



RSM/COAI/2017/186A

September 28, 2017

Sh. S.T. Abbas,
Advisor (NSL),
Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan
Jawahar Lal Nehru Marg
New Delhi – 110002

Subject: COAI Response to the TRAI draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2017

Dear Sir,

This is with reference to the TRAI draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2017, released on August 16, 2017.

In this regard, please find enclosed COAI response to the draft MNP Regulation

We hope that our submission will merit your kind consideration and support.

With Regards,

Yours faithfully,

Rajan S. Mathews
Director General

14, Bhai Veer Singh Marg, New Delhi – 110 001

tel: +91-11-23349275 fax: +91-11-23349276

email: contact@coai.in website: www.coai.in



**Response to draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2017
Released on August 16, 2017**

A. Draft MNP (Seventh) Regulations:

At the outset, we would like to submit that Industry is committed towards enhancing subscriber satisfaction by reducing the Rejection of porting requests due to mismatch of UPC codes.

COAI Comments on the draft MNP Regulations are as below:

1. Regulation 8 & 9: Mechanism of sharing UPC by DO to MCH and RO to confirm correctness of UPC with MCH:

- a. TRAI vide its said Regulations has proposed to implement the mechanism for sharing the UPC generated by Donor Operator (DO) with MNP Clearing House (MCH), which in turn can be approached by the Recipient Operator (RO), to confirm the correctness and validity of the UPC submitted by the subscriber. TRAI has of the view that this mechanism will result in reduction in the rejection genuine porting requests.
- b. Our members will respond individually to the proposed Amendment to the MNP Regulation 8 & 9. However, we would like to highlight following points for your kind consideration:
 - i. **Timeline for Implementation:** In case this amendment is accepted by the Authority, our member operators will require at least **six months** for implementation, from the date when the amendment to the draft Regulations is notified. The additional time required is due changes in multiple system applications like (Number portability Gateway, Billing System, Collection system, Customer Relationship Management, Data warehousing /MIS).
 - ii. **Per Port Transaction Charge:** The Port Transaction charge is the charge payable by the RO to the MNPO for processing the porting request of a mobile number. .

However, in this case wherein there is no actual porting taking place and there is only sharing of the information between the DO, MCH and RO, to confirm the

correctness and validity of UPC, **we would like to submit that there should not any Port Transaction.**

2. Regulation 14: Sharing of the subscriber Bill and Payment information by DO to RO

- a. We are in agreement with this proposal as the requirement would certainly assist RO in getting the requisite details before effecting with disconnection.

B. Additional Points:

Further, to the above, we would like to highlight some of the requests made by COAI for the considerations of the Authority vide its various representations:

1. MNP per Port Transaction Charge as Pass through Charge:

- a. The per port transaction charge received by the RO is payable to the MNPO and since nothing is retained by RO; it is not justifiable to levy license fee on the same.
- b. Further, the MNPO pays the license fee on the per port transaction charge which it receives from the RO. The levy of license fee on the per port transaction charge on the both service providers RO and as well as MNPO amounts to a dual levy of license fee and the same is not justified.
- c. Industry has taken up this issue several times with DoT in the past; however this request has not been accepted.
- d. In light of the above, we again request TRAI to kindly consider our submissions and Recommend to DoT to allow **the Per Port Transaction charge paid by the RO to MNPO as a deduction from the Gross Revenue for calculating the AGR for the purpose of the payment of license fee.**

2. MNP per port Transaction Charge need to be reduced:

- a. TRAI will appreciate that the per port transaction charges has remained constant at Rs. 19, since the time the MNP was lunched in India.
- b. With the increase in the number of the porting request and considering that mostly this cost is being incurred by the RO, we would like to request TRAI to kindly review and reduce the MNP per port transaction charges.

3. **Porting request withdrawal process:**

- a. As highlighted earlier, vide industry submissions dated 24.03.2011 and 23.01.2012 regarding the electronic process of the withdrawal of the porting requests by the subscriber; we hereby again request the Authority that the existing process of withdrawal needs to be more consumer friendly and SMS based withdrawal through a short code should be allowed.
- b. SMS based withdrawal process is consumer friendly and provides an option to the consumer to raise a verifiable cancellation request from any place/time.
- c. The Step-wise process of for SMS/toll free number along with different approaches, for initiating cancellation of porting request is given as follows:
 - i. MCH informs the DO & RO about the acceptance of cancellation request.
 - ii. Such cases are flagged at MCH level and MCH rejects the port out request at its level.
 - iii. Hence, with the involvement of third party (MCH), the sanctity of the whole process can be ensured.

4. **NPD – Disconnections in 30 Days as per MNP regulations:**

- a. Considering the current scenario, there are customers who are willing to/ make payments even after 30 Days. In this case, at present, the TSPs do not have a provision for processing their requests in case payment is made by customer after a '30 days' period.
- b. It leads to customer inconvenience as his number is disconnected & returned to MCH due to which he is unable to avail the services, despite making payment.
- c. To ensure customer convenience and compliance to the MNP Regulations we propose that from the date of NPD request raised by DO, below dunning process is followed:
 - i. 15th day – OG barring
 - ii. 30th day – Temporary disconnection
 - iii. Communication to be sent to MCH that the number will be returned to original operator after 60 days.
 - iv. Within next 30 days from the date of temporary disconnection, if Customer clears outstanding and produces relevant proofs to the RO, the number should be

reconnected and communication to be sent to MCH about Number reconnection and thus number return process should be discontinued.

5. **MCH need to broadcast the Re-allocated number series:** We would hereby like to highlight that subscribers sometimes face problem when there is a re-allocation of number series to other service provider in same or other service area. In this regard, it is suggested that the re-allocated number series may be broadcasted by MCH.

6. **Issue related to calculation of Age on network of the subscriber**
 - a. As per the clause 12 of the Telecommunication Mobile Number Portability Regulations, 2009, the DO can reject the port out request of a subscriber if the subscriber has made the request before expiry of a period of ninety days from the date of activation of new connection.

 - b. In this regard, we would like to submit that the rationale behind allowing the DO to reject the port out request on the ground of less than 90 days is to enable the operator to recover the customer acquisition cost. Any operator can start earning revenue from a subscriber (i.e. recovering the customer acquisition cost) only from the date the service (I/C & O/G) gets activated.

 - c. Thus the Tele-verification date is most relevant since the customer starts using the services of a telecom operator only from the Tele-verification date. The rental/welcome letter in case of postpaid customer and the validity period for a pack purchased by prepaid customer starts only from the date of Tele verification and not from the date of Employee verification of the customer. Even from consumer perspective, he is aware of tele-verification date (as per DoT letter consumer has to originate the call) and not the Employee activation date which happens at backend.

 - d. Therefore we submit that the tele-verification date needs to be considered as the activation date, because if TSPs consider Employee verification date as activation date, the same may result in SIM cards getting activated by retailers for their pecuniary gains (channel commissions for port in). The tele-verification date helps prevent this i.e. in case there is no usage on the SIM for certain period like 30 days after Employee verification happens, this SIM is automatically deactivated.

 - e. In case, subscriber opting for mobile number porting request for second time, the MNP clearing house calculates the 90 days period from the date of activation in MNP clearing house system and the day MCH receives the request. However, even here, the 90 days period will not correspond to the period counted by taking verification date on CAF, as donor operator passes the MDN information to MCH on the same day, which becomes

the day for rejection/ acceptance of porting request as per 90 day criteria; while the rejection/ acceptance is flashed only after four days.

- f. **In light of the above we request the Authority to consider the date of activation as the date of tele-verification**

7. **Exemption of Outstanding amount up to Rest. 50 for raising Non-payment Disconnection (NPD) requests:** With respect to the non-payment disconnection, where subscriber has ported out to RO, and has not paid its previous bill due to DO, for such cases DO should not raise NPD request in case the outstanding amount is less than Rs.50. TRAI is requested to include this suggestion in its MNP Regulations.

8. **Number return process:** As per MNP regulation, in case of disconnection of a port-in number, the RO has to return the number to DO. In this case, sometimes the non-terminated number also get returned to DO. We request TRAI to look into this issue.
