

Response from MITS Zone 2 on Draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2018

MITIS was awarded MNP License in 2009 to build, operate and run MNP Services in Zone 2 covering South and East region of India.

We would like to thank TRAI for an opportunity to respond with our comments and inputs to the Draft Telecommunication Mobile Number Portability (Seventh Amendment) Regulations, 2018.

Please find below our individual response to the points within the context of the issued draft regulation document.

Draft Regulation Point 1, Sub point (2): They shall come into force after six months from the date of their publication in the Official Gazette

Response from MITIS: MITIS understands that after date of publication of the regulation in Official Gazette, the industry will have 6 months to implement the changes after which the new regulation will come into force. For deployment of new MNP process, MNPSP and operators may need to procure new hardware and implement large scale software changes in their respective application. Timely finalization of a technical solution, to be implemented industrywide will help in achieving the desired timelines. We would also like to lay emphasis on the dependency of timely implementation and launch by each operator. It is assumed that a thorough end-to-end process flow testing will also be required with each operator before going live with the new regulation.

MNPSPs may be exempted from paying any testing fee to DoT, considering their current financial situation.

Draft Regulation Point 2, Sub point (b): after clause (ba), the following clauses shall be inserted namely:- “(bb) ancillary service charge means the charge paid to the Mobile Number Portability Service provider and includes:--

- (i) “number return charge” means charge paid by the Number Range Holder for returning the mobile number after disconnection due to any reason including non-payment;
- (ii) “bulk download charge” means charge paid by the Access Provider for downloading the complete Number Portability database;
- (iii) “port cancellation charge” means charge paid by the Donor operator for cancelling the port request of its subscriber;
- (iv) “subscriber reconnection charge” means charge paid by the Recipient Operator for reconnecting the ported subscriber in its network;

Response from MITS: In the list of ancillary services, **Non Payment Disconnect** is also a service provided by the MNPSP and its mention in the above point is missed in the draft regulation. MITS request TRAI to include the “non-payment disconnect charge” payable by the Donor operator as this service benefits the Donor operator to recover the dues from the defaulting postpaid subscriber who have ported out without clearing the dues.

MITS would also request TRAI to modify the definition of “bulk download charge” in clause (bb) sub point (ii). Charge for bulk download should include charges paid by the Access Provider for downloading **complete / partial download of Number Portability Database**. In addition, the fee structure for Bulk downloads may be treated differently from other ancillary services as bulk download involves creation, download and transfer of a bulky MNP database file to a specific operator FTP path.

Draft Regulation Point 3, Sub point (1): Every Access Provider shall set up, in its mobile network, a mechanism for the purpose of receiving Short Message Service (SMS) from its subscribers requesting for a unique porting code and forwarding the same to the Mobile Number Portability zone to which the mobile number belongs;

Response from MITS: MITS will setup a mechanism to accept the SMS from the access provider over SMPP. It is required for all access provider to establish a direct and redundant SMPP connectivity from their SMSC to MITS. Operators with multiple SMSC should specify a single point of interconnection. MITS would not be able to support multiple interconnections with a single operator.

Using the same SMPP link with each access provider, MNPSP will also exchange the inbound and outbound SMS message with the subscriber for the below mentioned cases

- (i) Send SMS with UPC information / reject reasons for every UPC request send by the subscriber
- (ii) Receive port cancellation request from subscriber

Draft Regulation Point 3, Sub point (2b): Every Mobile Number Portability service provider shall set up, in its network, a mechanism for the purpose of—

(b) checking from the database of the Donor Operator through query response mechanism, on the applicable grounds of rejection of request for Unique Porting Code

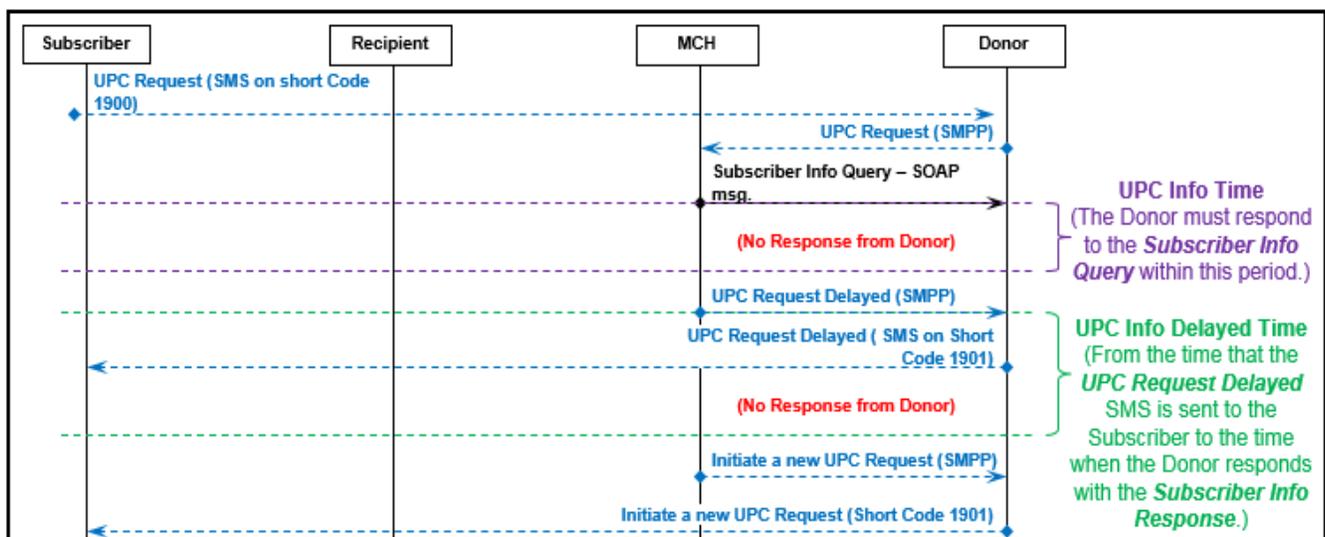
Response from MITS: It is assumed that query for the subscriber information into the donor database will be done using SOAP messages on the same URL that exists for each of the access provider today. This will help in achieving the desired information from the donor operator with minimal configuration / hardware changes at both MNPSP and access provider’s end.

Draft Regulation Point 4, Sub point (7): If the Mobile Number Portability Service Provider is not able to check the information from the database of the Donor Operator, as provided in the subregulation (3), for any technical reason, it shall send an SMS to the subscriber acknowledging his request for Unique Porting Code and informing him that delivery of Unique Porting Code is delayed due to technical reason and the same shall be delivered shortly

Response from MITS: It is mentioned that MNPS P should inform the subscriber about the delay in delivery of UPC information due to technical reason and UPC information will be delivered shortly. In all such cases, clarity is required in the regulation regarding the below points

- (i) Once the subscriber info query is initiated by the MCH to the Donor operator, after how long should MNPS P send out a SMS to subscriber informing him that delivery of Unique Porting Code is delayed due to technical reason *(to be governed by UPC Info Time – mentioned in the below diagram)*
- (ii) Once the SMS is sent to the subscriber informing him about the delay in delivery of UPC information due to a technical reason, for how long MNPS P is supposed to wait / follow up with Donor operator to respond to subscriber info query. This is important to know this information as until such time the subscriber will continue to wait for the UPC information / rejection details as the case may be. MITS requests TRAI to specify a time limit *(to be governed by UPC info Delayed Time – mentioned in the below diagram)* until which MNPS P must follow up with Donor operator to get the required information. It is also requested to specify in the final regulation that incase of no response from the donor operator within the specified time, MNPS P should inform back to the subscriber through a SMS to initiate a new UPC request.

The same is illustrated in the below diagram with the message flows



In order to avoid inconvenience to the subscriber, it is necessary to maintain a high availability query database system at the donor operator’s end as without the query to this information by the MNPS P, subscriber cannot proceed further with the port process. MITS

would request TRAI to specify QoS parameters in this regard that will govern this entire process.

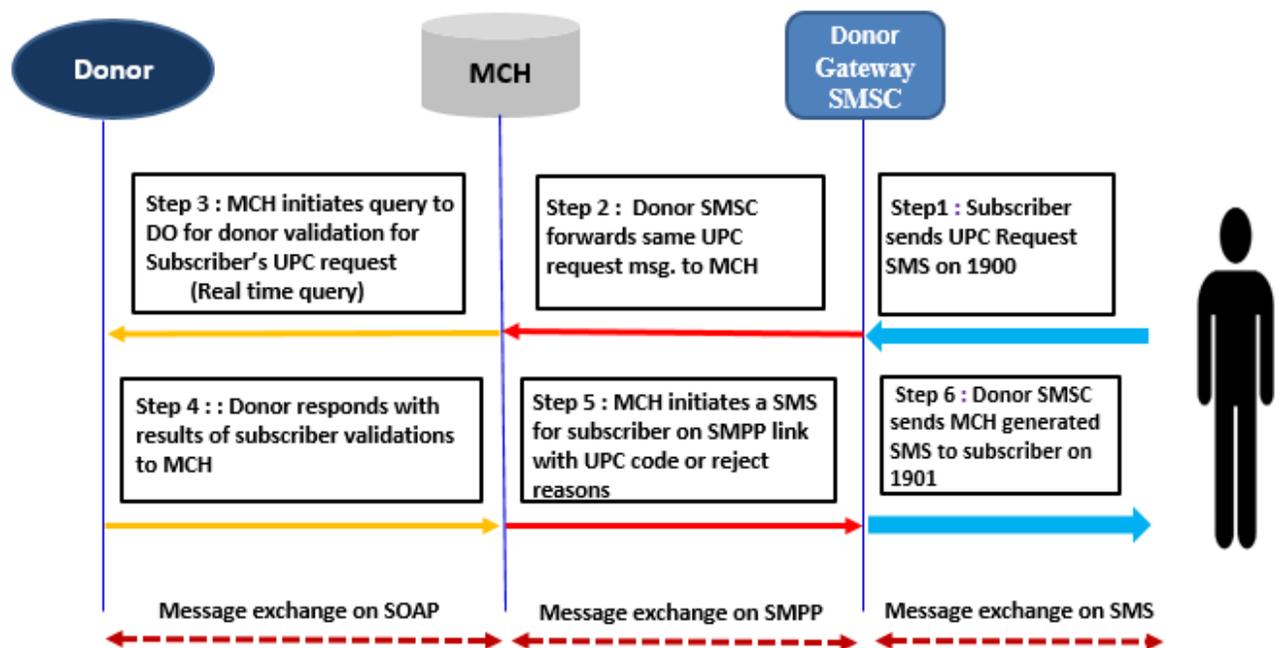
MITIS should be exempt from all the SMS termination charges for all the outbound messages sent to the subscribers in the new MNP process.

Draft Regulation Point 5, Sub point (1): The Recipient Operator shall, upon receipt of the porting request from a subscriber, ask him to send a message through SMS to a specified Short Code of the Donor Operator from the mobile number of the subscriber, which is sought to be ported.

Response from MITIS: MITIS requests clarity on the statement in the above point. It is mentioned that subscriber should send a message through SMS to a specified Short Code of the Donor Operator.

In the existing set up, there is a common short code used by all donor operators (1900) to which the subscriber sends the UPC request message and the subscriber from short code 1901, receives the response from the donor operator.

MITIS believe that changes in the regulation and the port process should not impact the end subscriber. It is therefore suggested that going forward in the new process, the SMS exchange between the subscriber and donor operator should continue on the same short codes : 1900 (Subscriber to DO) and 1901 (DO to Subscriber). Internal message (SMPP – SOAP - SMPP) exchange between donor operator and MNPSO to process the UPC information will be an addition to the UPC generation process. A simple illustration of the same is shown in the below diagram for better clarity.



Also, MITS would like to specify that for any queries related to UPC generation, the end subscriber should continue to contact its current operator (Donor operator), who can in turn reach out to MNPSP's respective helpdesks as required on case to case basis.

Draft Regulation Point 5, Sub point (7): The Recipient Operator shall be liable to pay Per Port Transaction charge in respect of each successful port.”

Response from MITS: MITS would like to propose the below tariff details with respect to the Per Port Transaction charge. This is based on payment principle for the work done by MNPSP, same principle on which the previous tariffs were decided

MITS suggests an appropriate per port transaction charge as communicated to TRAI earlier, payable by the Recipient operator for every **port request instead of a completed port**. Once the new MNP tariff is announced, MITS requests TRAI to retain the new tariff for a longer term than 1 year

The proposed tariff takes into account the work done by the MNPSP for

1. The pre work in doing the donor validations for subscribers with each UPC request
2. Once the port request is raised by the Recipient operator, execute the entire porting process

Note: It is possible that in some cases, after generation of a UPC by the MNPSP, the Donor operator retains the subscribers before a port request is initiated. In all such cases, UPCs will be generated but no port request will be raised. MNPSP will perform the entire donor validation and will not be paid for the work done in executing the entire donor validation. It is therefore requested to consider this point before deciding the per port transaction charge.

MITS suggests an appropriate tariff for each ancillary service request based on the work done concept payable by the access provider (donor / recipient) as specified in the draft regulation.

Draft Regulation Point 6, Sub point (8): Where any of the conditions contained in clauses (a), (b) and (c) under sub-regulation (7), are not applicable, the Mobile Number Portability Service provider shall reject the current request for porting and communicate such rejection to the Recipient Operator and the concerned subscriber along with the reasons of such rejection

Response from MITS: In all such cases where MNPSP need to reject the ongoing request, it is assumed that MNPSP will send the details through SMPP and the subscriber's current operator will forward the message to the subscriber on the 1901 short code.

Draft Regulation Point 8, Sub point (a): in sub-regulation (1), for clause (a), the following clause shall be substituted, namely:-

“(a) where the Donor Operator has indicated the ground of rejection of the porting request under the clause (a) of sub-regulation (2) the regulation 10, forthwith communicate the ground of rejection to the mobile subscriber through SMS and send a copy for information to the Recipient Operator.”

Response from MITS: It is assumed that MNPSP will send the details through SMPP and the subscriber's current operator will forward the message to the subscriber on the 1901 short code.

Draft Regulation Point 10, Sub point (1): A subscriber may withdraw the porting request by informing the Mobile Number Portability service provider through SMS to the specified Short Code, within 24 hours of submitting of porting request by the Recipient Operator to Mobile Number Portability Service Provider.

Response from MITS: It is assumed that subscriber will send a SMS to same short code 1900 with a different message content and the same will be transferred to the MNPSP by the subscriber's current operator (Donor operator). After termination of port request, MNPSP will inform the recipient operator through SOAP message and initiate a message to the subscriber which will be routed through the donor network and delivery of the SMS will reflect on subscriber's handset from short code 1901.

Draft Regulation Point 10, Sub point (3): In case the Mobile Number Portability Service provider receives the withdrawal message after 24 hours of submitting of porting request to Mobile Number Portability Service Provider by the Recipient Operator, no action on withdrawal request shall be taken by Mobile Number Portability Service Provider and it shall schedule the date and time of de-activation and activation as per clause (b) and (d) of the subregulation (9) of regulation 9.”

Response from MITS: In cases where the termination of the port request cannot be accepted by the MNPSP, as it would have crossed the 24 hours, clarification is required whether MNPSP needs to inform the subscriber through SMS?

Draft Regulation Point 11: In regulation 14 of the principal regulations, in sub-regulation (5), after the words, “the details of such outstanding bills”, and before the words, “to the Recipient Operator”, the words, “including date of the bill, amount outstanding, last date of payment, date of the notice and period of notice given to the subscriber.” shall be inserted.

Response from MITS: MITS will revise the existing NPD process to take the last date of payment (specified by the Donor operator in the NPD request) to be the starting point instead of the port broadcast date to calculate the timers applicable for the NPD request. As MNPSP has no mechanism / information to verify the subscriber’s bill details, it is important for Donor operator to provide accurate information in the NPD request.

MITS would also request TRAI to provide clarity on the below points related to the NPD process

1. If there is a NPD request in progress and for any reason is not closed before the 90 day re port period from the last porting, should the MNPSP allow / accept the new port request?
2. Should there be an auto termination (after 90 days) of an open NPD request allowed by the MNPSP? Ideally the Recipient operator should close the NPD request as soon as the action is taken, but to avoid any pending requests in the MNP system, MITS requests for direction to terminate any open NPD requests after 90 days of its initiation

Draft Regulation Point 13, Sub point (d): in sub-regulation (6), after the words, “Per Port Transaction charges” and before the words, “within the time limit”, the words, “and Subscriber Reconnection charges” shall be inserted;

Response from MITS: The Non – payment disconnect charge is missing in the draft regulation and MITS requests TRAI to include it in the final regulation.