



**Independent Communications Authority
of South Africa**

**REASONS FOR THE AMENDMENT TO THE ORDERING SYSTEMS
SPECIFICATIONS, 2019.**

1. Introduction

- 1.1 The Authority published the final Number Portability Regulations (“the Regulations”) on 01 October 2018, Government Gazette no 41949 (See Annexure A) after an extensive public consultation process which started in 2016. To support of the implementation of the Regulations, the Authority published the ordering system specifications (“the OSS”) on 29 March 2019.
- 1.2 On 29 March 2019, immediately after the publication of the OSS, Cell C filed an application to review the published regulations at the Pretoria High Court challenging certain aspects of the Regulations. As a result, the Authority resolved to delay the implementation of the Regulation until the pending court review application is finalised.
- 1.3 On 12 April 2019, 15 May 2019 and 26 November 2020, the Authority received e-mail correspondences and a letter respectively from the Number Portability Company (“the NPC”) regarding the implementation of the Regulations.
- 1.4 On 03 November 2020, Cell C, submitted a letter to the Authority withdrawing its Review Application.
- 1.5 The Committee met with the NPC on 11 December 2020 to discuss the contents of correspondences received on 12 April 2019, 15 May 2019 and 26 November 2020 from the NPC. The NPC expressed that the Authority made fundamental changes to the process flow and the sequence of the message numbers as of the introduction of the One-time Pin (“the OTP”) into the Central reference Database (CRDB) for Mobile Number Portability (“the MNP”) process flow.
- 1.6 The outcomes of the meeting were that that Authority will consider the removal of the additional messages for the OTP section from the MNP process because it does not form part of the MNP process flow within the

system. The OTP is sent by the Donor Operator to its subscribers and the approach simplifies the process in term so the time and process.

- 1.7 The NPC also pointed out the port cancellation flow process in the OSS needs to be aligned with its text and the original schematic diagram.
- 1.8 Consistent with the above, the Authority published draft amendment of the OSS in government gazette 44618 on 27 May 2021 inviting industry participants to comment on the proposed amendments to the draft OSS 2019 by 17 June 2021.

Part A – PARTICIPANTS

2. A list of industry participants

2.1 The Authority received submissions from the following five (5) industry participants:

- 2.1.1 Cell C (Pty) Ltd
- 2.1.2 ISPA
- 2.1.3 Telkom LTD
- 2.1.4 Switch Telecoms (Pty) Ltd
- 2.1.5 Vodacom (Pty) Ltd

Part B – SUBMISSIONS FROM INDUSTRY PARTICIPANTS

Cell C (Pty) Ltd

- 2.2 Cell C's submission regarding regulation 55 of Section B of the OSS on Port timers for GNP and NNP is that, to avoid confusion, the port validation and confirmation timers should be placed in the OSS, Regulations and the FS. Cell C further submitted that Port timers for the RNO, DNO and NNPDB, for responding to messages, should be placed in

the Regulations, OSS with port timer violation rules for GNP and NNP ports.

Cell C's submission regarding section 26 and 36 of OSS of section B is these provisions provide for the DO to deactivate/ and NNPDB to return the Mobile Numbers (s). Cell C's further indicated that the Authority's proposition is at odds with this section as this section provides for GNP and NNP porting. Cell C recommended that the specification be amended accordingly.

ISPA

2.3 ISPA's submitted that the use of "calendar months" leads to inconsistencies in process times and inconsistent consumer experiences. Therefore, ISPA recommended that timers be defined in terms of "calendar days" and not "calendar months" (i.e. the position under the 2010 Ordering System Specification).

Telkom LTD

2.4 Telkom submitted that Figure 1 of the 2019 OSS does not distinguish between operator and service provider, which makes Messages 2 and 3 (Port Request ID and Port Response ID) obsolete. Telkom further stated that service providers remain a means through which an operator can implement number porting, and they may have their own separate interfaces into the porting system. Telkom recommended that the definitions of donor and recipient service providers be reinstated in the OSS since they are essential parts of the porting environment defined in the 2005 number portability framework.

Switch Telecoms (Pty) Ltd

2.5 Switch Telecoms (Pty) Ltd's submitted that the use of "calendar months" leads to inconsistencies in process times and inconsistent consumer experiences. Therefore, Switch Telecoms recommended that timers be

defined in terms of "calendar days" and not "calendar months" (i.e. the position under the 2010 Ordering System Specification).

Vodacom (Pty) Ltd

2.6 Vodacom submitted that the message flow evidenced by 4.1 and 4.2 suggests that the OTP will be generated by the Donor Operator, however, the text of the Regulations suggest that this will be done the by the CRDB/NNPDB system. Vodacom submitted that the interpretation of this regulation is that when the port is activated, the Donor Operator will send a request to the CRDB/NNPDB system and then the system will activate the port and give the Donor Operator 4 hours to conclude the port, if not it will be automatically rejected. However, Vodacom requested that the Authority advise if this is the correct interpretation of this regulation.

Part C – THE AUTHORITY RESPONSES TO THE SUBMISSIONS

3. Authority's position on key issues raised in the submissions.

Below is a summary of the Authority responses on industry participants in the order presented in the analysis section, part B.

Cell C (Pty) Ltd

3.1 The Authority noted that Cell C has incorporated submissions in respect of amendments which it believes ought to be made to the Regulations. However, Cell C, did not respond to the draft notice to amend the OSS, despite being afforded a reasonable opportunity to do so. This submission fall outside the scope of the OSS process and the Authority has accordingly limited its response to the following two issues:

3.1.1 The port authorisation time (individual and Managed) as per the description in regulation 55 includes the validation process. As such, it is the view of the Authority that any validations and confirmations with

regard to GNP and NNP will be done within the port authorisation time. It is unnecessary to specify port validation and confirmation timers.

3.1.2 Regulation 26 of the OSS has been corrected in line with other submissions and regulation 36 falls outside the scope of the amendments.

ISPA

3.2 The Authority has maintained the use of calendar month from the previous OSS. In this submission, ISPA did not state the harm or inconvenience to licensees other than that it will cause confusion to consumers. However, the application of the provisions of this document is restricted to "licensees" and not "consumers".

Telkom LTD

3.3 The Authority maintains that service providers are part of the porting framework and that there is no justification to distinguish them from donor and recipient operators. The model adopted in the regulation details the participants in the process sufficiently. Therefore, there is no need to redefine the terminology used. The term operator as a service provider is maintained in the OSS.

Switch Telecoms (Pty) Ltd

3.4 The Authority has maintained the use of calendar month from the previous OSS. In this submission, Switch Telecoms (Pty) Ltd did not state the harm or inconvenience to licensees other than that it will cause confusion to consumers. However, the application of the provisions of this document is restricted to "licensees" and not "consumers".

Vodacom (Pty) Ltd

3.5 Regulation 13(1) stipulates that the OTP will be initiated by the DO. In addition, there is no automatic rejection of a port, the donor is obligated to provide reasons for rejection in line with NP regulations. Should the DO not provide reasons for rejection, that will amount to a timer violation resulting into a potential non-compliance by the DO.