



**Digicel's Response to the Consultation by the
Office of Utilities Regulation**

on

**The Review and Revision of the Jamaican
National Numbering Plan
&
the Telecommunications Numbering Rules**

August 30, 2019

OFFICIAL STATEMENT

We thank you for providing this opportunity for Digicel to share its views on the consultation on the Review and Revision of the Jamaican National Numbering Plan & the Telecommunications Numbering Rules. Digicel is, of course, available and would be happy to discuss our submission further.

The comments as provided herein are not exhaustive and Digicel's decision not to respond to any particular issue(s) raised in the Consultation Document or any particular issue(s) raised by any party relating to the subject matter generally does not necessarily represent agreement, in whole or in part nor does any position taken by Digicel in this document represent a waiver or concession of any sort of Digicel's rights in any way. Digicel expressly reserves all its rights in this matter generally.

Please do not hesitate to refer any questions or remarks that may arise as a result of these comments by Digicel to:

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DIGICEL'S RESPONSES

Digicel has reviewed the Consultation Document published by the Office of Utilities Regulation on July 22, 2019 and now set out below our responses to the questions set out therein.

Question 2.1: Do you agree with the OUR's position on the current allocation of numbers under area code 658? If not, please explain your views and/or any alternative proposition.

Digicel Response:

Digicel supports the proposed approach regarding the codes N00, N11, YYY and 1XX as regards aligning them with the use designated under the existing 876 numbering level as this gives certainty as to the future use of these numbering resources. Digicel also supports the proposal not to assessing uses to the other codes until this becomes necessary. The proposed approach preserves flexibility in dealing with future market requirements or technological developments.

Question 2.2: What are your views regarding the retention of the UDDP?

Digicel Response:

Digicel is of the view that the UDDP should be retained. With the advent of smart phones and other terminal devices the user benefit from abbreviated dialling sequences is much reduced. Telephone numbers are programmed into contact lists and the majority of calls made and received use these entries to either make calls or identify the calling party for received calls. UDDP ensures that calls can be correctly made and received when roaming or if contacts in the on-device phone books numbers are ported.

In this regard the retention of UDDP ensures ongoing consumer benefits.

Question 2.3: Are there any risks in not retaining the UDDP? Please explain?

Digicel Response:

As outlined in the response to the previous question, the proliferation in smart devices increases in the volumes of customers roaming and the introduction of number portability are facilitated by the UDDP. Not retaining the UDDP runs the risk of these benefits being eroded.

Question 2.4: Do you have any questions regarding these numbering matters that were previously determined, and do you agree with the incorporation of these and other previous and future numbering considerations of the kind, in the JNNP as a single standalone document, for broad industry reference?

Question 2.5: Do you have any suggestions regarding the content and presentation style of the JNNP document, which you believe will enhance its utility?

Question 2.6: Overall, how do you think the proposed JNNP presentation will benefit the industry?

Digicel Combined Response to Questions 2.4, 2.5 and 2.6:

Digicel agrees with the proposal to incorporate previous Determinations and Decisions in relation to numbering into the numbering plan. This would result in a single easily accessible reference document that contains all numbering related rules and resources. Digicel supports keeping the document up to date by incorporating any future numbering related Determinations.

The Office has outlined that there is likely to be a more substantive review of the numbering framework following the passing of the proposed ICT Act. In advance of this review, Digicel believes that the proposed format of the JNNP is adequate for its purpose and that any further review of the format should be deferred until there is clarity on the numbering framework. This is in keeping with the Office's stated methodology of "‘evolutionary’ and not ‘revolutionary’" change in the document

Question 2.7: What are your views on the proposed numbering of VoIP Services?

Question 2.8: Are there material advantages/disadvantages with this approach?

Combined Digicel Response to Questions 2.7 and 2.8:

There is a difference between "Voice over Broadband" ("VoB") which uses a voice protocol but where the calls are not carried over the public internet and so called Over The Top voip services which is supported by clients running on customer terminal equipment and which do use the public internet as the transport layer.

In the case of VoB the voip protocol is contained within the operator network and Digicel does not believe that there is a necessity to distinguish this usage from other access technologies that might be used by a network operator. In this regard, Digicel supports the Office's proposal. This approach is technology neutral and affords network operators the flexibility to serve customer requirements with solutions that are most appropriate to the particular market needs.

In terms of client based Voip applications, Digicel believes that there is not currently a significant demand or requirement for legitimate national uses for these services. Given the dynamics of the Jamaican diaspora, Digicel believes that risks arise that such implementation

will be driven by implementations that result in the use of Jamaican numbers that are based permanently outside of the country.

In addition, the nomadic use of client based voip services is likely to create challenges from a law enforcement and security point of view.

Question 2.9: Do you agree with the proposal to discontinue the transition plan and retain the current allocations of NXXs for mobile services, and why?

Digicel Response:

The Office has not given any details on the residual level of numbers that have to be transitioned. In general, Digicel would encourage the ongoing migration of numbers away from incorrect allocations.

However, given the extended period over which the transition plan has been ongoing it would appear that there is no realistic prospect of a short-term completion. In light of this, the transition plan should be formally discontinued and the “frozen” allocations released. However, in the interest of equity an equivalent allocation of numbers should be made to Digicel.

Question 2.10: Are there any new developments locally that you believe will affect the use and definition of mobile numbers in Jamaica?

Digicel Response:

No. We are not aware of any new developments.

Question 2.11: Do you agree with the proposed expansion of the ‘Public Interest’ Category for Access codes?

Digicel Response:

Digicel agrees with the proposed expansion of the “Public Interest” Category for access codes. However, we strongly urge a robust assessment of whether applications for such access codes are genuinely “Public Interest”.

Question 2.12: What are your views on the use of the 1XX codes in the fixed network and the requisite end-of-dialling indication?

Digicel Response:

Digicel agrees that there are potential uses for 1XX codes in the fixed network. To the extent these are intra network uses then there is no reason not to allow these codes be used in the

fixed network. Digicel believes that a standardisation of “#” as an end of dialling indicator on the fixed network is appropriate.

Question 2.13: What value do place on the “Service Provider Specific (Intra-Network)” set of 1XX codes?

Digicel Response:

Service Provider Specific (Intra-Network) are an important operational and commercial resource for licensed network operators. They allow an improved interaction for customer care and provide opportunities for the support or provision of commercial services. As a licensee for network based services access to these numbering facilities is a counterbalance to the significant regulatory burden associated with holding a license.

Question 2.14: What are your views on the proposed use of the 555-0100 through 0199 range of numbers in Jamaica?

Digicel Response:

Digicel agrees with the proposal to remove the 555-Line Numbers from the JNNP as resources for assignment to carriers and service providers.

We also support the designation of non-working numbers 555-0100 through 0199 for media and other entertainment. This would avoid situations where working numbers are inadvertently used in radio, TV or film with the possibility of unwanted calls being received.

Question 2.14: What uses of the “IMSI”, outside of an IoT context, do you envisage or anticipate for the fixed network in Jamaica?

Question 2.15: Do you agree with the OUR’s proposal to accommodate the assignment IMSI’s for use in the fixed network?

Question 2.16: Do you agree with the OUR’s proposal to assign separate MCC+MNC resources for use in the mobile and fixed networks. Are there material advantages and/or disadvantages?

Combined Digicel Response to Questions 2.14, 2.15 and 2.16:

While there are potential future uses for IMSIs in the fixed network Digicel is unaware of current actual demand for such number resources in the Jamaican market. The allocation of what were traditionally mobile only numbering resources to fixed operators without an associated mobile arm raises the risk that such allocations could be used in conjunction with technologies such as eSIM to bypass the Jamaican licensing regime for mobile services and for example offer outbound roaming services.

While a statement in principle in the JNNP as regards the Office's intended treatment of MCC+MNC for fixed network usage would give regulatory guidance to potential developers of new services Digicel is strongly of the view that no such allocation should be made without a market consultation on the specific end use for these numbering facilities.

At this time, Digicel agrees that the proposal to assign separate MCC+MNC resources for use in the mobile and fixed networks is prudent given the level of uncertainty as regards the direction of technology and service development.

Question 2.17: Do you see any purpose for the retention of the Rate Centre scheme as originally intended?

Digicel Response:

Digicel does not currently see any benefit to the retention of the Rate Centre scheme. The widespread use of all island tariffs has made this redundant.

Question 2.18: Do you see any purpose to which the scheme could be adapted—and not necessarily for tariffing?

Digicel Response:

Digicel has not identified another purpose at this time.

Question 3.1: What, in your view, are the main ways in which technological developments will influence numbering policy decisions?

Combined Digicel Response to Questions 3.1 and 3.2:

The initial use of number resources were for call or service routing from one end-user to another. The standardisation of numbering formats also allowed not only connectivity and routing between national networks but internationally.

Fixed numbering identifies a location. Mobile numbering essentially identifies an individual. Going forward mobile numbers used for IoT will identify devices. This change in focus from numbers primarily being a network routing resource to being an end point identifier will require a more expansive view of numbering. This is perhaps reflected in the consumer welfare benefits associated with number portability that recognise that there is a personal identity linked to an individual's mobile telephone number.

In this regard, while the Office, in common with most regulators, has increased the weighting it gives to consumer concerns when considering numbering decisions, it will most likely have to broaden its consideration to look at the wider economic and societal impacts from numbering policy decisions as the technological promise of IoT is realised.

Question 3.3: Do you believe that there is need for less regulatory control over the use of specified numbering resources for the operation of telecoms networks, and what are the risks? Please explain with justification.

Digicel Response:

Digicel believes that there should be no diminution in the regulatory oversight of numbering resources. The fact that the allocation and use of numbers are tied to having a license as a prerequisite means that such allocations are usually linked to other obligations such as access to emergency services, lawful interception, number portability and even interconnection as interconnection is not meaningful without numbering resources. The ability of client based OTT applications to operate outside the regulatory framework means that these other obligations cannot be attached to them. To allow a relaxation in the conditions for the grant and use of number resources that would potentially facilitate their use by unlicensed entities would be discriminatory and distortive in the market.