



Commission for
Communications Regulation

Information Notice

Number Portability ('NP')

Request for NP Price Submission from Fixed and Mobile Operators

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1 Introduction

The Commission for Communications Regulation ('ComReg') issued document no 07/98¹ on 30th November 2007. This document concluded that firstly, the allowable costs for the pricing of interconnection related to the provision of Number Portability ('NP') should be limited to the incremental (i.e. short term volume dependent) administrative cost to the donor operator of per-line enabling/transaction costs, based on a fully efficient number porting process. This is for the purpose of ensuring that pricing for interconnection related to the provision of NP as provided for in Regulation 26(2)² of the Universal Service Regulations³ is cost oriented. Secondly, ComReg concluded that there should be no direct charges to subscribers for NP.

2 Background

ComReg is responsible for the regulation of the Irish Telecommunications sector and included in this remit is the regulation of NP. NP is a facility which allows subscribers to retain their existing fixed or mobile number when moving between network operators. Number Portability includes Geographic Number Portability⁴ ('GNP'), Non-Geographic Number Portability⁵ ('NGNP') and Mobile Number Portability ('MNP').

3 Request for Pricing Information

ComReg stated in document no 07/98 that it intended to monitor compliance with the new costing requirements and in doing so it would request a price submission from operators as appropriate. The price submission will allow operators to demonstrate that their NP charges are in compliance with the costing principles specified. Depending on the outcome of ComReg's review of the price submissions, it may decide to set a charge(s) for fixed number porting and mobile number porting.

ComReg will send a formal written request to the majority of fixed and mobile operators today⁶. The text of this letter is set out in the appendix to this information notice. If you do not receive a formal letter from ComReg by post, you should make your submission based on the requirements set out in the letter appended to this

¹ Response to Consultation and Specification on Number Portability in the Fixed and Mobile Sectors

² The Regulator may specify obligations for compliance by an undertaking to which paragraph (1) relates for the purpose of ensuring that pricing for interconnection related to the provision of number portability as provided for in paragraph (1) is cost oriented and that direct charges to subscribers, if any, do not act as a disincentive for the use of these facilities

³ S.I. No 308 of 2003 European Communities (Electronic Communications Networks and Services) (Universal Service and Users' Rights) Regulation 2003

⁴ Geographic Number Portability refers to a situation where a customer who has had allocated to him or her, a geographic number can retain that number when changing to a different operator or service provider offering a service of the same or similar type

⁵ Non-geographic number portability refers to a situation where a customer who has had allocated to him or her, a non-geographic number associated with a particular type of service (such as 0800 freephone, a 07 personal number, or a 090 premium rate number) can retain that number when changing to a different operator or service provider offering a service of the same or similar type

⁶ Due to the large number of authorised operators it is not practical for ComReg, in terms of time and cost, to send formal written requests to all fixed and mobile operators

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information notice. Thus, all operators are requested to make the relevant price submission to ComReg and all operators are further requested to do so by the due date, as indicated in the letter appended. It is important to note that all operators must ensure that they are compliant with the specifications issued under Regulation 26 (2) of the Universal Service Regulations for the purpose of ensuring that pricing for interconnection related to the provision of number portability as provided for in Regulation 26 (1)⁷ is cost oriented. In the event that an operator does not make a submission to demonstrate its compliance with the specification any legal decision by ComReg on the appropriate charge(s) shall apply to that operator and all operators, irrespective of whether a submission was received or not.

⁷ An undertaking providing a publicly available telephone service, including a mobile service, shall ensure that a subscriber to such service can, upon request, retain his or her number independently of the undertaking providing the service – (a) in the case of geographic numbers, at a specific location, and (b) in the case of non-geographic numbers, at any location'. This paragraph shall not apply to the porting of numbers between networks providing services at a fixed location and mobile networks

Appendix A:



RE: REQUEST FOR PRICING SUBMISSION – NUMBER PORTABILITY ('NP')

Dear Sir/Madam,

In ComReg document no 07/98⁸, ComReg specified that

*'allowable costs for the pricing of interconnection related to the provision of number portability are limited to the incremental (i.e. short term volume dependent) administrative cost to the donor operator of per-line enabling/transaction costs, based on a fully efficient number porting process. This specification is for the purpose of ensuring that pricing for interconnection related to the provision of number portability as provided for in Regulation 26(1) of the Universal Service Regulations is cost oriented'*⁹.

ComReg stated in this document that it intended to monitor compliance with these new requirements and would request a price submission from operators as appropriate.

Following on from this specification ComReg now requests a submission¹⁰ from all operators who supply NP services to justify that their NP charges are in compliance with the costing principle referred to in Document 07/98. The submission should include justification for compliance with all types of porting i.e. single ports, multi/bulk ports, etc. As part of our review it may be necessary for ComReg to enter into bi-lateral discussions with operators to ensure/aid compliance with the costing principles.

Although a final decision has not been taken, ComReg is minded to harmonise charging by all operators in each of the fixed and mobile sectors, unless information emerges which would indicate that this is not appropriate. In the event that an operator does not make a submission to demonstrate its compliance with the specification any legal decision by ComReg on the appropriate charge(s) shall apply to that operator and all operators, irrespective of whether a submission was received or not. All operators must ensure that they are compliant with the specifications issued under Regulation 26 (2) of the Universal Service Regulations for the purpose of ensuring that pricing for interconnection related to the provision of number portability as provided for in Regulation 26 (1) is cost oriented.

⁸ Response to Consultation and Specification on Number Portability in the Fixed and Mobile Sectors

⁹ Effective date of 30th November 2007

¹⁰ See some general guidance in relation to price submissions attached as an appendix to this letter

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ComReg request that the submission be submitted to us by 5.30 pm on 15 February 2008.

If you have any queries in relation to the above, please do not hesitate to contact me.

Yours sincerely,

Caoimhe Donnelly
Market Analysis and Financial Policy Manager
Commission for Communications Regulation

Appendix:

The following points should be considered in the price submission:

- A full description of the process (manual or automated) undertaken, together with any necessary documentation required to allow a proper understanding of the process;
- A detailed breakdown (by month) of the volumes (number of ports) based on the latest set of audited financial statements. In addition, a detailed breakdown (by month) of forecasted volumes for the financial year 2008/09¹¹;
- Detailed analyses of the incremental¹² administration costs within general ledger accounts which would be necessary to understand the nature and purpose of such costs included in the submissions. The cost information should be based on the latest set of available audited financial statements together with forecasted costs for the financial year 2008/09;
- All appropriate supporting documentation and information to substantiate the incremental administration costs (as specified in document no 07/98) that are incurred by an efficient operator in exporting a number. The cost information should be provided in such a manner so as to enable ComReg to conclude that the submissions are cost oriented, that they contain no errors and in such a manner to enable ComReg to do so within a reasonable period of time, given the materiality of the relevant charges;
- Operators should be mindful that ComReg may request visibility of the source documentation (i.e. invoices) with regards verification of some of the relevant costs incurred;
- The number of staff employed to carry out the porting process and their location(s);
- A calculation of the number porting charge based on the volume and cost information above, this should include consideration of efficiencies gained from processing of one-off ports and multiple ports at any given time;
- Any other details which the operator believes are necessary to satisfy the cost orientation obligation.

¹¹ The financial year should be based on a 12 month period

¹² By 'incremental', ComReg mean costs which are short-term volume dependent. Costs which are not short-term volume dependent should be included in the category General System Provisioning Costs