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Ref No: RP/FY 18-19/040/229

Dated: 24th October 2018

To,
Shri S.T. Abbas,
Advisor (NSL),
Telecom Regulatory Authority of India,
Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg,
New Delhi - 110 002.

Subject: Airtel's Response to the Draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2018

Reference: Draft Regulation issued by TRAI on 25th September, 2018

Dear Sir,

This is with reference to above mentioned Draft Regulation issued by TRAI. In this regard, please find enclosed our comments on the Draft Regulation.

Thanking you,

Yours Sincerely,
For **Bharti Airtel Limited.**

A handwritten signature in blue ink, appearing to read 'Ravi P. Gandhi', with a horizontal line underneath.

Ravi P. Gandhi
Chief Regulatory Officer

Enclosed: As mentioned above

Airtel's Response to the Draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2018

At the outset, draft Telecommunications Mobile Number Portability (Seventh Amendment) Regulations, 2018 is a progressive step from Customers' point of view as they would now be witnessing a much faster resolution to their request to port out their mobile number. Towards this end objective, Bharti Airtel would extend its utmost cooperation and support to fulfil customers' demand.

MNP has been a major success story in the country as it enabled Customers to retain their mobile number while being able to switch between service providers fulfilling their demand from quality of service, coverage and tariff perspective. The process thus far had by and large been customer friendly, it allowed customers to shift to the new service provider in a more amicable manner while at the same time it allowed the serving Operator to understand Customer's pain and explore feasibility of addressing his issues without the necessity to swap service. Time period defined under the previous regulations provided sufficient time to both customer as well as the serving operator to execute mobile number portability requests so that the exercise does not turn out to be rush through exercise.

While the proposed regulation would no doubt increase the port out success percentage, however, it is hoped, it would not leave the customers disenchanted having to stick to the decision for port out made in a hurry. To the Donor Operator, who had spent time, energy and resource to acquire the customer, it would be completely unfair if it has to part with the customer without being provided with the opportunity to solicit its customer to rectify the deficiency/cause of customer's dissatisfaction leading to porting. Our submissions on the various proposed amendments are as below:

1. Proposed real-time Query Response Mechanism (amendment in Regulation 6):

The new regulation has envisaged establishing a query response mechanism in its network to enable the Mobile Number Portability Service Provider (MNPSP) to access the database of the Donor Operator on real time basis to query the conditions listed in Clauses (a) to (h) under sub-regulation (3) of regulation 6A. From technical perspective, setting up of such a mechanism is under evaluation, however, Bharti Airtel wishes to state that it would like to share response to such query in the form of a "Yes" or "No" reply and no

data would be exchanged in the process. Additionally, there is no need to ascertain if the customer is a “Pre-Paid” or a “Post-Paid” customer as it has no relevance in the porting out process. It is recommended that such a query arrangement shall not allow MNPSP to create the profile of DO/RO’s customers except for obtaining “Yes”/“No” response to all the possible questions proposed to be queried by the MNPSP.

In this connection, reference is drawn to its response to the Consultation Paper on ‘Review of Mobile Number Portability (MNP) Process, wherein we have highlighted that giving access of complete customer information to MNPSP would require integration of various systems of donor operator as the information required for donor validation is not available in single interface but is spread over various systems and sharing API of all such systems with the MNPSP can be a huge business risk. Also, the systems deployed by MNPSP would not be absolutely compatible with the systems deployed by DO and RO. If the IT systems of MNPSP collapses or gets hacked by any chance then it will heavily impact the systems of DO and RO resulting into complete shut-down of systems. Therefore, the systems cannot be exposed to any other company even if that company is a licensed entity from the Government of India. No organization would like to risk their whole business for a purpose which can be served through other means.

Also, there are many instances where there are agreed contracts with customers and as a donor operator, we need to validate the same and inform the customer accordingly before proceeding for taking action on the port request. This includes - retail customer/commitments of family plans/customer offers & schemes which cannot be checked by Donor Operator in real-time as currently there is no seamless integrated mechanism for checking these grounds hence the same should also be included in the list of donor validations before the UPC generation. The reduced timelines and new processes should be implemented only after these systems are implemented and operationalized.

In the eventuality if TRAI still modifies the regulations and shifts the responsibility of UPC generation from DO to MNPSP, Airtel would like to propose the following steps to reinforce the accountability of MNPSPs for smooth functioning of the porting process, prevention of fraudulent porting, resolution of customer complaints, etc.

- Real-time report and Information should be available to all operators

- Providing information to customers about the completion of stages of porting requests, specifying the status of the request (whether it has been accepted or rejected)
- Establish Call Centers to address MNP related complaints from the subscribers.
- Regular audits of IT systems of MNPSP by RO and DO in addition to TRAI and DoT
- Dedicated Customer Redressal desk for all operators
- Re-queue process should be in place for any issues
- Complaint management or Desk should be available in case the customer has any issue.
- BCP should be available
- SLA has to be agreed between the RO/DO and MNPSP

In case there are any lapses on part of the MNPSP, the same would attract appropriate penalties.

2. Reduction in Timelines for the Porting Process:

Although the draft Regulation proposes reduction in the timelines for the porting process and prescribes stringent timelines to be followed by various entities for accomplishing various tasks however we believe that the proposed reduction in the MNP process would have been possible if the mandate to remove E-KYC process for subscriber acquisition was not received from DOT. If the earlier customer acquisition process through paper CAF is imposed on the TSPs then it will not only increase the time taken in service activation but will require number of activities on part of recipient operator which will take more than 4 days and in the meantime UPC would have expired.

Even if there are no changes in the subscriber acquisition, 4 days would be counterproductive both from a Customer as well as the Operator's point of view. To the customer, the process would be rush through exercise whereas to the serving Operator this would mean denying them an opportunity for a resolution of Customer's grievance, if feasible. On many occasions such issues are minor in nature which may not necessitate a need for MNP.

Further, while draft Regulation proposes the reduction in timelines for Intra-Circle porting, the Intra-Operator (in case inter-circle porting) still remains unchanged as 4 Days.

We would like to propose that the Inter-Circle Porting (in case of intra-operator porting), the timelines can be reduced to two days, as the porting is within an operator and donor and recipient operator is practically the same.

Also, the Intra-Operator (Inter- circle porting) – where the recipient and donor operator remains same and the porting validations can be done faster, it is understood that there is a basic necessity for customer moving to other circle and may require faster porting , hence there is a need to relook the time, it currently takes for MNP. Since, the validations and activation to new circle has to be done by same operator, the timelines should be reduced to 48hours which is similar to Intra-Circle porting.

3. Implementation of New Regulation-

- a) The Draft Regulation prescribes that the UPC will be generated by MNPSPP only after checking in real time with Donor Operator about the grounds of rejection listed in the Regulation. We would like to submit that donor operator should not only be queried at the time of UPC generation but should also be communicated when the porting process is initiated by the recipient operator and who is the recipient operator in the order to assess the start and end of the window of 24 hours period which is provided to the customer to exercise the choice to CANCEL his/her porting request and to coordinate with the recipient operator in case there are any challenges in recording the cancellation request. The estimation of time taken in the entire porting process stands changed as the entire telecom industry is required to move from online aadhar authentication (E-KYC) to paper acquisition which in itself is a long drawn process and is very time consuming. It is important to note that there is also an important need to make customer aware on the MNP cancellation process, which in current scenario, not many customers are aware of. This awareness will help in creating a transparent environment for customers to select the operator of their choice after thorough evaluation. Thus, Donor operator will require the information for the mentioned events – 1) UPC is not generated by MNPSPP due to grounds of rejection, 2) When the request is submitted by RO and it reaches MNPSPP, so that effective communication can be made to the customer by donor operator. It is evident from the past instances, that the recipient operator representatives at times, offer lucrative acquisition plans, which have huge ambiguity and are also fake in some exception scenarios. The offers initially committed to customers are not met leading to customer dissatisfaction and

leaving customers with no choice than to forcefully port out and continue with RO for next 90 days. Therefore, we would like to submit that donor operator should be communicated when the porting process is initiated by the recipient operator, so that customers can be effectively informed of the cancellation process and the window period for same. The estimation of time taken in the entire porting process stands changed as the entire telecom industry might be required to move from online aadhar authentication (E-KYC) to paper acquisition which in itself is a long drawn process and is very time consuming. It is requested that the MNP cancellation process should be revisited to 48 hours and to do away with the porting scheduling timelines of 36 hours- which means a customer should be given minimum 48 hours for submitting the port withdrawal request and in case there is no cancellation submitted, MNPS should schedule the port-time after 48 hours. Therefore, Scheduling Porting by MCH within next 36 hours will not be possible hence it should be same as present regulation. Also, the cancellation of porting request by the customer within 24 hours of submitting of porting request is unrealistic as the customer may not be able to make up his/her mind in such short span of time therefore it should be minimum 48 hours from the time request is received by MNPS. No action on withdrawal request shall be taken by Mobile Number Portability Service Provider if the request is received after 48 hours.

4. Validity of Unique Porting Code (UPC):

The validity of the UPC, has been reduced to 4 Days from 15 Days. We submit that UPC expiry should be extended to 7 days instead of 4 days as there is change envisaged in the current subscriber verification & acquisition process.

5. Payment of Pending Dues in case of Post Paid Subscribers:

In the present regulation the porting is done even if there are pending unbilled dues and the Donor Operator has to continue chasing the customer for recovery of its un-billed (at the time of porting) dues and is at the mercy of Receptent Operator for recovery of those dues.

In the current market scenarios, almost all post paid customers are on monthly bundled packs where the monthly minimum charges is committed at the beginning of the month

however the bill is generated at the end of month along with the variable charges incurred during the month.

All such customers are fully aware of their commitment accrued at the beginning of the month itself and are not required to wait till the next billing cycle for getting the bill. Therefore these customers should be mandated to pay those dues before porting. This will not only help in less burden on MNPSPs to recover such unpaid dues but will also help Donor Operators to efficiently collect their dues while the customers are still live in their own network.

These customers can be informed to pay billed and unbilled charges by the way of generation of Hot bill immediately after generation of UPC or on port validation date so that the dues are cleared by the customer before porting out. The process of Non-payment disconnection can be completely done away with.

We would strongly recommend that in the changed business scenario and technological advancement allowing hot/instant billing, the Donor Operator should be allowed to collect all unpaid dues from the customer before the porting itself.

6. Withdrawal of Port Request -

As per the proposed amendments in Regulation 12, customer can withdraw porting request through SMS within 24 hours of submitting of porting request. In this regard, we submit that, the port withdrawal window should be extended to 48 hours instead of 24 hours. Ideally, withdrawal window should be extended to till "port declaration date" by MNPSP so that there is no time limitation for customer to send the cancellation request. The customer should be free to send port withdrawal whenever he wishes to cancel port request and MNPSP should cancel the port immediately once the SMS is received.

Further, there have been cases where the customer number still gets re-pushed (for porting) by Receptint Operators even if the customer has sent the cancellation request which later leads to inter operator issues as well as customer complaints. Hence, in scenario when the customer cancels the porting request, the receipt operator should not be allowed to re-push the request of porting using the same UPC code. In case customer

still want to port out then he/she shall be required to generate a fresh UPC code and recipient/MNPSP should create the new porting as a fresh case of porting.

Conclusion

Too much of responsibility would now be placed on the MNPSP in the new regulation. This should be coupled with monitoring/audit/penalty mechanism to ensure the responsibility assigned are complied with in an efficient manner. Additionally, it would be prudent to initially check the functioning of the new arrangement with the present timeline, as per the earlier regulation and then these timelines should be progressively reduced to the desired timeframe once the process implementation gets strengthened.