



**JERSEY COMPETITION REGULATORY AUTHORITY
(‘JCRA’)**

DIRECTION ON MOBILE NUMBER PORTABILITY

5 June 2006

Whereas:

- (a) Each licensee under the Telecommunications (Jersey) Law 2002 (the 'Law') is obliged, pursuant to the conditions contained in their Licences, to 'comply with any direction issued by the JCRA in respect of Number Portability'; and
- (b) The JCRA has determined, for the reasons set out in the Position Paper, that it is appropriate to direct Cable & Wireless Jersey Limited, Jersey Telecom Limited, and Jersey Telenet Limited (the 'Operators') on Mobile Number Portability; and therefore
- (c) The JCRA issues this Direction on Mobile Number Portability, together with the attached Annex and Definitions, which both are integral parts of the Direction.

The JCRA hereby directs as follows:

1. The Operators shall provide Mobile Number Portability ('MNP') in Jersey utilizing a centralized database system (the 'MNP system') in accordance with the requirements specified in the Annex to this Direction.
2. The Operators shall use their best endeavours to implement MNP no later than 1 January 2007, and ensure that MNP is operationally effective from implementation.
3. The Operators shall, in any event, ensure that MNP is implemented and operationally effective no later than 31 March 2007.
4. The MNP system may be provided by a third party or established as a joint venture among the Operators. In the case of the latter, the joint or common costs of setting-up the MNP system shall be shared equally by the Operators. If a third party provides the MNP system, the Operators shall ensure that the fees it charges to Operators (including any element designed to recoup fixed set-up costs) are charged on a non-discriminatory basis. Where network investment is required for an Operator to interface with the MNP system, that Operator shall fund itself the necessary investment.
5. The Operators shall, by 31 July 2006, submit for the JCRA's approval (i) interconnection and implementation specifications necessary for the implementation of MNP and that do not discriminate against new or potential providers of Mobile Telecommunications Services; and (ii) any proposed invitation to tender for the provision of the MNP system.
6. The Operators shall, by 31 October 2006, demonstrate to the JCRA's satisfaction that (i) an appropriate MNP system has been acquired; and (ii) they are using best endeavours to implement MNP no later than 1 January 2007, and ensure that MNP is operationally effective from implementation.
7. Each Operator shall, by 30 November 2006, demonstrate to the JCRA's satisfaction that it is using best endeavours to have appropriate internal MNP

technology and processes implemented no later than 1 January 2007, and ensure that they are operationally effective from implementation.

8. Where this Direction places obligations on the Operators collectively, the Operators shall be liable jointly and severally for compliance with these obligations. In addition, Operators are jointly and severally responsible and accountable for the effective implementation and operation of MNP.
9. The JCRA may require information on the progress of MNP implementation and operation in Jersey.
10. The Operators are required to ensure that their representatives attend meetings on MNP implementation chaired by a representative appointed by the JCRA. Such meetings shall take place on alternate weeks, commencing during the week of 12 June 2006 until such time as MNP is operationally effective, unless the JCRA determines otherwise. In addition, the Operators will ensure that they make representatives available to attend meetings, upon reasonable notice, with the JCRA and or its representative to discuss the implementation of MNP. The JCRA may require the Operators to attend further meetings from time to time to monitor the operation of MNP.
11. The JCRA may require reporting and statistical information from the Operators concerning the operation of MNP.
12. The JCRA may further direct the Operators on NP matters. Upon written application by the Operators showing good cause, the JCRA also may extend one or more of the deadlines specified in Paragraphs 2-7.

5 June 2006

By Order of the JCRA Board

ANNEX

MNP REQUIREMENTS

Basic Capabilities of the MNP System

1. The JCRA has determined that NP is a requirement for Jersey. It recognizes that that MNP is likely to be required before general NP; however, the JCRA requires that any implemented system for MNP would be forward-looking and provide facilities and capabilities:
 - to interface with an NP system for fixed network telecommunications systems;
 - to interface with an NP system for broadband based telecommunications systems;
 - to manage general numbering functions such as block allocation and number translation services;
 - to operate across all mobile technologies;
 - to interface with any future Domain Name System ('DNS') based system such as eNum; and
 - to interface with a stolen mobile database function.

The MNP system also should have the ability to comply with the requirements of the Regulation of Investigatory Powers (Jersey) Law 2005.

Operation of MNP and payment of costs

2. If the MNP system is set-up a joint venture among the Operators, the operation of the centralized database shall be independent of, and at 'arms-length' from, the Operators.
3. The Donor Network may charge the Recipient Network for the reasonable costs incurred in porting a number to the Recipient Network. An Operator shall not apply a charge greater than the lowest charge among all Operators unless it is cost justified to the JCRA's satisfaction.
4. Each Operator shall bear its own costs for accessing the MNP system in relation to the on-going routing of calls to ported numbers.

Outline of the Porting Process

5. Porting originations shall be initiated and controlled by the Recipient Network. The Subscriber requesting porting shall at no time be required to contact the Donor Network to process any part of physical number porting.

6. The Recipient Network may make appropriate validation checks on the Subscriber's right to port. The Donor Network may not require verification information additional to that required by the Recipient Network.
7. Porting requests shall be processed within a timescale not exceeding 48 hours unless a request is refused by a Donor Network on any of the grounds listed in Paragraph 9.
8. A Donor Network shall not initiate contact with a Subscriber that has requested porting prior to the end of that Subscriber's porting process. All Operators must implement documented procedures which at a minimum are to ensure that, when it is operating as a Donor Network, there is no communication of information between personnel involved in number porting and personnel in sales and marketing.
9. A Donor Network may only refuse a porting request in circumstances when:
 - the number to be ported is not a valid and live number on the Donor Network;
 - the account number in the request does not relate to the MSISDN on post-paid accounts;
 - the number is already subject to a porting process;
 - the existing account is subject to suspension of service for non-payment;
 - there is failure by the Recipient Network to make available to the Donor Network a copy of the Subscriber's authorization for the porting request; or
 - the JCRA has approved, upon notification by the Operators, any other reason than the above for refusal.
10. The Donor Network shall not charge the ported Subscriber for requesting or applying the portability function.
11. Operators shall notify Subscribers of any tariff differences between 'on-net' and 'off-net' calls as a result of number porting.

DEFINITIONS

As used in the Direction and Annex, the following expressions have the following meanings:

“Donor Network” means the Operator that provides service to a Subscriber before porting.

“Licence” means a licence to run a telecommunication system granted by the JCRA under Article 14 of the Law.

“Mobile Number Portability (MNP)” means the ability of Subscribers to change their provider of Mobile Telecommunications Service and to retain the same telephone number.

“Mobile Telecommunications Services” means systems for conveyance of messages or data through a wireless Network which may also be interconnected with the PSTN.

“MSISDN” means a mobile station international subscriber directory number.

“Network” means a set of interconnected devices across which a telecommunicated message can be passed.

“Number Portability (NP)” means the ability of Subscribers to change their provider of telecommunications services and to retain the same telephone number.

“Position Paper” means the JCRA Position Paper on Number Portability dated 5 June 2005.

“PSTN” means a public switched telephone network.

“Recipient Network” means the Operator that acquires a Subscriber who takes up a new service with that Operator and transfers their existing number from their previous Operator.

“Subscriber” means a user of telecommunication services provided either through a contract or a pre-paid account.