CONSUMER PROTECTION ASSOCIATION
HIMMATNAGAR
DIST. : SABARKANTHA
GUJARAT

COMMENTS

ON

Consultation Paper on Review of Mobile Number Portability (MNP) process

Introduction :

MNP has been used worldwide for increasing the quality of service in addition to the flexibility of choosing the network operator. This flexibility encourages more effective competition within the mobile industry and benefit the consumer in general.

Successful implementation of MNP is important to achieve the desired objectives. Number of issues like simple porting process, no exit barriers, high consumer awareness and zero cost implication on MNP on consumers is the recipe for successful MNP Implementation.

Customer's positive experience must be the priority for number portability. Without a good customer experience, uptake will be limited. Complex porting, porting transactions that take seven days and are likely to

include down time, little perceived benefit and too many rejections all will make subscribers turn away from number portability.

We are thankful to the TRAI for providing us an opportunity to comment on the " Consultation Paper on Review on Mobile Number Portability (MNP) process. Our submissions are as follow :

Q1. Would it be appropriate that MNPSP be assigned the task of generating and communicating the Unique Porting Code (UPC) to the subscriber intending to port his mobile number as proposed in the consultation paper?

Comments :

Yes.

MNPSP should take all responsibility as he is the third party, he can work impartially. Heavy penalty should be imposed on any irregularities.

Q2. If you agree to assign the task of UPC generation to MNPSPs, whether the revised process outlined in the consultation paper is appropriate to address the relevant issues being faced in the existing MNP process?

Comments :

Yes, with few suggestions.

1. **Para 2.18**

    Query Response Mechanism :

    (b)   e-KYC is completed :

    Suggestion :   e-KYC or adequate identification to confirm that he or She is the legitimate account holder because some time e-KYC is not working.

2. **Post paid connection :**

    (g)   Out standing Payment :   **Clause : 12, 12(a),**

    Clause : 14, 14(4) & (5)

    Clause : 15, 15(3) & (4)

    We are receiving maximum number of complaints of rejection of MNP in post paid due to outstanding payment.

    In post paid connection bill cycle date, bill generation date and porting date may be different. The service provider will generate bill only at the end of the billing cycle and not immediately after port out. So based on bill plan consumption, operator may charge on pro-rate basis for the specific number of days, while on donor network, bill will generate on generation date. At this time consumer is supposed to pay the dues within the specific timeline otherwise leads to rejection of MNP or disconnection of the number on the network and the number will revert back to the parent operator as per guidelines.

Suggestions :

(i). Out standing payment should not be a valid reason to refuse a MNP request as **UK Industry manual has changed the rule in favor of consumers.**

     The DSP should not refuse for MNP if : The customer has not paid their final airtime bill, notice period (not served), disconnection charges, or any porting charge before the port date. These charges should be included in the final airtime bill, which will be settled according to the terms of the contract.

(ii). Billing system should accept mobile number once the number is ported out instead of Account number.

(iii). There should be a option to pay bills online by using mobile number or account number and the process should be very comfortable without to visit an outlet.

(iv). Consumer care executives should be educated about the system of bill payment at the time of MNP.

     In short, in post paid connection, even if consumer ported out from their network, Customer can remain in the porting network and able to pay his bill using Account/Relationship number.

     In case of Service disruption even after payment of previous operator due, both service providers and MNP service providers should be responsible for compensation.

3.   The UPC should be valid for the period of 30 calendar days from   the date it is issued.

4.   If the Consumer contacts the donor operator by phone, the UPC should be issued immediately. Written confirmation of MNP request must be dispatched to the consumer within two working days of the request.

5.   If the consumer contacts by fax, email or letter, they must respond   with the UPC or reason for its non-issue within two working days   of   the request.

6.   The written response to the consumer must indicate the UPC, the Validity period, and the number to which it applies.

7.   Promotional SMS from previous operator which is useless for the consumer should be restricted.

Suggestion :

The database should be made in sync with current status.

Q3. Do you suggest any other methodology which can address the issues being   faced in the existing MNP process? Elaborate your answer.

Comments :

We agree with the methodology suggested by TRAI. We realize that there should be MNP Web system for more transparency.

Porting process objectives :

We should identify certain design objectives, which can govern the development of most appropriate process for porting customers between networks. It should be recognized that it may not be possible to meet all of these objectives; nevertheless, they represent the ideal, which the porting process should seek to achieve. Some are as follow :

1. The porting transition should occur in as seamless a manner as possible and any break in service should be minimized. Ideally the porting subscriber should not experience any break in service.
2. The process should be, as far as possible ensure that the risk of fraud or abuse of subscription should not increase.
3. The porting process should allow flexibility.
4. The number of transactions in the porting process should be minimize as far as possible.
5. The porting process should include sufficient controls to monitor service level performance and to maintain the integrity of data exchange.
6. The porting process should address the recovery from an erroneous port so as to minimize the inconvenience to :
    (i)   The erroneously ported consumer.
    (ii)   The network operators and service providers involved in the port.
    (iii)   The intended porting consumer (if applicable).

Process :

We can have two distinct processes :

1.   Consumer port   and

2.   Bulk port

1.   Consumer port :

Typically involves the porting of an individual number from   one provider's network to another. It also can involve multiple ports. Multiple ports are likely to involve the porting of more two   or   more   umbers   linked   to   a single account, up to a maximum   number of 25.

Multiple ports may include :

(i).   Families with several mobile numbers linked to a single account.

(ii)   Small to medium size businesses that will also often have several mobile number under a single account.

(iii)   Where a single consumer wishes to port a number which is part of multi line account, in this case, the consumer wishing to port   would require permission from the registered account holder.

2.   Bulk Port :

This involve porting of more than 25 mobile and   typically involve large businesses. Separate process can be specified. This separate process can also reflects the particular needs of   business, consumers with a large number of mobile phones.

Other methodologies :

In almost all countries in the Europe, and in many other comparable markets elsewhere in the world, the MNP process is recipient-led.

International MNP processes :

Country	Recipient-led process	Date MNP introduced
Australia	Yes	2001
Canada	Yes	2007
Denmark	Yes	2001
Finland	Yes	2003
France	Donor Led	2003
Germany	Yes	2002
Italy	Yes	2002
Ireland	Yes	2003
Netherlands	Yes	1999
Spain	Yes	2000
Sweden	Yes	2001
UK	Donor Led	1999
USA	Yes	2003

Source: Ofcom research

A recipient-led process means that the recipient operator is enabled to act on behalf of the consumers to instruct the donor operator to make arrangement to port the consumer's number.

Recipient Process   Donor Process
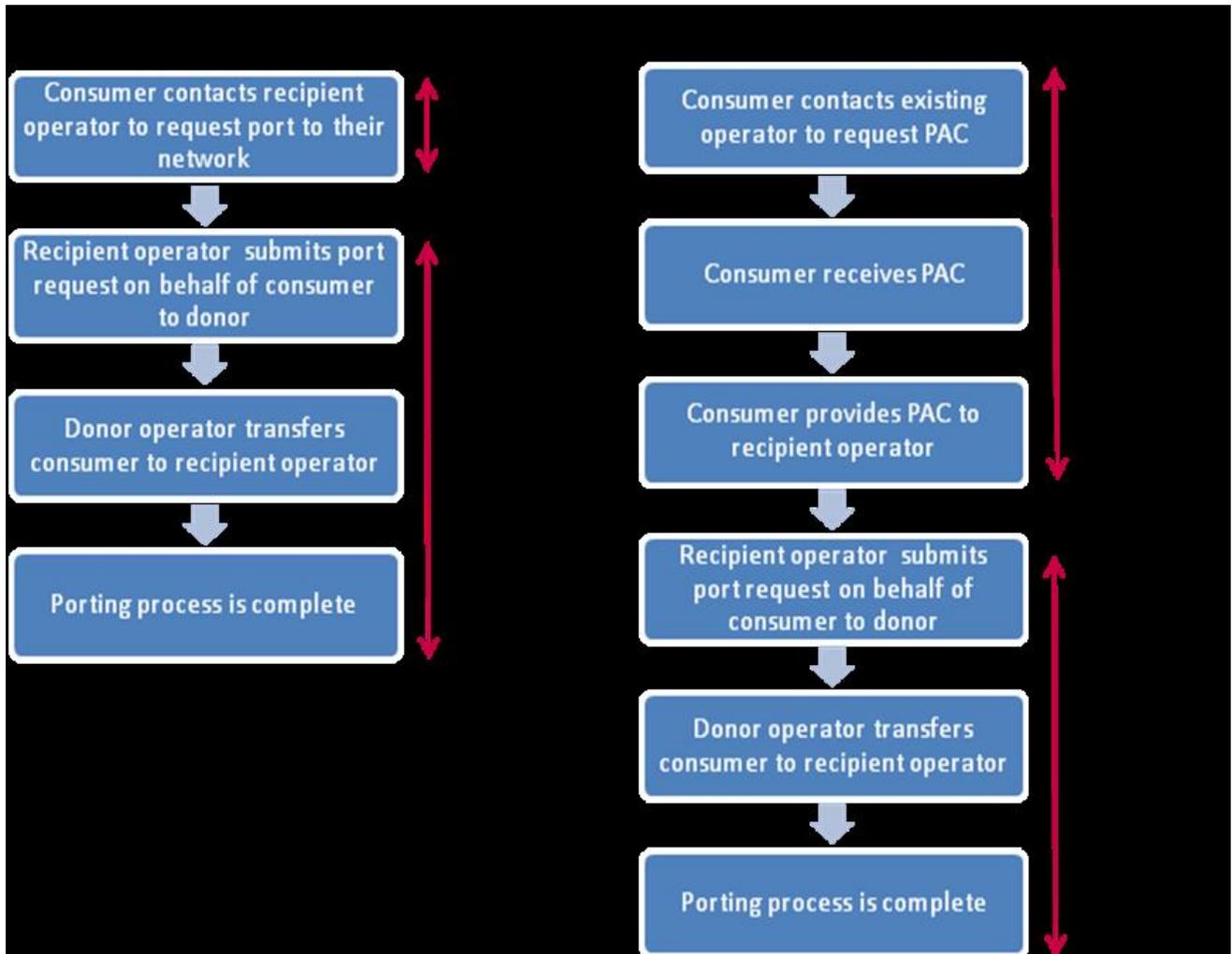
The UK have moved from donor-led to recipient-led process.

France had a donor-led process but introduced significant amendments. Under the French system, the consumer has to contact a specific free phone number on their existing provider' network to obtain a PAC (Porting Authentication Code), in line with donor-led process. However, the consumer

PAC request process is automated, and donor service provider is able to verify the consumer details without having to speak with them. The consumer can then contact their new service provider to complete the port . This gives consumers more control over the process and providing quick access to their PAC.

Q4. **How can KYC information available with DO be verified during the MNP process to avoid fraudulent porting? Please elaborate.**

Comments :

There should be some sort of additional security for accounts or for port-out authorization that consumer can setup, like a unique pin, or add verification question, which will make it more difficult for someone to port out phone.

AT & T have a two factor authentication " extra security ", which involves creating a unique password on AT & T account that requires to provide that code before any changes can be made – including ports initiated through another carrier.

Many companies now support " Third party Authentication App " like Google authenticator, which can act as powerful two factor authentication alternatives that are not nearly as easy for thieves to intercept.

A new type of scam has been happening and is a new way for scammers to steal the hard earned money, and even identity. The scariest part is that this type of scam, called port in or port out scamming, is that it can help scammers

get past added security measures on personal and financial accounts and logins. This new type of scam absolutely could bypass that layer of security and has a huge potential for identity to be stolen faster that we think.

Port Involving Fraud :

Port that have taken place as a result of fraudulent activity should be reversed where either the DSP, RSP or RO identifies that the fraud has occurred. **Request for reversal of port should not be unreasonably withheld.** Following a request to reverse a port, the SP or RO receiving must make all reasonable efforts to reverse the port in the shortest time period. Where, the fraud is identified before the port, reversal request should be treated in the same way.

Q5. What are the challenges in implementing the proposed MNP processes / framework on the part of stakeholders' viz. TSP (as DO and RO) and MNPSP? Elaborate your answer.

Comments :

Each implementation is unique in hundreds of ways, including:

- Population

- Number of mobile subscribers

- Mobile penetration

- Percent prepaid subscribers

- Number of porting transactions

- Device subsidies

- Postpaid contracts

- ARPU

- Number of operators/competition in the region

- Power of the regulator

- Implementation choices such as technology, fee structure, porting time, rejection reasons and user implementation process

- The cost including setup cost, maintenance cost and call routing cost.

- Data transmission : Call routing and SMS/MMS transmission.

- Porting time : it should be at the minimum level.

- Subscriber awareness about mobile number portability advantage and process.

- Simplicity of porting process and cost effectiveness for the consumers.

Q6. Whether MNPSP should be compensated towards the cost of generation and delivery of UPC to the subscriber through SMS? If yes, what mechanism can be adopted?

Comments :

MNPSP should not be compensated towards the cost of generation and delivery of UPC to the subscriber through SMS.

No additional charges should be include in the MNP regulations as :

1. In Europe MNP is more accepted in Nordic countries like Finland because of simple porting process, no exit barriers, high consumer awareness and **zero cost implementation of MNP on Consumers.**

2. Low or nil MNP charge encourage operator to absorb MNP cost or pass on bare minimum amount of charge to the customer. Low or no MNP cost on subscribers would shatter major barrier for migration and encourage a healthy competition in the market.

3. Per port transaction charges are paid by the consumer through recipient TSP to MNPSP, so MNPSP should not be compensated towards the cost of generation and delivery of UPC to the subscriber through SMS.

4. All the costs ultimately will be paid by the consumers.

5. Most of the countries are having free of charge MNP process. Following table depict the charges in UK, US and Asian countries :

No.	Country	Price
1.	India	Rs. 4/-
2.	U.K.	Free
3.	U.S.	Free
4.	Pakistan	Free
5.	Republic of Ireland	Free
6.	Australia	Free
7.	New Zealand	Free

8.	Hong Kong	Free
9.	Maldives	MVR 200
10.	Japan	Free
11.	Malaysia	Free
12.	Singapore	Free
13.	Taiwan	NTD 240
14.	Thailand	Free

No per port transaction charges in case of forced porting of subscriber due to closure of the services :

Many telecom service providers had to shut down their services on account of non viability of their operations. As a result, the subscribers of such telecom service providers were forced to opt for MNP facility. However, the PPTC in such situation, where a large number of subscribers had to forcibly opt for the porting option, has to paid.

Since the PPTC is the amount which the recipient operator is allowed to collect from the consumer, considering the forced porting of the bulk subscribers due to the closure of the services, the charge in such cases should be waived off in the interest of the consumers.

It is desirable that going forward, PPTC should be strictly cost based.

Q7. **What would be the appropriate mechanism to reinforce the accountability and role of MNPSP in the proposed scenario?**

Comments :

Periodical Inspection, monitoring and auditing by TRAI.

MNP requires constant monitoring and management. Even if things go well at the start, ongoing investment and attention are required to avoid situations that dilute the value for the subscriber.

Q8. **What could be the mandatory obligations on part of the MNPSP?**

Comments :

(a) **Issue porting authorization to customer :**
   ➢ The MNPSP confirm that a port out request be received from the consumer for specified number(S), the port out request should be honored and expedite according to the regulation.
   ➢ The MNPSP issues the customer a Unique Porting Code (UPC) which applies to the specifies number(S) to be ported.
   ➢ The full authentication of an individual porting request should actually the combination of the number and its associated UPC.
   ➢ The customer can make a UPC request in any form i.e. phone, letter, E-mail, SMS Fax etc.. Where a request for a porting authorization is made by phone, the MNPSP should issue the UPC to the customer during the same phone.

➢ In any event, whether or not the UPC is issued to the customer over the phone, a written confirmation of the porting authorization and UPC must be dispatched to the customer by the MNPSP within 3 working days of receipt of the request.

➢ However, the MNPSP should be entitled to insist on a written porting authorization request with the customer's signature before issuing a UPC, if it is their current business policy to require the customer's signature for confirmation of a termination request into this case, the MNPSP should explain to the customer how to submit the written authorization request and shall proceed accordingly to the following steps.

(b) **MNPSP should provide mandatory information to customers :**

A written confirmation of the authorization to port out should include the following information :

(i)   Unique porting code.

(ii)   Confirmation of the 30 days validity period for the UPC (Start and expiry dates).

(iii)   Confirmation of number to which UPC applies.

(iv)   Confirmation that service will be discontinued on the port date which receives a subsequent valid port out request within UPC validity period.

(v)   The MNPSP should issue a MNP guide to the customer together with the written porting authorization.

(c) **MNPSP should register UPC and number on the MNP web system :**

MNPSP should develop a web system in which MNPSP should ensure that an entry is created on the MNP web system for each porting number. Each entry should include the following data :

(i) The number : - It's Primary/Secondary status

                          - It's Donor operator and

                          - Associated UPC

(ii) The Primary number (For secondary number only)

(iii) The UPC validity period

(d) Maintaining the quality of service as prescribed by DoT or TRAI.

(e) The MNPSP should be responsible to redress the complaints lodged by the consumers in a shortest stipulated time period and maintain the register.

(f) MNPSP should fulfill requirements regarding publication of tariff, notification and provision of information as directed by TRAI through its orders/regulations/directions issued from time to time.

(g) MNPSP should furnish documents, accounts, estimates, returns, reports or other information in the prescribed time frame and format from time to time.

(h) MNPSP should not employ bulk encryption equipments in its network.

(i) The MNPSP should take all necessary steps to safeguard the privacy and confidentiality of the consumer's data.

(j) Present the technology solution for number portability through the development and implementation of a centralized database, the National Reference Database of Numbers Held.

(k)   Guarantee the state of the database in terms of updates, operations and quality.

(l)   Guarantee the ongoing neutrality of the porting process.

(m)   Provide access to the database for service providers

Q9. In the event of large scale disruption or sudden shutdown of network, what could be the appropriate alternative mechanism to ensure delivery of UPC and completion of porting process?

Comments :

Speeding up the MNP process should technically not be impossible as innumerable Aadhar – based new customer activations are already happening in a matter of hours.

1.   Increase in UPC validity can be helpful.

2.   Allocation of additional service provider's codes for UPC.

3.   Number of MNP service providers may be incrased.

Q10. (a)   Do you agree with the process for transfer of the prepaid balance to the subscriber's account as described in the consultation paper? What changes do you envisage in licensing/ regulatory framework to enable the provision? Please elaborate your answer.

(b)   If the above process is not agreeable, please suggest alternate mechanism.

Comments :

Yes we agree with the process suggested by TRAI for transfer of the prepaid balance to the subscriber's account.

Another option is now every mobile customer is linked with AADHAR, and every AADHAR is linked with the bank account. The prepaid balance can be transferred into the bank account also.

Q11. What should be the regulatory requirements to monitor efficacy of the provision of transferring the unspent pre-paid balance? Please elaborate your answer.

Comments :

Regular Inspection, monitoring and Auditing by TRAI.

Q12. In the proposed scenario of reduced MNP timelines, should the validity of the UPC be reviewed? If yes, what should be the period of validity of UPC? Please elaborate your answer with justification.

Comments :

The validity of UPC should be reviewed and the UPC time period should be up to 30 working days.

The porting time should be reduced.

Following table shows the porting time in UK, US and Asian countries :

No.	Country	Maximum Porting Time
1.	India	7 days
2.	U.K.	2 working days
3.	U.S.	2 Hours
4.	Pakistan	3.5 working days
5.	Republic of Ireland	20 Minutes
6.	Australia	3 Minutes
7.	New Zealand	Matter of seconds
8.	Hong Kong	2 days
9.	Maldives	2 days
10.	Japan	1 day
11.	Malaysia	1 day
12.	Singapore	1 day
13.	Taiwan	3 days
14.	Thailand	2 days

The process of number portability should be simple and that depends on regulatory rules and policies. Some rules are tough and strict, for example the subscriber cannot port his number among the first six months of subscription.

Q13. Whether it would be appropriate to review the existing structure of UPC? Please elaborate your answer with justification.

Comments :

   Yes. Comments mentioned above.

Q14. If you agree to above, does the proposed structure as discussed above adequately serve the purpose or would you suggest any other mechanism? Please elaborate your answer with justification.

Comments :

  Yes it will be easy to identify the customer and classify them.

  Centralized data base will be useful to service providers also. All the services and technical solutions for the central database system should be owned by consumers and protected by TRAI.

Q15. Should the provision of withdrawal of porting request be done away with in the revised MNP process? Please state your answer with justification.

Comments :

No.

The customer may request the MNPSP or MNPSP to rescind the porting authorization at any time prior to the submission of a port out request to RSP. In this case the DSP should be entitled to send request to cancel any active UPC, which will prevent any subsequent port request.

As per the international practice, the customer should also have the right to cancel or amend the port request at any time up to the point where the DSP has agreed the porting schedule with the RSP.

Q16. What additional changes do you envisage in the MNP regulations? Elaborate your suggestions.

Comments :

Deactivation/Termination of service :

Number Management :

Number must be placed in quarantine by the current service provider for   the prescribed period. Whilst in quarantine, there will be no active service. Call   to this number should receive " Out of service " tone.

Port in Error :

Where a wrong number has been ported in error, it is the responsibility of the service provider and RO.

It shall also be the responsibility of the service provider and RO to ensure that when such service is deactivated, a repatriation process should be started as early as possible.

Communications :

In circumstances where there are interruptions to the porting process and a communications provider is unable to adhere the prescribed process, it is their responsibility to communicate this immediately to the concerned people along with any useful information as to when the problem will be resolved.

Address verification :

Post paid users need address verification to be done before the recipient operator needs to proceed further. There are several case in which porting request is rejected due to address verification issues.

Suggestion :

1. Service provider should make a phone call to get address properly and convenient time of the consumer.

2. Incase of rejection due to address verification, the service provider should not ask to submit new documents and process should be

continue. Recipient service provider should be responsible for not finding the consumers address.

Q17. Due to the difficulty envisaged, should the subscriber be allowed to reconnect his mobile number even after number return process is initiated? If yes, what could be the criteria? Please elaborate suitable method.

Comments :

Yes.

Q18. Should the MNPSPs be allowed to charge for the ancillary services such as   number return and bulk database download by TSPs? Please provide your   comments with justifications.

Comments :

Seeing the critical and sensitive nature of the database access and usage of data should be strictly defined and limited to specific permitted usage. Service providers and providers of telecommunication related services should only the users permitted to access and/or use data for the exclusive purpose of routing, rating or billing of calls or for performing network maintenance in the connection with the provision of telecommunication related services. **No other use of data or data derived from database should be permitted. Commercial exploitation of user data should strictly prohibited.**

Law enforcement agencies should be permitted to access and use data strictly to identify the current telecommunication service provider and its legal point of contact for telephone numbers that have been ported.

Q19. Would the new technologies, such as block chain, be helpful for facilitating   faster and transparent MNP process? What can be the possible advantages   and challenges? Please elaborate.

Comments :

Technical question.

But some suggestions are as follow :

Number portability implementations are highly complex. Technical and operational decisions have wide-reaching effects that are not always easy to anticipate, including those related to cost, market uptake and the customer experience.

1.   Getting number portability requires a deep understanding of the cost and complexity of service provider's network and system.

2.   Choices made in the name of expediency and cost saving can create more problems than they solve. Solution should be engineered to meet the needs of subscribers and operators 10 years and more down the road. As with any project, all solutions should be examined with an eye toward long term impact.

3.   One of the hallmarks of a robust number portability system is an ability to isolate and recover from problems or errors within an individual service

provider. The fact that a failure in one service provider is able to seriously impact the operation of a second service provider points to a significant design/implementation vulnerability.

4.   As markets evolve, networks expand and subscriber trends emerge, number portability must conform to meet the challenges represented by these changes.

5.   Investment in number portability helps ensure the goals of a communication infrastructure that is open, neutral and competitive.

6.   Upfront investment and operational cost .

7.   These cost should be fair and in line with making MNP as effective as possible.

Q20. If there are any other issue(s) relevant to the subject, stakeholders are requested to offer comments along with explanation and justifications.

Comments :

1.   Non cash mode of payment for mobile phones has risen to around 70% of   overall sales compared with 20-30% a couple of years back. Purchase through   credit card, debit card, e-wallets tie – up with service providers, that offer cash   backs and zero cost equal monthly installments given by finance companies has   risen dramatically. Most of the cash sales are now seen mainly in the rural and   semi urban areas.

Subsidizing handsets, and the contractual obligations that go with those subsidies will depress customer churn, which in tern impacts competition.

Obstacles in such situations for MNP should be out lined and rectified.

2. The responsibility of verification of time period elapsed since the last porting i.e. 90 days period should be shifted from MNPSP to Donor operator. Because any subscriber with a porting history has two different 90 days period. One with the MNPSP where his 90 days period start from the last date of porting and another with the donor operator, where the 90 days period starts from the date of activation of service. Hence, to remove this, the responsibility to verify the time period should be given to the donor operator to prevent time also.

Thanks.

Yours faithfully,

(Dr. Kashyapnath)
President