



**Comments on Draft Telecommunication Mobile  
Number Portability (Sixth Amendment)  
Regulations, 2015**

# Comments on Draft Telecommunication Mobile Number Portability (Sixth Amendment) Regulations

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1. Reliance Communications Ltd (RCOM) welcomes the opportunity to comment on the draft amendment on Mobile Number Portability Regulations.

## Overview:

Department of Telecom (DoT) vide its notification dated 3<sup>rd</sup> November, 2014 directed all the TSPs to implement the inter-circle mobile number portability within six month from the date of this notification. DoT has also specified the process that to be followed for porting of any mobile number across the LSA.

In view of this notification TRAI has now issued a draft regulation to amend the existing MNP regulations on the following issues:

- (i) Forwarding of Porting Request by the Recipient Operator
- (ii) Reduction in timelines for number return process
- (iii) Improving of existing process of handling non-payment disconnections and
- (iv) Handling of ownership related issues

At the outset, RCOM is committed to comply with all the existing and upcoming provisions of the Telecommunication Mobile Number Portability Regulation; however, we would like to highlight some of the issues which is required to be addressed for smooth functioning of the MNP porting process. Below is our point wise response on the issues raised by TRAI on this draft regulation alongwith other issues which also require a due deliberation.

### **(i) Forwarding of Porting Request by the Recipient Operator:**

The draft sixth amendment regulations stipulates provision for implementation of Full MNP (Pan-India Number Portability) by processing porting request by the Recipient Operator through the MNPSP of the zone to which the number range holder of the number (subscriber number under porting) belongs.

The above is in line with TRAI recommendations on Full Mobile Number dated 25<sup>th</sup> September, 2013 and notification issued by DoT on 3<sup>rd</sup> November, 2014.

**In view of this, we are also in line with the proposed amendment of TRAI.**

**(ii) Enforcement of the Regulation on 3<sup>rd</sup> May, 2015:**

In the draft regulations, TRAI has proposed a provision that the amendment shall come into force on the 3<sup>rd</sup> of May, 2015.

In this regard, it is submitted that currently most of the IT systems are completely dependent upon number series to identify circle of the subscriber. With National MNP, operators would need to completely re-design their current system for discovery, service guiding and mediation. With our experience of the earlier implementation of MNP, the complexities involved particularly the immense amount of co-ordination required by all stakeholders, we believe that the scale of this exercise is huge and it is important to undertake the implementation in a phased manner with suitable checks and balances.

Further, we would like to inform TRAI that we have already completed the planning and understanding of the changes to be made in our systems for implementation of full MNP and have also initiated the Network related changes required for Implementation. However, keeping in mind the size of networks and the work required to be done, we would like to submit that any timelines lesser than 8 months is not feasible.

Also, the technical interface specifications shared by the MNPSPs are the draft specs and the MNPSPs have informed that these are subject to further changes based on the final regulations of TRAI. Any IT related changes is required to be done by the external vendor and he has informed us that he can only finalize the same once the final interface specs will be provided.

**In view of the above, we request the Authority that the completion date for the Implementation of Full MNP should at least be 8 months from the release of the final Regulations by TRAI and the draft regulations should be accordingly modified. The same should be subject to the Test procedure as and when prescribed by the DoT.**

**(iii) Reduction in timelines for number return process:**

For effective utilization of the mobile number, TRAI has proposed to reduce the period after which the recipient operator is required to return the number to original number range holder in case of disconnection of that number in the network of Recipient Operator. In the existing MNP Regulations 2009 (as amended from time to time), this period has been prescribed as 90 days whereas TRAI in this amendment regulation has proposed to reduce it to 60 days.

We are in favor of reduction of the number return period from the present 90 days to 45 days in case of disconnection of any number in the network of Recipient Operator. Today, the TSPs are facing number resource crunch throughout the LSAs. In such cases, holding of the number resource for a longer period only increases the difficulty of that TSP as such disconnected

numbers cannot be allotted to any subscriber for that prescribed period by either of the operator (RNO and DNO).

The primary reason to have a MNP process is that the subscriber can use the same mobile number irrespective of which operator's service he is opting. However, in cases, where the number got disconnected due to any reason in the network of the recipient operator and the recipient operator cannot allot such numbers to that subscriber (as the number belongs to the original number range holder) then the subscriber has an option to get the same mobile number on the network of the donor operator. However, due to the restriction of the return of number to the original number range holder after 90 days, the subscriber cannot get the MDN for a long time.

**In view of the above, we propose that the number return period should be reduced to 45 days so that the number resource should not be blocked and the subscriber can again avail the same mobile number from the original number range holder in case of disconnection of his number on Recipient operator's network.**

**(iv) Improving of existing process of handling non-payment disconnections:**

The present Regulation states that, in case a post paid mobile number defaults the payment/dues due to the donor operator, the Donor operator after following the prescribed procedure, inform to the Recipient operator for disconnection of mobile number and accordingly, Recipient operator disconnects such mobile number after following the prescribed procedure.

TRAI, in this draft amendment regulations, has proposed that in case Donor operator receives payment within 15 days notice period given by the Recipient operator to the subscriber, the Donor operator will need to intimate to the Recipient operator about the same so that Recipient operator does not disconnect such mobile number(s).

The reason given by TRAI behind this amendment is to protect the genuine customers from the disconnection of the number even though the donor operator has received the payment. RCOM is in concurrence to the reason of the TRAI that the genuine customers are required to be protected, however, the process prescribed by TRAI is not fool proof and hence we are not in favour of implementation of the same.

There could be situations where the subscriber made the payment at the last moment of 15<sup>th</sup> day and based on the prescribed procedure the number from the recipient operator's network got disconnected. In such cases, the donor operator will be the one to be hold responsible whereas the responsibility of timely payment of outstanding due and informing the same lies with the customer. Also, if due to any technical glitch or human error (at donor or recipient or

CCH level), the donor operator failed to convey the receipt of the outstanding amount to the recipient operator, then the donor operator will be held liable for such disconnection.

**In view of the above, we propose that instead of making the donor operator solely responsible for informing about the payment to the recipient operator, the time line of 15 days should be increased to 30 days, so that the customer will have sufficient time to make the payment and inform the same to the recipient operator. The donor operator, if receives payment, will additionally inform the same to the recipient, however, the primary liability of informing the payment should be on the customer. The RNO shall act upon the confirmation received either from the consumer or from the DNO.**

Further, there have been cases wherein the donor operator has raised the issue of not receiving a payment in case of outstanding dues after a long period. **In this regard, it is submitted that once the RNO receives the receipt from the customer and communicate the same to the DNO and if DNO has any issue related to the outstanding dues, he should raise the same within 15 days from the date of communication from RNO.** In case, DNO does not raise the same within the stipulated period, it should be deemed that the DNO has received the payment and has no further issue with the subscriber regarding payment of outstanding dues.

**(v) Handling of ownership related issues:**

In the present MNP process, the ownership of the ported subscriber is verified only through the UPC and the mobile number which sometimes lead to ownership dispute. Hence, TRAI has proposed that whether the step to take an undertaking from the subscriber in the existing MNP process at the recipient operator that the subscriber is owner of the number and in future if it is found that the information given by the subscriber is incorrect, the number is liable to be disconnected is required or not.

In this regard, it is submitted that as per the terms highlighted in the Customer Acquisition Form (CAF), currently being used for the subscriber verification process, in case the information given by the subscriber is incorrect, the number is liable to be disconnected. Thus, the current process covers the issues related to the wrong information provided by the customer.

However, if the Authority still feels the necessity of taking specific undertaking from the subscribers at the time of porting regarding the ownership of the mobile number, we propose that such undertaking should be made part of the CAF itself which will ease the process of obtaining undertaking for ownership.

**Additional Issues:**

The provision of MNP Regulations also provides for levy of 'financial disincentives' on service providers for non-compliance of Regulation 11 (4) and Regulation 11 (6) viz. inability to port-in

or port-out within 2 hours of instructions from Mobile Number Portability Service Provider (MNPS) and the “financial disincentive” that has been imposed by the TRAI on our members for not being able to meet the above Regulation.

It is submitted that the compliance to the above Regulation, i.e. to port-in or port-out within 2 hours of instructions from MNPS, is extremely difficult and almost impossible to comply to the extent of 100% with the Regulation. Despite our best efforts, there is still spillage beyond the two hour window due to many technical issues e.g. unplanned activities in HLR, emergency outage in HLR/ EMA nodes, failure of MUX or other terminal equipment for connectivity etc. Apart from these technical issues, we also face challenges associated with IT systems due to which the TAT of 2 hours may be exceeded.

TRAI, in its various Quality of Service Regulations, has laid down different level of benchmarks to be compliant by the operators for different technical and system related parameters. However, we appreciate the fact that the Authority considers the constraints of a particular system which is sometimes beyond the control of the service provider and hence none of the technical and system related QoS benchmarks have been prescribed at 100 % compliance level. The 100% compliance has been prescribed by TRAI only for the issues e.g. resolution of billing, termination of services, refund of deposits and not for the parameters e.g. BTS downtime, call set-up success rate etc, which are highly system dependent processes.

The activation-deactivation process in MNP is also a system driven process wherein some level of tolerance is required towards the technical issues and challenges as mentioned above, which are beyond the control of the service provider. Earlier also, the Industry has raised the issue of insufficient time period allotted for the activation-deactivation in the MNP before the Authority. Achieving 100% accuracy within this short duration may not always be feasible.

Further, with the full MNP, the number of port request will increase and as per the process the operators are required to send the porting request through the MNPS of the zone to which the number range holder of that number belongs, which may require few more steps to be completed then the existing intra-circle MNP process. Hence, achieving the 100% benchmark within the prescribed TAT of 2 hrs is very difficult to achieve.

**In view of the above, we request the Authority to:**

- (i) Increase the port-in/port-out TAT from 2 hrs to 4 hrs and**
- (ii) The benchmark to meet the above mentioned TAT should be reduced to 95% instead of 100%.**

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