

COMMENTS ON CONSULTATION ON POLICY RECOMMENDATIONS FOR THE IMPLEMENTATION OF NUMBER PORTABILITY (NP) In ECTEL STATES

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EXTRACT 1: ECTEL's Basic Policy on Numbers ECTEL regards telephone numbers as a national public resource, notwithstanding their assignment to providers for commercial use. Ultimately therefore, ECTEL regards numbers as being allocated to subscribers for their benefit and use.

Karib Cable Comment 1: Currently ECTEL/NTRC allocate central office codes to providers, who pay application, initial and annual fees. These codes are then used by distant administrations to route traffic to the provider. Therefore in these cases the numbers are allocated to the provider. In the case of NP the provider will need to take special steps if the number is ported to transfer the associated traffic to another provider. Therefore the position of ECTEL is flawed.

New legislation and fee structures will be required to accommodate this point of view.

EXTRACT 2: Recommendation

ECTEL proposes to focus on adopting a framework for regulating provider portability in ECTEL states and to address other types of NP as and when the need arises.

1) ECTEL INVITES COMMENTS ON ITS RECOMMENDATION TO ADOPT A FRAMEWORK FOCUSED ON PROVIDER PORTABILITY IN THE SHORT TERM.

Karib Cable Comment 2: Based on the definition:- The term “number portability” is defined in the Regulations as “the ability of a customer to retain the same telephone number on changing telecommunications providers.” We are in agreement with this recommendation with the proviso that the telephone number is associated with the same type of telecommunications service i.e. we would not support porting a “mobile number” onto a fixed line network and vice-versa.

EXTRACT 3: The relatively low market shares commanded by new entrants, despite the availability of an alternative fixed provider in Dominica, Grenada, St. Lucia and St. Vincent and the Grenadines over several years,^{3 3} See Appendix A to this consultation.

Karib Cable Comment 3 Appendix 3 was not included nor available in or with the on-line documents and as a result its contents and information have not been taken into consideration however we agree with the statement made.

EXTRACT 4: Recommendation

ECTEL proposes to recommend implementation of NP for fixed-to-fixed and post-paid mobile-to-mobile services.

2) ECTEL invites comments on its recommendation to implement NP for fixed-to-fixed and post-paid mobile-to-mobile services.

Karib Cable Comment 4: We are in agreement to this recommendation

EXTRACT 5 Recommendation

ECTEL proposes to recommend implementation of NP for fixed-to-fixed and post-paid mobile-to-mobile services.

3) ECTEL invites comments on its recommendation to defer the implementation of pre-paid NP pending further investigation and study.

Karib Cable Comment 5: We are in agreement to this recommendation

Extract 6: Recommendation

ECTEL does not propose to recommend a technical solution for implementing NP in member states and will instead permit providers to make submissions on the most appropriate technical solution, bearing in mind the broad policy objectives outlined in this consultation.

4) ECTEL invites comments on centralized databases versus peer-to-peer options for NP.

Karib Cable Comment 6: More in-depth studies need to be carried out before a decision on this matter can be made. Further the cost of the equipment needs to be considered – as indicated in the document, “ For the provider, the empowerment of customer choice through NP provides an important competitive incentive. Faced with the potential threat of a loss in market share to competitors offering new or better services, better customer service or more impressive or up-to-date technologies, providers will simply respond by making necessary adjustments to improve customer experience or face the prospect of going out of business.” Whilst this may be true we do not want the smaller providers going out of business because of the cost of implementing and delivering NP.

Extract 7: Recommendation

ECTEL does not propose to recommend a technical solution for implementing NP in member states and will instead permit providers to make submissions on the most appropriate technical solution, bearing in mind the broad policy objectives outlined in this consultation.

5) ECTEL invites comments on the most appropriate technical solution and related costs for implementing NP in ECTEL states.

Karib Cable Comment 7: In line with Karib Cable comment 6, more information is required. In this invitation to comment the matter of who will generate and provide this information and who will pay for the cost to investigate and generate this information. Clearly there will be significant cost in this. The document argues that not introducing NP would be in favour of the larger providers. It can also be argued that the introduction of NP by a small provider would be cost prohibitive. The answer to these two arguments is with the NTRC and the USF provision. An associated project carefully managed by the NTRC with input from all service providers and funded by USF, it is suggested would be the most cost-effective and equitable solution.

Extract 8: Recommendation

ECTEL does not propose to recommend a technical solution for implementing NP in member states and will instead permit providers to make submissions on the most appropriate technical solution, bearing in mind the broad policy objectives outlined in this consultation.

6) ECTEL invites comments on participating in regional NP solutions for providers in ECTEL states.

Karib Cable Comment 8: In line with Karib Cable comments 6 and 7 it is imperative that all relevant providers participate in the definition, design and structure of the NP solution in an equitable manner.

Extract 9: Recommendation

ECTEL does not propose to recommend a technical solution for implementing NP in member states and will instead permit providers to make submissions on the most appropriate technical solution, bearing in mind the broad policy objectives outlined in this consultation.

7) ECTEL invites comments on the issue of technology neutral options for implementing NP in ECTEL states;

Karib Cable Comment 9: If the definition of technology neutral options is "The eligibility for the rights and obligations of number portability should not be dependent on the nature of the network or the technology used to deliver the service" then this would restrict full NP to those service providers who deliver all services including mobile. This would result in none compliance for providers who do not support mobile services which would be uncompetitive. Karib Cable does not support technology neutral options for NP.

Extract 10: Recommendation

ECTEL does not propose to recommend a technical solution for implementing NP in member states and will instead permit providers to make submissions on the most appropriate technical solution, bearing in mind the broad policy objectives outlined in this consultation.

8) ECTEL invites comments on the need to provide NP solutions capable of facilitating the transmission of SMS and other non-call related signaling.

Karib Cable Comment 10: Public demand will drive the need for SMS over fixed line in an NP environment. Currently this does not exist. The transmission of fax and telephony based data over the fixed line network should be included. The support of other data services including ADSL should not be mandatory.

Extract 11: Recommendation

ECTEL does not propose to recommend a technical solution for implementing NP in member states and will instead permit providers to make submissions on the most appropriate technical solution, bearing in mind the broad policy objectives outlined in this consultation.

9) ECTEL invites comments on the proposal to undertake a further consultation focused solely on the technical solutions proposed by providers responding to the current consultation.

Karib Cable Comment 11: We are in agreement that a consultation of the technical solutions be carried out. The solutions should not only be proposed by the providers but also by NTRC and ECTEL. The consultation should include recommendations on which solution should be adopted.

Extract 12: Recommendation

ECTEL proposes to recommend that the technical option for NP eventually adopted in member states should be capable of facilitating a port within a period of 24 hours.

10) ECTEL invites comments on the time period proposed to implement a request to port a number.

Karib Cable Comment 12: We agree with this recommendation. Specifically this should be 24 calendar hours including weekends and holidays. Businesses may want to define the date that their service is ported therefore this should also be included.

Extract 13: Put another way, ECTEL regards the facilitation of NP as a basic cost of doing business in a liberalized, competitive telecommunications environment.⁵ This is expressly recognized by the Interconnection Regulations. See Chapter 1, page, 11, above.

Karib Cable Comment 13: There are no chapter numbers in the document. The Page numbered 11 is the 18th page in the on-line document and the 11th page of the on-line document is numbered page 4. In either case there is no reference to this matter. If NP was a basic cost then it would already have been incorporated by the providers. We do not agree with this statement.

Extract 14: Costs of implementing NP should not be imposed on users under any conditions and as such, subscribers should not be required to contribute a fee to the establishment or maintenance of the NP infrastructure.

Karib Cable Comment 14: The option to port a number is that of the Customer. In making this decision the Customer will gain some benefit. There is a cost in providing this service. It would be unfair to have Customers who do not wish to take this option to pay for those who do – the result of NP being part of the basic cost of doing business. Further there is no proposed restriction on the quantity or repeated rate that the Customer may wish to have their services ported to other providers. This could easily lead to abuse and administration overload. We do not agree that the Customer be relieved of paying a suitable and reasonable fee to establish NP each time they request the service.

Extract 15: Recommendation

ECTEL proposes to recommend that the costs of implementing NP should be borne by providers. ECTEL proposes to permit providers to indicate, based on the preferred technical solution to be adopted, whether costs should be shared among providers or whether all providers should be required to bear their own costs.

11) ECTEL invites comments on whether the implementation costs of NP should be placed on providers.

Karib Cable Comment 15: The cost will be placed on providers. The funding should be through USF with an equitable distribution of costs dependent on the benefit to each party. The pricing should initially be regulated with market forces in due course negating the need for this.

Extract 16: Recommendation

ECTEL proposes to recommend that the costs of implementing NP should be borne by providers. ECTEL proposes to permit providers to indicate, based on the preferred technical solution to be adopted, whether costs should be shared among providers or whether all providers should be required to bear their own costs.

12) ECTEL invites comments on whether providers should be required to contribute to the establishment and maintenance costs of a NP system or whether all providers should be required to bear their own costs.

Karib Cable Comment 16: The establishment should be a joint cost based on Karib Cable Comment 15. Maintenance costs refer to the ongoing costs of

operating a solution based on CDB/IN technology. If this technology is employed then it would be realistic for providers to pay for the service to a company. The provider of the service (this could be a service provider) should be selected by tender. The tender process driven by NTRC.

Extract 17: Recommendation

ECTEL proposes to recommend that the costs of implementing NP should be borne by providers. ECTEL proposes to permit providers to indicate, based on the preferred technical solution to be adopted, whether costs should be shared among providers or whether all providers should be required to bear their own costs.

13) ECTEL invites comments on how costs should be distributed between donor and recipient networks.

Karib Cable Comment 17: In a similar manner to IAA. Where there is revenue generated and a donor incurs a cost then they pay a fixed amount to hand off the traffic to the recipient. If the traffic remains on the donor network then they charge the recipient a per minute fee thereafter. The fees to be negotiated and regulated in the first instance. In all cases the revenue collected from the customer remains with the provider that collects it.

Extract 18: Recommendation

ECTEL proposes to recommend that the costs of implementing NP should be borne by providers. ECTEL proposes to permit providers to indicate, based on the preferred technical solution to be adopted, whether costs should be shared among providers or whether all providers should be required to bear their own costs.

14) ECTEL invites comments on whether providers should be permitted to charge subscribers any kind of fee for porting their number.

Karib Cable Comment 18: Karib Cable Comment 14 refers.

Extract 19: Recommendation

ECTEL proposes to recommend that the basic conditions for porting and the process for porting should be clearly specified and understood by providers.

15) ECTEL invites comments on the process proposed for implementing NP and the associated conditions on providers.

Karib Cable Comment 19: The process for implementing NP can only be commented on in detail when the technical option has been decided. We are in agreement with the conditions mentioned plus we will refuse to accept a request to port if there are outstanding contractual obligations or terms and conditions that have not been met or if the subscriber's service has been ceased in the past and the outstanding matters which caused the disconnection of service have not been rectified by the subscriber toward the provider at the moment of the request

Extract 20: Recommendation

ECTEL proposes to recommend that the basic conditions for porting and the process for porting should be clearly specified and understood by providers.

15) ECTEL invites comments on the process proposed for implementing NP and the associated conditions on providers. Providers should provide portability without changing the nature of the service

Karib Cable Comment 20: If the definition of a service includes the service type i.e. fixed line and mobile, we are not in agreement with this comment. We will not be able to port fixed line services on mobile networks. If the definition of a service includes all of the products supported or available on that service we are not in agreement with this comment. We will not be able to support all of the products e.g. call plans, bundling, special call rates, particular features and facilities that other providers may support. We will be able to port basic fixed line service.

Extract 21: Taking all matters into consideration, ECTEL proposes to recommend that NP should be implemented in ECTEL states from 1st September 2012, which represents one year from the close of the current consultation.

16) ECTEL invites comments on the proposed deadline for implementing NP in ECTEL states

Karib Cable Comment 21: We propose that NP should be in place and available to all customers within 6 months on the decision of the technical solution for NP or 1st September 2012, whichever comes first.

Extract 22: Recommendation

Providers should be required to indicate what type of validation/authentication procedures should be adopted to facilitate a port request.

17) ECTEL invites comments on the process of validation or authentication to be utilized to facilitate a port request by a recipient network.

Karib Cable Comment 22: We will use existing processes to review and acknowledge or decline a request. Should the request be declined we will advise the recipient network however if the detail of the reason for declining is of a confidential nature then this detail will not be shared with the recipient network.

Extract 23: Recommendation

Providers should be required to provide basic customer education to inform customers of the implications of NP for calling across networks once implemented and suggest means of dealing with tariff transparency issues.

18) ECTEL invites comments on the requirements for informing customers of the circumstances in which ported numbers may attract new or different charges.

Karib Cable Comment 23: Customers making a request to be ported will do so based on wanting improved quality of service and/or better rates for particular calls. So for calls from a ported number the Customer will already be aware of the new or different charges. The network used to terminate calls to a ported number can be identified using caller id information or special tone or special

announcements. In each case the cost of providing the additional information should be borne by the porting provider.

Extract 24: 19) ECTEL invites comments on any other issues that may be considered relevant to the consultation.

Karib Cable Comment 24: No further comments