



**RESPONSE OF CABLE BAHAMAS LTD,
SYSTEMS RESOURCE GROUP LIMITED AND
CARRIBEAN CROSSINGS LTD**

TO

***URCA'S CONSULTATION DOCUMENT ON NUMBER
PORTABILITY FOR THE BAHAMAS***

(ECS 8/2011)

24 June 2011

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Cable Bahamas Ltd. ("CBL"), including its affiliates Caribbean Crossings Ltd. and Systems Resource Group Limited., hereby responds to URCA's Consultation Document on Number Portability for The Bahamas (ECS 8/2011) that was issued on 15 April 2011¹. URCA is to be commended for its thorough assessment of the issues and options relevant to the implementation of Number Portability ("NP") - particularly service provider NP - in The Bahamas. In CBL's view, the efficient deployment of a suitable NP system for fixed telephony services is as important as the activation of interconnection arrangements between Other Licensed Operators ("OLOs") and the Bahamas Telecommunications Company Ltd. ("BTC"). CBL hopes that interconnection with BTC will be fully implemented within the coming weeks. It is therefore of critical importance for URCA to oversee the efficient roll-out of a pragmatic NP solution that will enable business and residential consumers to switch from one fixed voice operator to another - without losing their phone number - before the end of the year.

CBL's position is summarised in the section below, followed by CBL's response to each of the questions posed by URCA in the Consultation Document.

Because of the importance of service provider NP implementation to the development of competition in the fixed voice market, CBL has retained the international telecommunications consultancy, Analysys Mason, to provide their expert views on the available solutions and relevant benchmarks. Analysys Mason has considerable experience in this area, having undertaken a wide range of projects for operators and regulators worldwide related to fixed and mobile NP. Analysys Mason's extensive NP experience ranges from economic and strategic advice to in-depth operational support in deploying NP solutions.

1 Summary of Position

It is well established, based on the past experience of many other countries, that service provider NP, along with interconnection and access, is essential for the development of competition in the fixed telephony market. The ability and inclination of fixed voice customers to switch providers depends to a considerable degree on the availability of NP as it reduces customer barriers to switching and increases market fluidity. Many customers will choose not to change their service provider if this means they must take the service with a new telephone number. This is true in the case of high-value business users but is also a significant factor for residential consumers².

It is precisely because of the importance of NP to customer switching that incumbent telephone companies have an incentive to resist the adoption and implementation of NP schemes, particularly in the early stages of market opening. Because of the strong incentive that a super-dominant operator has to delay the introduction of competition and the loss of market share,

¹ URCA granted an extension of time for the submissions of responses until 24 June 2011. See URCA's 'Public Notice - Extension of Time for Submission of a Response to the Consultation on Number Portability for The Bahamas' (31 May 2011).

² Business users must offset the benefits derived from taking service from a new service provider against the cost of printing new stationary and business cards and of informing all customers and contacts of the new telephone number. Residential consumers also find it highly inconvenient to change telephone numbers, as URCA's survey indicates. See, ECS 8/2011 at pages 11-12.

experience elsewhere suggests that URCA will need to play a pro-active role in order to ensure that a pragmatic, efficient and effective NP solution is accepted and implemented by BTC without delay. CBL stands ready to assist URCA in this effort in order to help further the interests of consumers in The Bahamas, in accordance with section 4 of the Communications Act, 2009.

As discussed in URCA's Consultation Document, NP solutions have been developed over a period of many years in countries where there is competition in the fixed telephony market. There is thus no need for The Bahamas to re-invent the wheel. Valuable lessons can be learnt from international experience and a solution appropriate for The Bahamas can be established. In practice, where necessary, benchmarks should be used if the industry cannot reach a rapid consensus on process, price or other issues that have been tried and tested in other jurisdictions.

In order to implement NP as efficiently as possible, a pragmatic approach must be taken and practical short-term solutions should be adopted in order to avoid counter-productive delays. CBL therefore recommends the following:

- Onward routing (rather than call forwarding) should be the preferred solution for service provider NP; however, individual operators should be allowed to optimize their internal routing within their own networks in order to avoid so-called "call tromboning" if, and only if, such an internal solution would not require additional implementation time and thus delay the availability of an onward routing solution).
- The fixed NP process should not be delayed by discussions around mobile NP and BTC's continuing mobile exclusivity should not be allowed to place an undue burden on OLOs in the fixed line market. Developing an economical and technically feasible mobile solution should be left for discussion at a later time.
- The chosen NP solution should be operational before the end of 2011, and a strict cost orientation should be applied. If the necessary cost data are not available, URCA should rely on benchmarks from abroad as an interim solution.
- The Number Portability Working Group ("NPWG") should be constituted as soon as possible and work under much tighter deadlines than those suggested by the Consultant Document. Moreover, from the outset, URCA should participate actively in the role of Mediator to ensure that there are no unnecessary delays in reaching agreement on a solution that can be implemented before the end of this year, as timing is of the essence.

2 Answers to URCA's consultation

2.1 Question #1

Do you agree with URCA's proposal to introduce service number portability for fixed communication services as soon as economically and technically feasible and, subject to further consultation with interested parties, for mobile communications services in time for the
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introduction of competition in mobile communications? If you disagree, please provide reasons.

CBL urges URCA to mandate the introduction of service NP for fixed communication services as soon as possible, and in practice before the end of 2011.

NP is available and has matured in the majority of markets around the world. In many cases, there have been short-term technical solutions put in place to foster competition. One such solution is onward routing. As previously mentioned, CBL considers short-term implementation of NP in The Bahamas not only possible but also a key element of the development of the fixed market development. Licensed operators using an NGN platform, such as BTC or CBL, typically have the platforms to provide more advanced and efficient forms of NP (than onward routing). However, the potential to implement a more elegant longer term solution should not be used as an excuse to delay the implementation of NP by means of onward routing, which it should be possible to implement in less than six months.

Given that the mobile market will remain in a monopolistic situation until at least 2015 and that NP is essential and urgent for the development of the fixed line market, it would be inappropriate to use operators' scarce resources, time and effort to define a NP solution adapted for the mobile market (which may not be practical before three to four years). CBL therefore believes that mobile NP should be discussed at a later stage.

2.2 Question #2

Do you agree that location portability should be mandated at the Local Charging Area level? If you disagree, please provide reasons.

CBL agrees that location portability should be mandated at the local charging level. Location portability is the norm in most developed countries.

2.3 Question #3

Do you agree with URCA's proposal that number portability at the National level should be left to the discretion of the Operator that is subject only to the Operator's ability to satisfy URCA that the user will be able to identify the charges for calls to ported numbers? If you disagree, please provide reasons.

CBL understands that this proposal refers to geographic NP on a national level, *i.e.* the possibility for a subscriber to move house from one island to another and keep his or her fixed number. CBL believes that "number portability at the national level" is not a pressing issue for The Bahamas at

this time and should therefore not be considered as a near-term priority for operators or for URCA. This could be re-considered at a later date when fixed-mobile portability is considered in the context of the award of competitive mobile licences.

In any case, NP at the national level should not be used as an excuse to delay discussions or implementation of NP before the end of 2011.

2.4 Question #4

Do you agree with URCA's proposal to prohibit the porting of numbers between fixed and mobile communications services at this time? If you disagree, please provide reasons.

CBL agrees. Mixing fixed and mobile at this time would not be a desirable or fruitful approach. It would create a major lack of transparency and visibility on the retail market due to the mix of pricing and interconnection regimes (calling party pays for fixed line services and mobile party pays for mobile communications).

The extended mobile exclusivity period granted to BTC should not be allowed to impose an additional burden on OLOs in the fixed line market by requiring the industry to develop an economical and technically feasible mobile solution before mobile competition is permitted. Mobile NP should be left for discussion over the longer term. Mobile markets will mature over the next few years internationally and mobile NP solutions may even improve during this timeframe in comparison to methods adopted today.

For these reasons CBL believes that time and resources should not be used to address mobile market NP in the short term.

2.5 Question #5

Which of the methods of service number portability would be most suitable for implementation in The Bahamas?

For the purpose of realising a pragmatic and easy-to-implement solution, CBL believes that onward routing is the preferred short to medium term solution for fixed NP and should be implemented as rapidly as possible in The Bahamas. This would allow all operators (local or international) to have their calls terminated without the burden of implementing a more complex NP solution (as the call to a ported number would simply be conveyed by the receiving operator to the operator to which the number has been ported). CBL also believes that the onward routing solution is more efficient and straightforward than call forwarding.

Onward routing mainly consists of a simple transit service, whereby the original number range holder's network onward-routes a call made to a ported number directly to the recipient network. By contrast, in the case of call forwarding, the recipient's network must use a 'shadow number' rather than the original CLI (Call Line Identifier) number. Call forwarding has the potential to introduce confusion or can result in rejected calls, should the new 'shadow number' not be recognised by the 'called' party when the customer calls out from their 'new' number.

However, operators should be left with the possibility of optimising the *internal* routing on their own networks so as to avoid inefficient call tromboning where possible. Indeed, some network architectures (typically NGN architecture) include features by which the voice platform (in particular the softswitch cluster) initiates a query to the numbering database for routing purposes and may perform a number lookup to identify another operator's number that has been "ported in" to the provider's network. This internal optimization solution can to some extent be considered as a form of "local" All-Call-Query (ACQ) solution. This means that a call originating on CBL's network and ultimately destined for a customer on CBL's network will not have to be onward-routed to the original number range holder's network for customers who have switched to CBL. Although all operators should be left with the option of using traffic routing optimisation solutions within their networks, CBL urges URCA to ensure that such optimisation solutions are not used as an excuse to delay the implementation of NP (via onward routing).

2.6 Question #6

In the event that call forwarding is not considered an appropriate long-term solution, would it be appropriate having regard to the stated desire for number portability to be implemented as soon as possible to implement number portability using call forwarding as an interim solution?

As explained in the response to Question #5, CBL believes that onward routing, rather than call forwarding, should be implemented. Onward routing represents a pragmatic solution for an originating operator that would not otherwise have the technical capability to route the call directly to the recipient network.

However, as mentioned, operators should have the flexibility to implement more optimal solutions internally for routing calls to ported numbers within their networks (which can in effect be considered as an ACQ solution as presented in Question #5).

2.7 Question #7

Do you agree with URCA's analysis and proposal that the issue of whether a clearing house should be established locally, outsourced to an external party, or in partnership with regional regulators and operators in other Caribbean jurisdictions, should be considered and recommended by the

NPWG? If you disagree, please provide reasons.

Preferred Option

CBL believes that if there are more than two operators in the market, a clearing house solution should be implemented. It will provide an important independent monitoring/control administrative layer for the porting process, and is the optimal solution where there are more than two operators active in the fixed voice market. In this context, a clearing house can be an important lever to assist the effective implementation of NP in The Bahamas. Regardless of the selected technical solution for call routing, a clearing house can provide benefits such as:

- the independent implementation by a third-party of the IT business process for NP, *i.e.* defining the structure and storing the information workflows between donors, recipients and the clearing house database. Since service NP is by nature symmetric between operators, it makes sense for a third-party to have responsibility for gathering and reconciling NP data.
- an independent view on the whole NP process, with the gathering of key performance indicators on the effectiveness of the process (in terms of number of ported numbers, lead time for the porting, rejected volumes, etc.). The related statistics can then be used to track operator efficiency and solve potential issues between operators.
- a unified and central database for the ported numbers, thus allowing the reconciliation of potential discrepancies between individual operators. This unified source may also be used in the future for number routing (if relevant) and/or billing by local operators.

In order to minimize the costs related to the clearing house and reduce implementation time, URCA, together with industry, should investigate outsourcing options for the provision of a clearing house function by an external supplier at the international level. CBL's opinion is that setting up a clearing house that provides a 'remote' managed service carries an important fixed cost element and should therefore ideally not be implemented solely for The Bahamas, but rather on a regional basis, in order to share costs and experience. This might, however, imply that Bahamian stakeholders will need to compromise on the deployment of local functionalities so as to achieve a rapid and inexpensive implementation.

There are at least ten specialised vendors of clearing house applications that can deliver 'off-the-shelf' NP solutions. In this context, the basic management modules – Port Request, Port Response (Request accepted or Request rejected), Number Repatriation, and Number Routing management functionality – are already available, and could be deployed in a relatively short timeframe in The Bahamas. Questions regarding physical location of the system and operational responsibility (Managed Service) could be dealt with in parallel. Use of remotely based services would mean a significantly lower cost to all operators. In most cases, these 'off-the-shelf' solutions could be expanded to include mobile NP functionality as and when this becomes an option.

The example of the island of Jersey is relevant in this regard. After an (unsuccessful) initial attempt in 2006 to introduce NP alone, the Jersey regulatory authority decided to work together

with the regulator of Guernsey to define a common set of NP principles in the Channel Islands (Guernsey & Jersey). Both islands have the same market structure (with the only difference being that C&W is the incumbent in Guernsey whereas Jersey Telecom is the incumbent in Jersey). The hosted clearing house is provided by an independent IT supplier whose main system is based in London, with a disaster recovery system in The Netherlands. The service has been operational for the past three years. As of December 2010, no errors or complaints had been recorded. Due to all parties (regulators and operators) working towards a common goal, the overall result is considered a success.

Fallback Option

The optimal solution may, however, not be achievable before the end of 2011. CBL recommends a pragmatic approach as an interim solution if the industry is not able to reach a consensus on the clearing house solution before 12 October 2011.

If discussions relating to the planning and implementation of the clearing house take excessive time and put at risk the availability of a clearing house in time for the launch of NP by the end of year 2011, bilateral processes can and should be implemented as an interim solution. This would involve each Bahamian operator using email/read receipts, etc. as a temporary fall-back measure to get NP up and running until the clearing house becomes operational.

In principle, CBL agrees that the NPWG should consider potential process management options and provide URCA with recommendations regarding the operational implementation of the clearing house.

2.8 Question #8

Do you agree that service provider number portability in The Bahamas should be Recipient initiated? If you disagree, please provide reasons.
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CBL supports URCA's position that service provider NP should be Recipient initiated.

This would *de facto* limit the means for operators to delay the NP process and could limit win-back attempts from the Donor. URCA should also mandate that once the porting process has been initiated by the Donor's receipt of a customer request for a change of service provider, the Donor should not have any further contact with the customer for a specified period.

Recipient-initiated portability is particularly relevant in the case of The Bahamas, where several competing infrastructures (copper PSTN, cable HFC, and wireless network) may be used to deliver telephony services. This means that in specific cases (*e.g.* for some business customers), physical infrastructure work may be required to 'connect' the customer to the Recipient network before the execution of the Porting Request. Such work obviously requires adequate planning, which reinforces the need for a Recipient initiated process.

As stated by the Electronic Communications Committee in a report about NP efficiency,³ the NP process for both fixed and mobile services is recipient-led in most countries. As such, the customer contacts the new (recipient) operator to sign a new contract and initiates a request to port the number to a new service provider. The Recipient then requests and coordinates execution of the porting, within an agreed timeframe.

2.1 Question #9

Do you agree that with URCA's proposal to prohibit the Donor from contacting the customer for retention purposes for a period of at least two (2) years following the introduction of service provider number portability?

CBL agrees that URCA should prohibit the Donor from contacting the customer for retention purposes from the moment the NP request is initiated and during a period of two years following the introduction of service provider NP.

Certainly as important as controlling the Donor win-back practices is contract lock-in. International experience indicates that before NP is introduced, the SMP operator on the retail market generally attempts to lock in the most profitable customers (particularly corporate customers) by moving them into long-term contract periods which would therefore prevent or seriously deter them from switching to a competitor when NP is introduced. We believe this risk is extremely high in The Bahamas and we would urge URCA to monitor contract duration and associated discounts or similar loyalty programmes. URCA should make clear that: i) contracts of excessive duration will not be allowed, and ii) discounts associated with extended commitments should not exceed the objectively quantifiable cost savings these commitments bring to the operator (e.g. reduced acquisition costs) as these practices could typically limit market fluidity.

2.2 Question #10

Do you agree that maximum timeframes for service provider porting should be implemented and mandated by URCA, and that the Number Portability Working Group should be tasked with making recommendations to URCA on those timeframes? If you disagree, please provide reasons.

This question can be interpreted to cover two different timeframes: (i) the time for the industry to implement NP via an onward routing solution; and (ii) the average or maximum time that it takes for the Donor and Recipient operators to verify and execute a customer's service change and porting request. We address each issue in turn below.

³ 'Number portability efficiency: Impact and analysis of certain aspects in article 30.4 of the universal service directive and general remarks on NP efficiency', report from the Electronic Communications Committee (ECC) within the European Conference of Postal and Telecommunications Administrations (CEPT) - November 2010

► (1) *Timeframe to Implement Onward Routing.*

A NP solution can and should be operational before the end of 2011. Such timing is possible in the context of The Bahamas market with an onward routing solution. The table below presents the following key tasks, as well as an estimate of the time that is likely to be required (please note that some of these tasks can be run in parallel as indicated):

<i>Task</i>	<i>Description</i>	<i>Estimated duration</i>
Engagement of the Number Portability Working Group	This group will recommend how NP will be implemented in The Bahamas.	2 months
Planning and implementation of clearing house	The implementation of a clearing house provides for independent administration functionality to monitor and control all NP related processes, and to store current and historical details relating to porting requests and current state of ported numbers.	Up to 18 weeks, and possibly less if an offshore hosted solution is used and the process management & business rule requirements are similar to other jurisdictions.
Definition of bilateral processes in case of delays with the set-up of the clearing house	As explained in the answer to Question #7, if agreement on or the implementation of the clearing house takes longer than expected, bilateral processes can be implemented between operators using email/read receipts, etc. as a temporary fall-back measure to get NP running until the clearing house enters into service.	By 12 October 2011
Network implementation and testing processes	Testing of onward routing solution	Up to 6 weeks
Definition and implementation of internal processes	This includes changes required in Sales/Customer Care/Number Management processes, and associated IT systems.	Around 16 weeks

Figure 1: *Main tasks involved in the set-up of number portability and estimation of associated implementation time [Source: Analysys Mason]*

Based on the individual times for implementing the key tasks required for NP using onward routing, CBL believes that the following timeline is reasonable and can be achieved by the end of 2011:

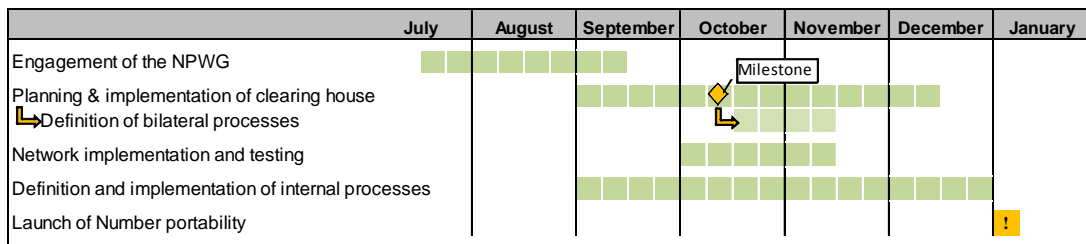


Figure 2: *Timeline for implementation of number portability in The Bahamas*

An NP implementation of six months is feasible, as confirmed by several international references in Europe (e.g. Spain) and South America. This target is all the more achievable in The Bahamas, given the size of the market, if URCA adopts a pragmatic approach, characterised by:

- the use of onward routing as the baseline technical solution;
- the use of a shared clearing house with other countries in the region; and
- if set-up of the clearing house puts at risk the target NP implementation date of the end of 2011, the adoption of a set of temporary measures involving bilateral exchanges between operators, until a clearing house is fully operational. (This will ensure that any lack of cooperation among operators in the selection of the clearing house solution does not delay the introduction of NP).

In addition, international experience shows that the strict engagement of the regulatory authority throughout the negotiations and the implementation process is a key factor in achieving effective NP implementation. This will include URCA's close involvement in monitoring the progress of the negotiations of the NPWG, resolving issues as they arise, and also monitoring and controlling the progress of operators in meeting their internal implementation requirements (network, internal processes, etc.) so that these action items are completed on schedule and do not delay the overall process. For instance, URCA would have to ensure that appropriate internal actions are taken by each party so that inter-operator network testing of onward routing is performed on a timely basis.

► (2) *Maximum porting times using onward routing*

URCA should establish average and maximum time periods for executing service provider portability, including maximum timeframes based on international benchmarks. URCA rightly points to studies on porting time, which demonstrate customers preferences for a short porting time and highlight that a majority of countries have porting times between 2 and 5 days (ECS 8/2011 at page 39). This is confirmed by a recent benchmark on porting times for residential consumers conducted by the European Conference of Postal and Telecommunications Administrations, as illustrated below.

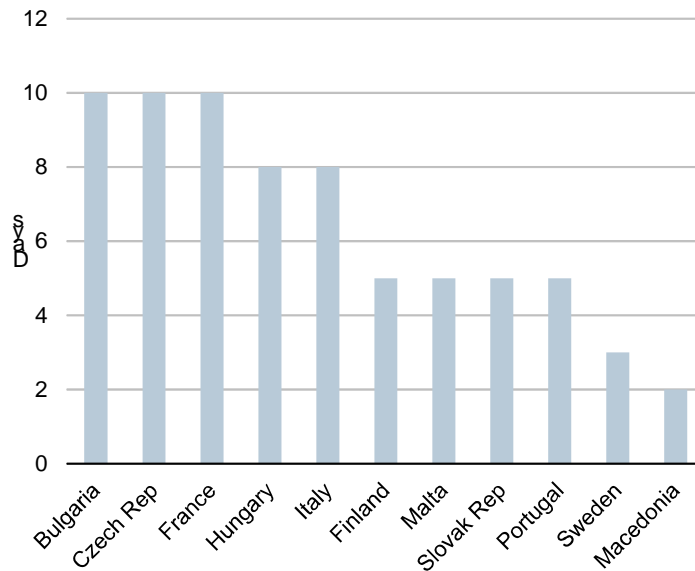


Figure 3: Regulated fixed porting times for residential customers [Source: European Conference of Postal and Telecommunications Administrations (CEPT), 2010]

Based on CBL’s review of international benchmarks, CBL believes that an average of 2 days and a maximum 5 days should be set by URCA for residential consumers for the end-to-end NP process in The Bahamas. In addition, CBL believes that the maximum time for the Donor operator’s response should be set at a maximum of 1 business day, as has been established by the European Commission.⁴

In regard to corporate customers, CBL acknowledges that in some cases, handling a porting request can be more complex than for residential customers. When porting a number, a residential customer will at the same time cancel its existing access line. However, because corporate customers have groups of access lines and groups of telephone numbers, they may decide to port several (but not necessarily all) fixed telephone numbers and retain a number of existing access lines in addition to the new ones. Also, infrastructure work may be required to ‘connect’ the customer to the Recipient network (requiring adequate planning) before the porting request can be executed. In this context, NP for corporate fixed customers can require more flexibility, so that number porting is set to occur on a specific date (or even possibly in a specific timeslot) by agreement.

For these reasons, URCA should work with the NPWG to establish and approve average and maximum timeframes, as well as the handover procedures in certain complex cases involving business users.

⁴ ‘Number portability efficiency: Impact and analysis of certain aspects in article 30.4 of the universal service directive and general remarks on NP efficiency’, report from the Electronic Communications Committee (ECC) within the European Conference of Postal and Telecommunications Administrations (CEPT) - November 2010 see page 9, quoting Universal Service Directive Article 30.4

2.3 Question #11

Do you agree that with URCA’s proposal that the relevant principles for cost recovery should be cost causation, relevant cost, cost minimisation, reciprocity, effective competition, practicability, and distribution of benefits? If you disagree, please provide reasons.

CBL agrees that cost causation, relevant cost, cost minimisation, reciprocity, effective competition, practicability, and distribution of benefits are relevant principles to apply to design cost recovery mechanisms for service provider NP.

These general principles are best practice and the way in which they are implemented can make a significant difference. It is essential that negotiations over the appropriate charges are not used as an excuse to delay NP implementation. If the relevant cost data are unavailable or in question, URCA should impose an interim solution based on international benchmarks and the charges imposed should provide an incentive for production of the requisite cost data.

Set forth below is CBL’s position on the recovery principles for the main cost items identified by URCA in the consultation document.

<i>URCA's classification of costs for NP</i>	<i>Description</i>	<i>CBL's position</i>	<i>Additional information</i>
Establishment costs			
Clearing-house set-up costs	Cost incurred as a result of national database of ported numbers (for off-switch only).	Costs should be equally shared between operators.	Costs would depend on the possibility to outsource / share a clearing house with other jurisdictions and their associated costs. ⁵
Per operator set up cost	Cost incurred as a result of: <ul style="list-style-type: none"> initial network modifications (including programming of routing tables); software modifications in the information systems; and set-up of new inter-operator tools and procedures 	These costs should be borne by each operator and not recovered	As implied in URCA's consultation document, CBL believes that all costs internal to each operator to implement the NP process, procedures and solutions should not be recovered.
Consumption costs			

⁵ As an example, the Channel Islands Guernsey/Jersey are using a shared clearing house run remotely and whose implementation costs reached USD150k, shared across all operators.

<i>URCA's classification of costs for NP</i>	<i>Description</i>	<i>CBL's position</i>	<i>Additional information</i>
Per line set-up costs	Costs incurred as a result of: <ul style="list-style-type: none"> • service ordering procedures; • modifications of subscribers data in the information systems; and • modification of subscriber data in the network elements. 	These costs should be recovered on a strict cost-orientation and reciprocity principle.	In the absence of a complex cost model (which would need to be carried out once process has been running for some time), benchmarking can be used.
Additional conveyance costs	Costs incurred as a result of: <ul style="list-style-type: none"> • extension of traffic link capacity; and • additional call processing, switching and intelligent network IN resources. 	In order to avoid inefficiencies and incentivise efficient network routing, the costs of the transit of onward routed traffic should be recovered.	CBL suggests to use the transit RAIO tariff as a proxy for onward routing service, at least as a temporary measure, until proper cost-based information can be measured.
Continuing administrative costs	Includes: <ul style="list-style-type: none"> • management of a national 'ported numbers' database; and • administration of general information. 	The costs of the management of the database/clearing house should be shared between operators, on an equal basis. Other administrative costs incurred to the internal operation of the process (including SLA reporting, etc.) should not be recovered.	-

Figure 4: CBL's initial position on cost allocation and recovery mechanisms

2.4 Question #12

Do you agree that detailed consideration of the actual costs and consideration of detailed mechanisms for cost recovery should be referred to the Number Portability Working Group which should make detailed recommendations to URCA consistent with the principles set out in the consultation document? If you disagree, please provide reasons.

CBL agrees that the NPWG should be tasked to study the detailed mechanisms for cost recovery and provide URCA with detailed recommendations on these matters. However, as discussed in response to Question #11, this should not be used as a reason to delay implementation of NP based on onward routing. Instead, a pragmatic approach based on relevant proxy (such as RAIO transit charge for onward routing transit) and relevant benchmarks should be used to set the price until a cost assessment can be completed.

It is likely to be difficult to reconcile divergent positions therefore URCA will need to take a firm line in order to determine a final position.

2.5 Question #13

Do you agree with the appointment, the composition and the Terms of Reference of the Number Portability Working Group as proposed by URCA? If you disagree, please provide reasons.

CBL has a number of concerns regarding the terms of reference of the NPWG as currently proposed by URCA.

First, as already noted, the NPWG should be constituted immediately and have as its focus the implementation of a workable service provider NP solution before the end of 2011.

Second, URCA's involvement and responsibilities within the NPWG should be much more extensive than as currently described in the Terms of Reference. URCA should act as a Mediator and may request recommendations from NPWG members, but it should be in a position to propose or impose solutions and procedures instead of having to wait for NPWG recommendations, which may never come. NPWG should serve as an advisory body to URCA and not be the main decision maker. URCA should approve all guidance coming out of the NPWG.

Third, the considered timeframe for the NPWG's action and report (6 months) is far too long and would result in further delay to the NP launch date. The NPWG should be constituted immediately, and URCA should establish critical milestones with a view to implementing an onward routing solution by the end of 2011. The NPWG should assist URCA in establishing the operational details and tariffs for an onward routing solution within a maximum period of two months.

Overall, the members of the NPWG should consider and follow four key principles throughout the process:

- Commitment – all parties commit to working towards a satisfactory conclusion;
- Compromise – all parties recognise that each cannot get everything they want;
- Co-operation – all parties agree that they must co-operate to implement an effective, efficient and economical solution; and
- Communication – all parties ensure that information necessary for them, individually and jointly, to take decisions is shared on a timely and appropriate basis.