
DIRECTIVE

**DIRECTIVE TO CABLE & WIRELESS JAMAICA LIMITED
FOR IMPLEMENTATION OF THE OFFICE OF UTILITIES
REGULATION'S DETERMINATION NOTICE -
DOCUMENT NO. TEL. 2003/10 DATED DECEMBER 21, 2003
(JAMAICA NATIONAL NUMBERING PLAN DETERMINATION
NOTICE)**



OFFICE OF UTILITIES REGULATION

June 11, 2007

DOCUMENT TITLE AND APPROVAL PAGE

DOCUMENT NUMBER: TEL 2007/05

1. DOCUMENT TITLE:

DIRECTIVE TO CABLE & WIRELESS JAMAICA LIMITED

2. PURPOSE OF DOCUMENT

Formulation of the basis by which Cable & Wireless Jamaica Limited will implement the Decision of the Office of Utilities Regulation set out in Determination Notice No. Tel. 2003/10 dated November 21, 2003.

3. RECORD OF REVISION

Reference Document No. Tel. 2007/5

4. APPROVAL

This Directive is approved by the Office of Utilities Regulation and becomes effective on June 11, 2007

By Order of the Office:



J. Paul Morgan
Director General

Date: June 11, 2007

DIRECTIVE

IN THE MATTER OF:

- 1) **APPEAL OF CABLE & WIRELESS JAMAICA LIMITED TO THE APPEAL TRIBUNAL PURSUANT TO SECTION 62 OF THE TELECOMMUNICATIONS ACT AGAINST THE RECONSIDERATION DECISION OF THE OFFICE OF UTILITIES REGULATION APPROVED ON THE 10th DAY OF MAY 2006 ON THE JAMAICA NATIONAL NUMBERING PLAN DETERMINATION NOTICE.**

- 2) **DENIAL BY THE OFFICE OF UTILITIES REGULATION OF CABLE & WIRELESS JAMAICA LIMITED'S APPLICATION FOR RECONSIDERATION PURSUANT TO SECTION 60 (4) AND (5) OF THE TELECOMMUNICATIONS ACT 2000 OF THE DETERMINATION NOTICE TEL.2003/10 ISSUED BY THE OFFICE OF UTILITIES REGULATION NOVEMBER 21, 2003.**

TO: CABLE & WIRELESS JAMAICA LIMITED

WHEREAS pursuant to Section 8 of the Telecommunications Act 2000 ("the Act") the Office of Utilities Regulation ("the Office") issued the Jamaica National Numbering Plan Determination Notice ("JNNP") Document No. Tel. 2003/10 on November 21, 2003 which established a plan for the numbering of telecommunications services in Jamaica **AND**

WHEREAS Section 8 of the Act provides:

“(1) The Office shall assign numbers for telecommunications services to carriers and service providers on a non-discriminatory basis.

(2) In carrying out its functions under this section the Office shall develop a plan for the numbering of telecommunications services and may make rules pursuant to that plan regarding the assignment and use of numbers by carriers and service providers.

(3) For the purposes of subsection (2) the Office shall –

- (a) take account of relevant international regulations;*
- (b) ensure that sufficient numbers are available for the current and reasonably anticipated future needs of carriers and service providers;*
- (c) have regard to the role that numbers can play in conveying useful information to customers, including information about the type of service being used;*
- (d) promote efficient use of numbers;*
- (e) promote fair and open competition;*
- (f) as far as possible and subject to paragraphs (a) to (e), avoid the imposition of costs on customers as a result of changes in the numbering system; and*
- (g) to such extent as may be reasonable and subject to paragraphs (a) to (f), preserve the numbering system maintained by the existing telecommunications carrier and the numbering allocations existing immediately before the appointed day” AND*

WHEREAS pursuant to Section 60 of the Act Cable & Wireless Jamaica Limited (“C&WJ”) submitted an application for reconsideration of the specific items in the JNNP Determination Notice Document No. Tel 2003/10, dated November 21, 2003 namely Determinations 3.2, 3.3, 3.4, 3.5, 3.10, 6.1, 6.2, 6.3, 6.4, 6.5, 7.1, 7.2 on the basis of Section 8(3) (e)-(f) of the Act 2000 (“the application”) **AND**

WHEREAS the application was the subject of public consultation **AND**

WHEREAS the Office denied the application by C&WJ in its Reconsideration Decision dated May 10, 2006 Document No. Tel 2006/05 on the following basis:

- (a) Failure of C&WJ to provide concrete information to support its contention.
- (b) The non-specification of relief sought by C&WJ
- (c) The Office had made the proper considerations in developing the JNNP.
- (d) Failure of C&WJ to provide an adequate basis upon which the Office should alter its decision **AND**

WHEREAS on May 31, 2006 C&WJ appealed to the Appeal Tribunal against the decision of the Office pursuant to Section 62 of the Act on the basis that:

- (a) The Office has failed to comply with its statutory obligations prescribed by section 60 (4) and (5) of the Telecommunications Act
- (b) The Office has failed to properly consider the specified Determinations
- (c) The Office had failed to consider the competitive disadvantage to which C&WJ would be placed in the mobile market.
- (d) The Office had failed in its duty to promote fair and open competition.
- (e) The Office had failed to assess the cost, which it recognized as material, in migrating customers from one telephone number to another
- (f) The Office had failed to quantify the cost and failed in its duty to avoid imposition of cost on customers as a result of changes in the numbering system
- (g) The Office had failed to consider the merits of the existing numbering plan **AND**

WHEREAS the parties entered into negotiations with a view to determining the most efficacious way of implementing Determination Document No. Tel 2003/10, dated November 21, 2003 and to this end convened a series of meetings held on December 14,

2006, February 14, 2007, February 23, 2007 and March 28, 2007 **AND**

WHEREAS the parties continued to appear before the Appeal Tribunal on July 6, 2006, September 7, 2006, November 17, 2006 and April 3, 2007 to advise on the progress of the negotiations **AND**

WHEREAS pursuant to the said negotiations and having regard to the representations of C&WJ the Office **HEREBY ISSUES** this Order as the basis upon which the Determinations set out in Document No.Tel 2003/10, dated November 21, 2003, are to be implemented.

A. Numbers Assigned to Mobile Service

1) 9XX Central Office Code , Assigned to Mobile Service

In relation to mobile numbers currently being used by C&WJ in NXX 909, 919, 990, 995, 997 and 999, as mobile numbers the Office will allow churn to gradually retire those numbers to effect the full recovery of the NXXs, that C&WJ would not reassign these numbers or assign any currently unused ones, and that there would be a review of the utilization annually, to determine the effectiveness and suitability of this number recovery strategy.

2) NXX 333 Central Office Code

In relation to numbers currently being used by C&WJ in NXX 333 Central Office Code, the Office will allow churn to gradually retire those numbers to effect the full recovery of the NXXs,, that C&WJ would not reassign these numbers or assign any currently unused ones, and that there would be a review of the utilization annually to determine the effectiveness and suitability of this number recovery strategy.

3) 7XX Central Office Code

In relation to numbers currently being used by C&WJ in NXX 700, 707 and 777, C&WJ will migrate all affected existing customers over a three (3) year period to retire and recover those numbers. C&WJ will not reassign these numbers or assign any currently unused ones. C&WJ will submit a migration plan to the Office by June 28, 2007.

B. -Numbers Assigned to Fixed Service

1) 7XX CO Code

In relation to numbers currently being used by C&WJ in NXX 780, 785, 786, 794 and 795, the Office will allow churn to gradually retire those numbers to effect the full recovery of the NXXs, that C&WJ would not reassign these numbers or assign any currently unused ones, and that there would be a review of the utilization annually to determine the effectiveness and suitability of this number recovery strategy. C&WJ will, by April 20th, 2007, provide the Office with a list of the thousand blocks to be reclaimed in each of the said NXX. The Office would reclaim all unused thousand blocks in the said NXX ranges. (C&WJ has complied with this request).

2) 5XX Central Office Code, Assigned to DID Service

In relation to the DID numbers currently being used by C&WJ in NXX 501, 502, 510, 511, 512, 513, 514, 516, 518, 523 and 525 C&WJ will migrate the affected customers over a three (3) year period and will submit a migration plan by July 31, 2007.

C. Numbers Assigned to Other Services

1) NXX 888 Central Office Code

CWJ will check its utilization in the NXX 888 range in order to ascertain the feasibility of returning all unused numbers to the Office.

2) Special Services Codes

C&WJ agrees to change the following Special Service codes:

- (a) NXX 653 assigned to Personal Number Service (PNS)
- (b) NXX 663 assigned to Single Number Service (SNS)
- (c) NXXs 801, 802 and 803 assigned to Virtual Voicemail
- (d) NXX 709 assigned to Switched 56 and ISDN services
 - (e) Home Direct Access Codes #1 - #9
 - (f) Speed Dialling Codes 74# - 75#
 - (g) Access Codes 101 and 171
 - (h) N11 Codes 611 and 911

BY ORDER OF THE OFFICE:



J. Paul Morgan
Director General

Dated this 11th day of June 2007.