



BERMUDA

REGULATORY AUTHORITY (NUMBERING PORTABILITY)
GENERAL DETERMINATION 2014

BR 8 / 2014

The Regulatory Authority, in exercise of the power conferred by section 62 of the Regulatory Authority Act 2011 and section 47 of the Electronic Communications Act 2011, makes the following General Determination:

Citation

1 This General Determination may be cited as the Regulatory Authority (Number Portability) General Determination 2014.

Interpretation

2 In this General Determination unless the context otherwise requires all relevant terms shall have the meaning given in the Regulatory Authority Act 2011 and the Electronic Communications Act 2011.

General Purpose

3 This General Determination prescribes the method by which subscribers to fixed or mobile communications services can retain the fixed or mobile number assigned to them under the national numbering plan when such subscribers elect to switch to another communications provider.

Terms and conditions of the Interim General Determination

4 The Schedule has effect.

SCHEDULE

(Paragraph 4)



***Number Portability General
Determination***

General Determination
Matter: NP02/13 - 1100
Date: 16 August 2013

Number Portability General Determination

This Regulatory Authority General Determination is made in accordance with section 62 of the Regulatory Authority Act 2011 and section 47(1) of the Electronic Communications Act 2011.

1. Mobile number portability

- 1.1. In order to promote competition, all mobile operators shall cooperate to implement mobile number portability by 3 March 2014, ie each operator shall be able both to export and to import mobile numbers.
- 1.2. The mobile operators shall complete their preparations and be ready for inter- operator testing by 3 February 2014.

2. Fixed number portability

- 2.1. BTC shall implement the capability to export numbers within four months of receiving a written request from another operator copied to RAB, but not before 3 March 2014.
- 2.2. BTC shall implement the capability to export numbers within two months of receiving any subsequent written requests.
- 2.3. Any operator who requests portability from BTC shall offer portability itself to any other operator and shall commence such porting within two months of receiving a written request from the other operator copied to RAB.
- 2.4. The fixed operators concerned shall complete their preparations and be ready for inter-operator testing by one month before the start date.

3. Other operators

- 3.1. Any operator may request number portability in writing from BTC and from other operators who have requested portability but shall

offer portability to any other operator if they make such a request.

4. *Capability to import a number*

- 4.1. Except for the two mobile operators, no operator is required to offer to import a number, but if it does offer to import a number is free to offer to import only those numbers that are in a number block allocated to itself (ie import back its own numbers) and not to import other numbers.

5. *Routing requirements*

- 5.1. All operators who export numbers shall implement onward routing for calls and shall ensure that the signaling for supplementary services works correctly on communications with ported numbers.
- 5.2. The mobile operators shall implement All Call Query for outgoing calls and shall ensure that SMS messages are delivered correctly to ported numbers. All operators shall conform to a Routing Specification to be published and updated as necessary by RAB after consultation with the operators, however a pair or group of interconnected operators may deviate from this specification by mutual agreement provided that so doing does not cause other operators to make changes to their network.
- 5.3. All operators shall conform to a Routing Specification to be published and updated as necessary by RAB after consultation with the operators, however a pair or group of interconnected operators may deviate from this specification by mutual agreement provided that so doing does not cause other operators to make changes to their network.

6. *Central database and communications between the operators*

- 6.1. There is no requirement to use a central database but operators may choose to use one, in which case the operators may decide themselves how to share the costs, but in the absence of such agreement RAB will determine how the costs should be shared.

- 6.2. For porting transactions the operators shall communicate with each other using a method to be described in a specification to be developed by the operators and RAB and published by RAB. A pair or group of interconnected operators may communicate in a different way by mutual agreement provided that so doing does not affect the other operators.
- 6.3. All operators who import numbers shall make an up-to-date list of the imported numbers that they are serving available free of charge to other operators in Bermuda.
- 6.4. The means of making this information available shall be agreed with RAB.

7. *Costs and charges*

- 7.1. Each operator shall bear its own setup costs.
- 7.2. Each operator who receives a request for a number to be ported may charge the recipient operator a transaction charge not exceeding the levels in Annex 1.
- 7.3. Operators may waive or modify transaction charges by mutual agreement on a reciprocal basis.
- 7.4. Each block operator who transits calls using onward routing may charge the originating operator a porting supplement to their transit charge not exceeding the level shown in Annex 1.
- 7.5. Donor Operators shall not charge the Subscriber for Number Portability nor for any part of the associated process.
- 7.6. Recipient Operators may charge the Subscriber for Number Portability.
- 7.7. No other charges relating to portability are permitted unless RAB gives permission in writing for such charges.

8. ***Porting Process***

- 8.1. The porting process shall be started by the Subscriber contacting the Recipient Operator (recipient led).
- 8.2. The Subscriber shall appoint the Recipient Operator as agent to request the porting of the number and the ceasing of the service on the number to be ported with the Donor Operator. This appointment shall be made by the completion of a standard Porting Request Form.
- 8.3. The donor operator shall respond to requests from the recipient operator so that portings of individual numbers requested before 9-30 am on a working day can be completed by 5-00 pm on that same day unless the recipient operator or the subscriber wishes the porting to be delayed. Operators with fewer than 2000 subscribers may obtain permission in writing from RAB for a longer period to respond to porting requests.
- 8.4. The reasons for rejecting a request for number portability shall be limited to the following:
 - a. Incorrect, inconsistent or missing information, including authorisation and identification information in the porting request;
 - b. In the case of post-pay subscribers, one or more previous bills being unpaid for more than 30 days after the date when the bill was issued
 - c. Any other reason agreed by RAB and notified in writing to all Operators.
- 8.5. All operators who port numbers shall conform to a Porting Process Specification to be published and updated as necessary by RAB after consultation with the operators, however a pair of operators may deviate from this specification by mutual agreement provided that so doing does not cause other operators to make changes to their procedures and processes.

9. ***Winback***

- 9.1. Donor Operators shall not contact the subscriber to make offers to win back the subscriber or to comment on the quality of service or prices of the Recipient Operator during the period from when the request for number portability has been received by the Donor Operator until one month after the porting has been implemented correctly.
- 9.2. Donor operators may contact subscribers by call, email or text message to confirm that they have requested portability and to notify them of any early termination charges that arise from closure of service on the number being ported. Donor operators shall not comment on the quality of service or prices of the Recipient Operator during such calls or messages. Donor operators shall keep a log open to inspection by RAB of all such calls and messages. In the case of calls, the log shall include the identity of the person making the call, the called number and the date, time and duration of the call. In the cases of emails and text messages the log shall include the message contents, the recipient number or email address and the date, and time of the message.

10. ***Quality of Service***

- 10.1. Operators who are exporting or importing numbers shall report the following statistics in relation to number portability.
 - a. Number of Authorisation Requests sent to the other Operator;
 - b. Number of Authorisation Request refusals received from the other Operator;
 - c. Number of Instruction Requests sent to the other Operator;
 - d. Number of Instruction Request refusals received from the other Operator;
 - e. The two most common refusal codes used;

- f. Number of successful portings completed by the requested porting time and date;
 - g. Number of successful portings completed later than requested porting time and date; and
 - h. Number of porting requests cancelled by recipient before completion
- 10.2. The measurements shall be made for the following periods:
- a. 1 January to 31 March;
 - b. 1 April to 30 June;
 - c. 1 July to 30 September; and
 - d. 1 October to 31 December.
- 10.3. The results shall be reported to RAB within four weeks of the end of each measurement period.
- 10.4. If on the same day Operators receive portings requests, as donor operators, relating to more than 30 different accounts, they may exclude from the statistics figures for actions carried out by them on that day. Each reporting period they shall report the number of days for which this provision has been applied.
- 10.5. RAB may reduce the reporting requirements by letter to the operators after porting has been in operation for a year.

11. ***Termination of service***

- 11.1. If a Subscriber decides to terminate the service provided by the Recipient Operator, the Recipient Operator may retain the number for a period of up to 12 months after the service ends so that the Subscriber will be able to restart the service with the Recipient Operator.
- 11.2. A Recipient Operator shall not allocate a ported number to another Subscriber unless the Recipient Operator is also the Block Operator and at least 12 months have passed since the service ended.

12. ***Review***

- 12.1. It is the intention of the RAB to review this General Determination within one year of the start of portability in March 2014.

Annex 1

Porting transaction charge limits

Item	Maximum Charge
Successful portings	
Individual Fixed Numbers	\$ 6.00
Individual Fixed Numbers that require additional authorisation	\$ 9.00
Individual post-pay Mobile Numbers	\$ 4.00
Individual pre-pay Mobile Numbers	\$ 3.00
Individual Mobile Numbers that require additional authorisation	\$ 9.00
Blocks of 100 or more Fixed Numbers	\$ 25.00
Unsuccessful portings and pre-authorisation checks	
Individual Fixed Numbers	\$ 3.00
Individual Fixed Numbers that require additional authorisation	\$ 6.00
Individual post-pay Mobile Numbers	\$ 3.00
Individual pre-pay Mobile Numbers	\$ 2.00
Individual Mobile Numbers that require additional authorisation	\$ 6.00
Blocks of 100 or more Fixed Numbers	\$ 6.00

Transit charge limits

A porting supplement limit of [0.2 cents] per minute or 20% of the transit charge whichever is the greater. Note: Further consideration may need to be given to LAC issues.

REGULATORY AUTHORITY (NUMBERING PORTABILITY)GENERAL
DETERMINATION 2014

Signed this 31st day of January 2014

Kent Stewart
Chairman, Bermuda Regulatory Authority