemented for the benefit of consumers, consumers should be part of the cost-recovery solution. As important as well is the consideration of how NP can be funded.

Question 9

It is proposed that Recipient operators will be allowed to charge customers for porting their numbers at the discretion of each recipient operator. Consumer charging will be reasonable and the TCI Telecommunications Commission reserves the right to set a maximum limit to consumer porting charges. Donor operators are not permitted to charge customers for porting out numbers from their network. Please provide your comments and views regarding this proposed approach.

14. Please reference response to Question 8.

Question 10

It is proposed that donor operators shall be permitted to charge recipient operators for reasonable costs which are directly attributable to the actual efficient processing of porting requests. The TCI Telecommunications Commission reserves the right to set a maximum limit to donor porting charges. TCI Telecommunications Commission reserves the right to set a maximum limit to donor porting charges.

15. Please reference response to Question 8.

Question 11

Should fixed and mobile NP be implemented and launched at the same time or should the introduction be phased? If you prefer a phased approach, what should the order of the phasing be and why?

16. LIME agrees that fixed and mobile NP should be launched simultaneously. If the Commission were to consider it necessary to launch NP on one network before the other, LIME recommends it should be launched on the mobile network first – the vast majority of voice telecommunications users in the Turks and Caicos Islands are mobile customers, and the benefits of NP would be delivered sooner to the larger number of people if mobile NP were to be launched first.

Question 12

It is proposed that NP will be implemented and launched to the TCI public within 18 months of the date of this consultation. Please provide your comments and views regarding this proposed approach.

17. LIME's experience of NP so far is that it is quite complex. However, LIME believes that active participation by the Commission could result in NP being launched in the TCI in eighteen (18) months. Without strong but constructive regulatory involvement it is unlikely that the timeframe will be met.

Question 13

It is proposed that the implementation and preparations for the launch of NP in TCI will be managed by a cross stakeholder working group reporting to the TCI Telecommunications Commission, but the TCI Telecommunications Commission shall be responsible for setting the key NP process and functional details and implementation timeframes etc. Please provide your comments and views regarding this proposed approach.

18. LIME agrees that the formation of a cross stakeholder team is a necessity for implementing NP. LIME believes that this team would be able to provide sufficient expertise to inform the setting of key processes and parameters by the Commission.

Question 14

It is proposed that all customer porting requests will be completed within; 2 working days for mobile NP and 5 working days of fixed NP, from the date of the customer's validated and signed porting request. Please provide your comments and views regarding this proposed approach.

19. LIME submits that these proposed timeframes should be validated by the cross stakeholder working group. They may prove impractical where at least one operator implements a manual porting solution.

Question 15

It is proposed that data transfer during the porting process between the recipient and donor operators is minimized to ensure efficient and robust consumer porting experience with minimal unnecessary porting failures or rejections. It is proposed that porting data transfer will be restricted to MSISDN/ number being ported and donor operator. Porting process security and integrity will be provided by independent customer validation for each porting request, by either SMS (for mobile number porting requests) or Interactive Voice Response or PIN (for fixed number porting requests). Please provide your comments and views regarding this proposed approach.

20. LIME agrees that only the minimum information, required for a port to be successful, should be exchanged between the Donor and Recipient Operators. It is also agreed that a request to port a mobile number should be validated by SMS and validation

of a request to port a fixed line number should be by way of IVR. However, LIME submits that it is most appropriate for the cross-stakeholder team to make a recommendation on what information is necessary to be exchanged between operators.

Question 16

It is proposed that once a customer's porting request has been authorized by the customer and validated by the NP Clearinghouse and passed to the donor operator for approval, the porting request must proceed to completion unless legitimately rejected by the donor operator in compliance with the rejection reasons determined by the TCI Telecommunications Commission. Once a validated porting request has been passed to the donor operator by the NP Clearinghouse it cannot be amended or cancelled by any party. Please provide your comments and views regarding this proposed approach.

21. LIME agrees that the simplest approach is to not allow a customer to cancel their porting requested once it has been validated by an SMS or IVR message. LIME is also of the view that a customer should be able to cancel their order once the service has not yet been activated on the Recipient Operator's network, provided that the customer is willing to accept that there could be service disruption. LIME anticipates however that cases of customers requesting cancellation of their porting request are likely to be infrequent.

22. There may be instances as well, as the Commission has recognized, where a customer's request to port may be legitimately rejected in accordance with the procedures documented and agreed by the cross stakeholder group.

23. In any event, LIME submits that it is most appropriate for the cross-stakeholder team to recommend valid rejection reasons and other porting procedures.

Question 17

It is proposed that outstanding debt cannot be used by a donor operator to reject a customer porting request, provided the customer's account is not barred or suspended from making outbound calls at the time the customer's porting request is processed by the recipient operator. Please provide your comments and views regarding this proposed approach.

24. LIME notes that outstanding debt is an accepted reason for rejection in both Panama and the Cayman Islands. In the months following implementation of NP in those countries, LIME is not aware that this been raised to the national regulator as an issue in either country.

Question 18

It is proposed that once the customer's validated porting request has been passed to the donor operator by the NP Clearinghouse, the donor operator will not be permitted to contact the customer during the period the porting request is being processed. Once the porting request has been successfully completed, for a period of 60 days, the donor operator will only be permitted to contact the customer for the sole purpose of recovering any outstanding payments or debts and will under no circumstances contact the customer during this period with purpose of soliciting the customer to return to the donor operator's network. Please provide your comments and views regarding this proposed approach.

25. LIME has no objections to this approach.

Question 19

It is proposed that customers will not be permitted to port their number to another operator within 60 days of their previous successful porting request. Please provide your comments and views regarding this proposed approach.

26. LIME has no objections to this approach.

Question 20

It is proposed that only real-time porting of customer numbers will be allowed and customers will not be able to defer or delay porting requests to later dates. Please provide your comments and views regarding this proposed approach.

27. LIME believes that there are circumstances under which a customer may elect to defer porting, such as where there is an existing contract with their current provider which expires at a future date. LIME is of the view, that as long as it is practicable, customers should be able to exercise as many options as supported by NP, and that the NP platforms and processes should favour consumer choice.

Question 21

It is proposed that the porting process will allow the porting of multiple customer numbers within a single porting request (where “multiple number” is defined as two or more numbers belong to the same customer account), both contiguous and non-contiguous number ranges, to support the efficient porting of multiple number blocks. Please provide your comments and views regarding this proposed approach.

28. LIME submits that this approach would introduce significant complexity into the porting process. It was for this reason that LIME understands, operators in the Cayman Islands chose not to facilitate multiple-number porting when NP was launched there.

III. Closing Remarks

29. LIME thanks the Commission for the opportunity to participate in the consultation. Kindly send any communication in relation to this consultation to:

Drexwell Seymour

drexwell.seymour@lime.com

+1 649 231 6373 (M)

+1 649 941 3904 (O)

Frans Vandendries

Frans.vandendries@lime.com

1 345 916 0831 (M)

1 345 747 3644 (O)

END DOCUMENT