



VIL/LT/12-13/328
14th March 2013

Telecom Regulatory Authority of India
Mahanagar Doorsanchar Bhawan,
Jawahar Lal Nehru Marg, old Minto Road
New Delhi -110002

Kind Attention : Shri Sanjeev Banzal, Advisor (Networks, Spectrum and Licensing)
Subject : Pre-Consultation Paper on "Full Mobile Number Portability"

Dear Sir,

This is with reference to the Pre-Consultation Paper issued by TRAI on 20th February 2013 on the captioned subject.

We are pleased to submit our comments and views on the Pre-consultation Paper on "Full Mobile Number Portability".

We hope that our submissions will merit your kind consideration.

Thanking you,

Yours sincerely,

For, **Vodafone India Limited, Vodafone Mobile Services Limited, Vodafone West Limited, Vodafone South Limited, Vodafone Digilink Limited, Vodafone Cellular Limited, Vodafone Spacetel Limited and Vodafone East Limited.**

A handwritten signature in blue ink, appearing to read "Sundeep Kathuria", is written above the printed name.

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Vodafone response to Pre-Consultation Paper on Full Mobile Number Portability

We thank the Authority for granting us an extension until the 14th March 2013 for submission of our response.

We have divided the submissions into two parts:

- Part 1 – Deals with the overall issues relating to Inter- service area MNP which must be addressed before any discussion on implementation including questions raised by TRAI in the pre-consultation paper.
- Part 2 – It is subject to Part 1 and deals with our preliminary response to specific questions raised by TRAI in the pre-consultation paper.

PART 1

TRAI has giving no reasons for, or justification of, the introduction of 'Inter-Service Area Mobile Number Portability'.

The introduction of *Intra-Service Area* Mobile Number Portability has facilitated competition between service providers and benefitted customers by removing the barriers to switching between operators within a given service area. Portability keeps operators 'on their toes'; each knows that unhappy customers can change networks easily and the desire to 'keep the same number' will not tie a customer to a network. Indeed, India today boasts one of the most competitive mobile markets in the world.

However, *Inter-Service Area* Mobile Number Portability will not enhance competition. This type of switching is not undertaken when an individual is unhappy with his or her mobile service; it occurs when an individual moves residence — it would happen anyway, irrespective of the performance of the 'old' operator. Competition can only exist between operators within an individual service area and not across service areas. Inter-Service Area Mobile Number Portability is essentially 'Location Portability' and not 'Operator Portability' and its own benefit would appear to be customer convenience.

Location Portability is not required, in mobile network as long as the subscriber moves within the service area. The overwhelming proportion of porting activity occurs when customers change to another service provider within the service area, i.e., perform operator porting, rather than when they move to live or work for extended periods in another service area. Internal migration patterns in India suggest that migration is 'predominantly short distance, with around 60% of migrants changing their residence within the district and over 20% within the state while the rest move across the state boundaries'.

The above views were expressed by the Authority during the previous consultation on Mobile Number Portability (TRAI Consultation paper dated 22nd July 2005) and we humbly submit that the same views should hold good even today. Our estimates are that the Inter-Service Area MNP volumes would be a mere fraction of the Intra-service area requests and demand will be fraction of 1% of the subscriber base.

Therefore, we humbly submit that there should be a detailed cost benefit analysis to weigh up the demand for Location Portability against the costs of implementation.

Our own preliminary view is that this type of MNP will benefit only a tiny minority of subscribers but will require substantial upfront and ongoing costs.

Currently, the Intra-Service Area Number portability covers only mobile services. As we note above, within service portability promotes competition; we therefore recommend that number portability be introduced for fixed telephony as well. In our view, without any fixed number portability it will not be correct to name the number portability as "Full Mobile Number Portability". Furthermore, the putative benefits of Inter-service area mobile number portability may be more relevant to fixed telephony where businesses and consumers may attach a greater importance to retaining their numbers.

We submit that the Authority would need to discuss and debate the various implications that implementing 'Inter-service area MNP' would have on customer behavior including customer dissatisfaction and complaints. We request for the consideration of such implications during the consultation process.

We further submit that MNP service provider (MNPSP) has been granted a licence by DOT under the Indian Telegraph Act. The Porting transaction fee is passed on to the MNPSP by the UASL/CMTS licensee for the port transaction work. As part of the MNPSP licence, MNP Service Provider is supposed to pay a licence fee on that income. However, due to lack of suitable guidelines, the mobile operators also continue to pay a licence fee on the same. Thus, leading to a situation of "Double Taxation". We therefore suggest that the authority should issue suitable recommendations to treat this fee as a legitimate pass-through and the same is to be deducted from AGR for the payment of licence fee.

PART 2 (It is subject to Part 1 and deals with our preliminary response to specific questions raised by TRAI in the pre-consultation paper)

Q1. Inputs / comments of the stakeholders on the most optimum method for implementing Inter-Service area porting out of the three approaches discussed in this paper are requested.

We suggest Approach 1 (wherein the Recipient Operator forwards the Porting request to the MNP service provider of his Zone) as the preferred approach. This is the least disruptive approach and no changes would be required in the operator's Number Portability Gateway (NPG) as the Recipient Operator (RO) would continue to forward the Porting requests to the MNPO of his zone.

Q2. Inputs may also be provided on amendments required in the existing licence conditions of the MNP service licence, relating to scope of work, entry fee, licence fee, exclusivity period etc..

In case TRAI considers implementing 'Inter-service area MNP', the consumer should not be burdened with an increase in the Porting Fee.

In fact we understand that, the Porting volumes, as projected during the consultation process for Intra-MNP regulation, have already been surpassed. We would therefore request the Authority to review the existing 'Porting Fee' for a downward revision.

Q3. Comments may be provided on issues related to generation of UPC by a roaming subscriber outside his service area, including generation of UPC for the subscriber desiring to/from porting in J&K service area.

UPC generation by a customer while roaming outside his Home circle would not be a technical challenge. However, we strongly suggest that the SMS should be permitted to be charged at prevailing roaming SMS tariffs.

Issue related to Jammu & Kashmir

J&K customers (both Post-paid and Pre-paid) are not permitted to generate UPC code through SMS and instead generate the UPC through IVR facility on 1900.

The J&K Prepaid customer is not permitted roaming facility while travelling outside J&K (rest of India). In this scenario, the only option is for the customer to generate the UPC while at Home circle.

For the J&K Postpaid customer, since the UPC can be generated only through IVR, we would need to open the IVR option in all circles to facilitate these customers. However, we will not be able to restrict this facility for just J&K roamers. Therefore it is recommended that the IVR option be permitted for all. We strongly suggest that the IVR facility during Roaming be permitted to be charged at the prevailing Roaming Call tariffs.

Prepaid customers in rest of India are not permitted to roam in J&K circle. In this scenario, the only option is for the customer to generate the UPC while at Home circle.

Q4. Comments may be provided on mechanism to be adopted for routing of calls if the number has undergone inter-service area porting.

The current architecture cannot meet the various requirements of announcements to customers, as has been suggested in the Pre-consultation paper. A similar exercise was carried out during the Intra-MNP consultation in regards to the announcement to customers for identifying Off-Net Vs On-Net calling. However, no solution was feasible even then.

We stand by the detailed comments submitted by COAI on this issue.

Q5. As the present regulations are formulated for porting of mobile numbers within service area, inputs may be provided regarding modifications required in the MNP regulations.

MNP service provider (MNPSP) has been granted a licensee by DOT under the Indian Telegraph Act.

The Porting transaction fee is passed on to the MNPSP by the UASL/CMTS licensee for the port transaction work.

As part of the MNPSP licence, MNPSP is supposed to pay a licence fee on that income. However, due to lack of suitable guidelines, the mobile operators also continue to pay a licence fee on the same. Thus, leading to a situation of "Double Taxation".

We therefore suggest that the authority should issue suitable recommendations to treat this fee as a legitimate pass-through and the same is to be deducted from AGR for the payment of licence fee

Any customer opting for Inter-Service area Porting, including porting within the same operator, would be treated as a new customer and all the KYC/ Subscriber Verification norms would be applicable on that customer.

In case, the Authority determines that the Porting Fee, to be collected from the subscriber and paid to the MNPSP, for Intra-service area porting needs to be a higher amount than the existing fee, then we suggest that the '90 day' lock-in period should be increased proportionately.

Q6. Minimum Possible testing scenarios covering the various possibilities of porting

We suggest that the following scenarios should be considered while preparing the test cases:

- Same MCH with Same Operator (Vodafone to Vodafone)
- Same MCH with Different Operator (Vodafone to Other)
- Different MCH with Same Operator (Vodafone to Vodafone)
- Different MCH with Different Operator (Vodafone to Other)

The detailed test sheets/ scenario can be discussed and provided during the main consultation.

Comments made by M/s COAI regarding testing are endorsed by us and may be taken into account.

Apart from the network implementation costs, there would be a significant testing costs incurred by the operators. Hence, we would request the Authority to recommend that the government testing agencies (TRAI ROs/ TERM cells) do not levy an additional burden of testing fee on operators.

Q7. Comment on any other relevant point related to full number portability may be provided.

Comments made by M/s COAI regarding the above point are endorsed by us and may be taken into account.