

Response to the Consultation Paper from MITS Zone 2 on Issues related to Closure of Access Services

MITS was awarded MNP License in 2009 to build, operate and run MNP Services in Zone 2 covering South and East of India.

We would like to thank TRAI for an opportunity to respond to the Consultation Paper that will help in addressing the real practical problems faced by MNPSs, subscribers and operators face when there is closure of Access Services.

Please find below our responses to the below questions within the context of the document discussion.

- Q.1 Is there a need for modification of the UASL and CMTS licences in line with Clause 30.3(b) of UL, for those licensees who have liberalized their administratively allocated spectrum?**

Response from MITS (Zone 2): Not applicable.

- Q.2 Should discontinuation of services being provided through a particular technology, say CDMA, be treated same as discontinuation of any of the service under a Service Authorisation as per Clause 30.3(b) of UL? Please provide details along with justification.**

Response from MITS (Zone 2): Not applicable.

- Q.3 What other conditions in these licenses be modified so as to keep pace with the developments? Please justify your answer.**

Response from MITS (Zone 2): Not applicable.

- Q.4 Regarding spectrum trading process, the Stakeholders are requested to comment upon the following:**

- (a) Is there a need to define a time-limit for DoT to take into its records the prior intimation given by TSPs regarding the spectrum trading? Please suggest time-lines for different activities within the Spectrum Trading Process.**

Response from MITS (Zone 2): Not applicable.

(b) Should the advance notice period to subscribers' be enhanced from 30 days period to say, 60 days, in case of closure of services so that a subscriber has sufficient time to consume his talktime balance? Please provide justification to your response.

Response from MITS (Zone 2):Extension of time period from 30 days to 60 days will be beneficial for the subscribers as they get additional time to port the number using the MNP process. Regarding the talk time balance transfer, MITS can support in solution that can help in transfer of balance to the new recipient. Apart from the above, below are other benefits from an MNP process perspective:

- As the time to complete nonpayment disconnect request takes 30days' time, all such ongoing requests in progress can be successfully completed with this additional time period.**
- The extra time may be also helpful to allow the current owner to return disconnected numbers to original block owner, so that the number blocks can be reassigned. This avoids number returns to the wrong operator later.**

In case of notice period expiry (30 days/60 days), would request TRAI to issue necessary instructions for MNPSPs how to deal with pending/new Number return and Non Payment Disconnect requests.

(c) If a TSP is selling its entire spectrum in the LSA and intends to discontinue its access services being provided to its subscribers, should the TSP give the 60 days' advance notice to Licensor, TRAI and its subscribers, only after the spectrum trading is acknowledged by DoT/WPC as suggested in Para 23?

Response from MITS (Zone 2):Not applicable.

(d) Give any other suggestion to improve the existing Spectrum TradingProcess.

Response from MITS (Zone 2):Not applicable.

Q.5 What mechanism should be put in place to ensure that subscribers are informed about the closure of services/change of access technology transparently and effectively by the TSPs? Should TSPs be directed to follow a specified mode of

communication(s) as detailed in para 30 for informing subscribers or what could be other mode of communications?

Response from MITS (Zone 2):Subscribers should be clearly given an option to

- Stay with the same operator in case it's only a change in the technology using the MNP process.
- Port out their number to another active operator using the MNP process.

Q.6 Will it be appropriate that the responsibility of verification of time-period elapsed since the last porting (i.e. 90 days period) be shifted from MNPS to the Donor Operator so that subscribers' port-out requests are accepted irrespective of his age on network in case of closure of services?

Response from MITS (Zone 2):Responsibility of this verification should remain with the MNPSs as we are the central clearing entity and it is a way to ensure consistent application of the rule for all donors. MNPS will be able to validate and accept the port request using a mechanism to override the 90 day re-reporting restriction. This override may be based on the status of the operator, assuming that all numbers for the operator are associated with the closure of service. Alternatively, if all of the numbers for the operator are not associated with the closure of service, the addition to the port request of a 'porting reason' or a 'technology' may be used together with the status of the operator in the validation of such port requests.

Q.7 In case a TSP changes the access services technology and asks his subscribers to migrate to newer technology, should the tariff protection, carry-over of unused talk-time balance and benefits be extended to such subscribers upon migration to new technology for the contracted period?

Response from MITS (Zone 2): From a clearing house perspective, in case of change of technology, an option to port out must also be given to the subscribers. MITS can support capability to transfer unused talk-time balance in order to benefit the subscribers.

Q.8 How much time period should be given to the subscribers to port-out after closure of commercial services i.e. for how long the system should remain active to facilitate porting? Should the validity of the UPC in such cases coincide with such time

period?

Response from MITS (Zone 2): Prior to the close of business when the closing provider is still able to send messages, MNPS P provides a way to disallow porting-in to that operator while still permitting them to port out, or to disallow both porting in and porting out.

After the close of business when the closing provider is no longer able to send messages, MNPS P can provide a new 'Bulk Port' process which would be a modified flow to simulate the porting process where the closed provider is the donor, without their participation in the message flow. On authorization by the regulator, these ports would be considered pre-approved and therefore would not require the full extent of messaging and validation, but could be completed with minimum messages, e.g., port request and port broadcast only.

The new 'Bulk Port' process would be initiated by a Recipient operator or using a script. The script could be configured to notify operators of the successful port either using broadcast messages or using the bulk sync.

The 'Bulk Port' would process a list of active numbers to be ported out from the closed operator. This may include numbers for which the closing operator is also the block holder and numbers which had been ported in to the closing operator. The list of numbers would need to be provided by the Donor.

Q.9 What other changes should be made in the MNP Regulation to ensure smooth bulk porting-out of the subscribers in the event of closure of access services or change of access technology by any TSP?

Response from MITS (Zone 2): Regulation would facilitate smooth bulk porting out by addressing the following:

1. Introduce a new 'bulk port' process to be initiated by a script or by a recipient operator. A new port message type of 'Bulk' should be created with a configured maximum number of port requests, per limits established in the regulation.
2. Coordination of the timing of the activation of the numbers included in the bulk port, between the donor and recipient and for the final broadcast to all operators should be addressed.
3. Address whether "break before make" must be enforced if the donor is still in business.
4. An industry agreed-upon limit on how many bulk ports need to be processed per day would relieve operators from receiving too many broadcasts at the same time. In order for the smoothest flow, the broadcast message is the preferred method to notify all operators of the port, since this does not require a manual process. Alternatively, the bulk sync option may be preferred for large

volumes.

MNPSPs would request TRAI to issue necessary directions on how to handle/address the LI issues in case of a bulk porting out of subscribers.

Q.10 Will it be appropriate that the change of technology within a licensee (TSP in a given LSA) be removed from the definition of MNP?

Response from MITS (Zone 2):MNPSP is the central authority and can communicate effectively to the entire industry. Its tracking of porting activity allows for accurate reporting and analysis information to the regulator. MNPSP protects the subscriber by ensuring that the porting activity is executed smoothly with a minimum disruption of service. Hence we would suggest all such requests are routed through the existing MNP process.

Q.11 Is there a need for an alternative mechanism to MNP for bulk transfer of subscribers from one TSP to other TSP(s)? If yes, please give suggestions.

Response from MITS (Zone 2):For a smooth functioning of MNP in the country, it is imperative that all transactions are carried on between the Donor and Recipient operator involving the MNPSPs. The new mechanism referred to as 'Bulk Port' process provided by MNPSP will provide an efficient method of finding and validating the numbers to be ported, generating the port requests and sending the broadcast notification to all operators of the port, without the need for regular message flows and timers.

Q.12 Should a TSP be allowed to transfer its subscribers, who have not been able to port-out to other TSPs before closure of service, to another TSP whenever the services being rendered by that TSP are going to be discontinued? What can be associated issues and challenges? Please providedetails.

Response from MITS (Zone 2):MNPSP can support the porting out of the numbers which would otherwise be taken out of service. If the subscriber wishes to port to a different operator thereafter, MNPSP could consider the date of the port to the current operator as the start of the 90 day lock.

MNPSP could also provide a file containing all of the numbers to be transferred in future, facilitating preprocessing and advance work in the receiving system, such as allowing the recipient operator to distribute SIM cards in advance. If desired, the 'bulk port' message flow could be

limited to the creation of port request and the sending of broadcasts. Alternatively, the advance work, such as sending of the SIM cards could be done as part of a modified flow where the recipient sends and receives messages as part of the port process, but MNPSP will execute a modified flow which does not involve sending messages to the Donor.

Q.13 If there are any other issues relevant to the subject, stakeholders may submit the same, with proper explanation and justification.

Response from MITS (Zone 2):If updates to technology do not always involve a route change, the industry should be notified of a technology change via a broadcast or a bulk sync file. The updated technology would be included in a new field in the port request and broadcast messages. In addition, a new update message can be provided to update the route or the technology field.

In the case where a route change accompanies changes to technology, MNPSP could provide a new Update message for route changes within the same operator, which would be considered a Port Request, and would allow the change to be tracked and operators to be notified.