

Telecommunications Act 2001

Section 58: Application for Clarification of a Determination for Designated Multinetwork Services

PUBLIC VERSION ¹

Compass Communications Ltd, Link Telecom (NZ) Ltd, Megatel, Nitonet Interconnect Limited, NOW New Zealand Ltd, Spark New Zealand Ltd (including Skinny Mobile), Symbio Wholesale NZ Limited, Telnet Telecommunication Ltd, Two Degrees New Zealand, Vodafone New Zealand Ltd (including TelstraClear, ihug and Vodafone Next Generation Services), Vibe Communications Ltd, Vocus New Zealand Ltd (including 2Talk, CallPlus, Orcon and M2), Voxbone SA and Voyager Internet (together the Parties) apply under section 58 of the Telecommunications Act 2001 for clarification by the Commerce Commission of Determination No. 554 as clarified by Decision 579, Decision 600, Decision 605 and Decision 612 (**Number Portability Determination**) on the matters set out in this application.

This application is divided into two parts:

- A. Part A sets out the Application Details; and
- B. Part B and Appendix 1 sets out the clarifications of the Number Portability Determination agreed by the Parties;

¹ There is no Restricted Version of this application.

PART A: APPLICATION DETAILS

THE PERSON(S) GIVING NOTICE (the Parties)

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SERVICES

The Application relates to the services of local telephone number portability and cellular telephone number portability, covered by the Number Portability Determination.

CONFIDENTIALITY

No information in this Application is confidential. The Parties agree to this Application being made public in its entirety.

PART B: DETERMINATION SOUGHT

The Parties are pleased to advise the Commission that they have agreed a number of clarifications to the Number Portability Determination and would like to make an Application under section 58 of the Telecommunications Act 2001 to make these amendments to the Terms for Local and Mobile Number Portability in New Zealand (“LMNP Terms”).

The Parties request that the Commission amend the Number Portability Determination in the manner proposed in Appendix 1.

We note that the last clarification to the LMNP Terms was made in 2009. A number of changes that have been made to the LMNP Terms have been made to align the document with current practice and to eliminate references to old technology or redundant processes.

Major changes

The major changes to note are as follows:

- Amendment to the definition of Standard Hours of Operations to allow for changes to operating hours. Industry has recently extended the hours of operation for portability in an effort to improve customer experience. It is likely that industry will seek to extend these hours further in the medium-term future and it will be more efficient to be able to make these changes to the Standard Hours of Operations via the Number Portability Operations Manual.
- Changes to Customer Authorisation processes to enable a better customer experience when there are delays in auctioning port request – this is particularly in relation to where there are delays with consent for fibre installs.
- Replacement of Emergency Returns process with the Approved Port Change process. The current Emergency Returns process does not cope well with automation. Replacing this process will provide a better customer experience.
- Changes to the Service Level Agreements which seek to decrease the frequency of Caution Notice of Breaches, while maintaining the ability to identify any systemic issues.

Consultation process

The Parties note that there has been extensive consultation on these changes. At a technical operational level there has been input via the TCF’s Number Portability Users Group (NPUG). NPUG has a large membership of current users of the Industry Portability Management System and this group meets fortnightly to discuss operational issues.

Once the changes to the LMNP Terms were agreed by NPUG, they were circulated for comment to the Parties to the LMNP Determination.

Version control

The Parties request that if the Commission agrees to amend the Number Portability Determination, a new version of the LMNP Terms be issued. To assist with version control, the new version should

reference the previous versions and include the latest Clarification Decision Number and date on the front cover of the LMNP Terms.

This Application is signed in counterparts.

Dated this 8 August 2016

Signed by

Compass Communications Ltd

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Name of signatory

Link Telecom (NZ) Ltd

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Name of signatory

Megatel

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Name of signatory

Nitonet Interconnect Limited

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Name of signatory

NOW New Zealand Ltd

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Name of signatory

Spark New Zealand Ltd

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