

20 August 2021

Communications Alliance
PO Box 444
Milsons Point NSW 1566

Submitted online at <https://www.commsalliance.com.au/Documents/Documents-under-Review/submit-comments>

Dear Communications Alliance

C540:2013 Local Number Portability Code review

Thank you for the opportunity to comment on Communications Alliance's scheduled review of the *Local Number Portability Code* (**the Code**).

We support the continued operation of the Code. The Code plays an important role, providing practical information about the porting process. This includes setting out responsibilities, requiring parties to co-operate, and outlining steps to minimise service disruption when problems occur.

When handling complaints about porting issues, my office often refers to the Code. Porting problems can be complex, and the Code provides useful direction to my office, such as by clarifying a responsibility or identifying the source of a problem.

My office has also seen some new porting problems emerge due to technological advances, such as software defined services.

Porting problems can isolate residential consumers and cause significant disruption to small businesses

Our complaints show porting problems that partially or fully interrupt consumer services can be highly disruptive. Without access to their regular service, a residential customer who relies on a landline service only can feel vulnerable or isolated, and small businesses often find their usual operations are interrupted.

Our Systemic Investigation Report *Addressing the causes of small business complaints*¹ found when small businesses experience service interruptions it could '*significantly impact day to day business operations such as receiving calls on an advertised number, backing up files and taking payments using EFTPOS. These may inconvenience customers and slow or stop trade until the problem is repaired, affecting the financial position of a small business.*'

Complaints we handle about porting business services are often complex and we need to work with multiple parties to resolve them. As the operation of many small businesses relies heavily on access to telecommunications services, we focus first on completing the port. Once the port has successfully completed, the business may claim compensation for extra costs they have incurred and business loss, which can be a further cost to providers.

¹ [TIO Systemic Investigation Report – Addressing the causes of small business complaints](#)

Extending the Code could reduce common complaints we receive

Consumers and providers may benefit from the extension of the Code in the following three areas, which may reduce common problems we see in complaints.

Unauthorised ports

Sometimes consumers complain their service has been interrupted or transferred to another provider without their authorisation or knowledge, such as when a wrong number has been entered when porting another consumer's service. Our complaints show there can be delays returning these services to the consumer's provider. Extending clause 4.1.11 (Unauthorised Ports) to provide detailed guidance for responding to an unauthorised port could support an effective, prompt response that minimises disruption to the consumer and time for providers.

An unauthorised port can cause a consumer to lose access to their service. When consumers experience a fault or service difficulty, they may be entitled to compensation under the *Telecommunications (Customer Service Guarantee) Standard 2011* (CSG Standard).² It would be helpful to have clarity on the differing timeframes set out in the handback process in the Code and the requirements of the CSG Standard.

Accommodating advancements in technology

When a consumer's port request has failed, sometimes we find the gaining provider processed a simple port for service numbers that are software defined. When the port fails, it is necessary to back-track to find where things went wrong (in this example, back to the start to begin the Cat. C rather than Cat. A port process).

As consumers often do not know their service type, we suggest adding a safeguard requiring gaining providers to verify the service type with the losing provider before starting a port (possibly introduced to Clause 4.1.5 – CA Validation by Gaining CSP). This could reduce the time providers spend identifying and resolving problems and the number of complaints about porting problems to my office.

Permitting communication between parties to resolve porting problems

While the Code sets out expectations for co-operation to complete ports, it does not explicitly permit communication between relevant providers to resolve porting problems.

When my office is handling a porting problem, complaint handlers for a provider sometimes say the provider's internal rules do not allow them to share information with other providers. A framework on permitted communication to resolve porting problems would help reduce the time to resolve problems and minimise service disruption for consumers. When resolving complaints, my office could direct providers to this provision as needed.

Supporting an effective porting process

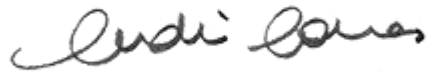
Consumers whose services are disrupted by a porting problem often become an informal link between the losing and gaining provider. However, consumers report trying to access relevant information is frustrating and time consuming. As the consumer has an end-to-end presence (from requesting the port to being the end user), we see significant benefit in introducing a notification system to provide consumers with updates by SMS or email at relevant stages of the port. This information could include pass or rejection codes that could be shared with the losing or gaining provider as needed.

Introducing flowcharts to the Code for each porting category could provide a useful visual representation of the porting process to providers and carriers. It could increase

² [Telecommunications \(Customer Service Guarantee\) Standard 2011](#)

understanding of the steps and responsibilities, facilitate quicker identification of problems when they occur, and help my office resolve complaints more effectively. This could be introduced as an amendment to the Code or embedded into the Code. My office finds flowcharts, such as those in the *Rights of Use of Numbers Code*,³ useful resources.

Yours faithfully

A handwritten signature in black ink that reads "Judi Jones". The signature is written in a cursive, flowing style.

Judi Jones
Telecommunications Industry Ombudsman

³ [C566:2005 Rights of Use of Numbers Code](#)