Response of Bharti Airtel Ltd to the DRAFT Telecommunications Mobile Number Portability Regulations (Sixth Amendment), 2015

Introduction:

Mobile Number Portability (MNP) has been successfully running for last 4 years in India which has been limited to intra-service area portability. There have been a total of over 139.49 million porting requests as per data released by TRAI for the end of November 2014.

India's MNP implementation has been one of the most complex considering the scale and dimensions having a multi-operator environment across twenty two service areas involving two MNP Service Providers. In the interest of the consumer, through the policy of NTP 2012, the Government has decided to implement national MNP which will benefit a mobile customer to port his / her number anywhere in the country. This is going to be another milestone in the history of Indian telecom sector.

As experienced earlier, this implementation is also going to be highly complex and requires considerable changes in network and IT systems apart from the customer processes. In order to have a smooth implementation, we would request that requisite time be allowed by the Government. For this purpose, the industry has already submitted a detailed project plan to map out the different complex changes and rollout the changes in the network and IT systems across the country. This is going to be deliberated by the Government and the industry for smooth technical execution so that customers face no issues when the national level MNP gets launched. Service providers are also awaiting the technical specifications from the MNP Service Providers as soon at the regulations are finalized.

With the above background, we would request TRAI to factor in suitable timelines for implementation in the Regulation that is finalized.

We give below Bharti Airtel's response to the various issues which have been raised for consultation in the DRAFT Regulation:

1) Reduction in timelines for Number return process:

As stated in the Draft Regulation, Bharti Airtel agrees with the proposed amendment by TRAI for reduction in timelines for the number return process from 90 days to 60 days. This will help service providers who are the original series holders get back their numbers without further delay so that they can utilize the scarce number resources more efficiently.

2) Improving of existing process of handling non-payment disconnection:

Bharti Airtel agrees with the proposal as the objective of bringing in this amendment is certainly customer friendly. This amendment will help correct the process anomaly of handling non-payment disconnections once the payment has been received by the Donor Operator (DO). As proposed in the Amendment, DO should notify the Recipient Operator (RO) through the MNP Service Provider (MNPO) that the payment has forthwith been received after the request for disconnection was raised.

In this regard, we would like to further state that the present regulation mandates 15 days notice period to the customer once the RO receives the request for disconnection from the RO. As the customer is relocating to another city (outside the current service area), it is only appropriate that he be given more time to clear his outstanding dues which may have been inadvertently left out due to oversight or him not having received the bill as he was not present in the current address. Accordingly, it is our view that this time be extended upto 30 days before the customer is disconnected by the RO for non-payment of outstanding dues. This we believe will be a justifiable requirement and totally beneficial to such customers who are relocating. Keeping it limited to 15 days would be restrictive and will leave the customer who gets disconnected totally dissatisfied as he / she may have not got a fair opportunity to make this payment to the DO despite the customer's best intentions of making the payment. Therefore the disconnection should be initiated only on the 31st day of the RO having received the disconnection request from the DO.

Further, in order to ensure that the customer does not default in his / her payment for which he / she has also given an undertaking to the RO at the time of porting in that all outstanding dues would be cleared, RO may make suitable interventions through incoming and / or outgoing barring before the 30th day – this will prompt the customer to make the payment as he / she is in the notice period for disconnection and stands liable to face disconnection due to failure of clearing outstanding dues with the DO. TRAI should allow Service Providers through suitable amendment in the regulation to make these interventions as per their internal processes so that customers do not raise complaints, disputes as to why their number has been suspended and they are unable to make and / or receive calls / SMS or use the data services.

3) **Additional issue for consultation:**

a. **Handling of ownership related issues:**

Bharti Airtel feels that there is no need for any additional undertaking from the customer to cater to issues of ownership as this is currently built into the existing CAF. Customer while signing the CAF has unconditionally undertaken that the information furnished by him is true and correct and he agrees to the terms and conditions of the service being subscribed. Therefore, customer stands liable to be disconnected if it is later evidenced that any information given by the customer is incorrect / false and fails any compliance requirement.

4) **Any other issues:**

a. **TAT (100%) for Activation and Deactivation of porting request:**

Bharti Airtel would like to support the industry's earlier submissions for relaxation in the 2 hours time allowed for deactivation (by DO) and activation (by RO) for 100% of the porting requests that are received. As has been submitted by the industry on earlier occasions, we would request TRAI to consider the following:

- Within 2 hrs: >=95% of the porting requests for activation or deactivation.
- Within 3 hrs: >=98% of the porting requests for activation or deactivation.

It is submitted that achieving 100% successful activation or deactivation within the stipulated two hours is extremely challenging and not possible to meet consistently due to various network level and IT systems which need to seamlessly integrate with each other and there could be some slippage due to some planned / unplanned network / IT upgrades which are continuously ongoing in running a pan-India network of the size we have. As a result of this there could be a failure in the provisioning of services and this could sometimes result in replacement of SIM card as well which is not fully within Airtel's control. Accordingly, we trust TRAI would consider this submission which is reiterated with our earlier submissions.

b. **UPC Generation:**

Bharti Airtel would like TRAI to consider another amendment in the regulation through which customers who are ineligible for port out due to AON <=90 days, or having an outstanding balance (for which bill has already been raised) with their current operator should be sent an SMS informing them about their ineligibility for porting due to either of these reasons and customer can generate UPC when eligible. This will significantly help in reduction of customer complaints and lead to lower rejections under these rejection grounds as customers would be better informed about when they can raise a porting request. However in order to protect customer interest, just as is applicable in case of other rejection reasons, if it is found that the denial of UPC generation is incorrect, then DO will be subject to financial disincentive as per the existing regulations.

c. **Time to be increased for customer withdrawal of porting request:**

Bharti Airtel requests TRAI to consider increasing the time for withdrawal of porting request with the RO from the currently allowed 24 hours to 48 hours as has been done in case of corporate porting request – the reasons for allowing this for corporate customers are valid for retail customers as well and with this background, this would only be a logical and customer friendly step if this is allowed.

*****