

Telecommunications Carriers' Forum

Combined Project Proposal & Scope for Amendments to Code for the Transfer of Non Regulated & Regulated Telecommunications Services

("The Customer Transfer Codes")

Name of Proposers:

Telecom New Zealand Limited (Wholesale & Retail)
TelstraClear Limited
WorldxChange Communications Limited

Date Submitted: 21 August 2008

A. Background

In 2006 the TCF finalised two Customer Transfer Codes, one for regulated services and one for non-regulated services. The regulated code was approved by the Commerce Commission on October 2006, and the non-regulated code was endorsed by the TCF in November 2006.

In accordance with the TCF's minimum 2 year code review policy, TCF members, parties to the regulated code and subscribers to the TCF Broadsheet were invited to review the Codes and evaluate whether or not changes should be made. Eight submissions were subsequently received, of which six submissions raised issues to be considered.

B. Issue Identification

The main areas parties submitted on in relation to potential changes to the code related to:

1. Suggested improvements in the process of managing transfers between parties, including comments such as:
 - a) The current system for managing relevant contacts involved in the process of Customer Transfer not as efficient and reliable as it could be;
 - b) A level of automation for management of customer transfer communication between all parties involved in the process (Customer, SP, ASP) would be welcomed;
 - c) Type of information supplied, and to whom. Examples raised in the submissions included:
 - LSP identifier - making this available to the customer or the GSP.
 - Unique Identifier - in future, it is possible that an End Customer may not have any telephone number associated with services that he or she receives. An alternative approach needs to be considered.
 - There is no requirement on losing parties to notify that they have ceased providing services and have issued a final bill. This needs to be further considered to see if it would facilitate a more seamless transfer.
 - Customer account numbers may have more than one line attached to them and in some cases a customer may not require all the services and

lines to be transferred. This could be dealt with by the customer authorisation including this information.

- d) Lead times for customer transfers are not in alignment across the service providers. Consideration could be given to including provisioning timeframes in the code;
 - e) Customer complaints are being raised due to misunderstandings of what the GSP is responsible for within the transfer.
2. The need for a process to cater for situations where there are multiple parties involved in a Customer Transfer, e.g. due to Operational Separation;
 3. Method of communications of actual customer transfers, including how parties are notified and who is notified.
 4. Monitoring of compliance with the Code, primarily in relation to billing cut off dates for the LSP, cancellation of services and management of rejected and cancelled transfers.
 5. Other issues associated with Telecom's Operational Separation.
 6. Some minor amendments to the code to expand on definition of terms 'Underlying Networks', 'Change in Network', 'Wholesale Customer'.

The TCF needs to establish a working party to consider the issues identified above and agree the way forward.

C. Project Scope

The proposal is to constitute a Customer Transfer Code Working Party, which will provide an on-going forum to discuss proposed amendments to the Customer Transfer Codes and recommend changes for approval by the TCF Board or Commerce Commission (as appropriate).

The issues outlined in the Issue Identification section of this project scope will be considered as the first priority. Other issues and associated amendments will be considered from time to time on an as required basis.

D. Expected Deliverables

The initial deliverable will be proposals to amend the Customer Transfer Codes and potentially a change to the overarching process of managing customer transfers to address the issues outlined above. Other deliverables will be as agreed by the TCF Board from time to time.

E. Legislative Requirements

The regulated Code is intended to establish principles and policies that facilitate the interaction between service providers consistent with the access principles of the Telecommunications Act 2001.

Any changes to this code will need to be approved by the Commerce Commission and prepared in accordance with the requirements of the Telecommunications Act.

F. Consultation

The Working Party will consult with TCF Members, industry and key consumer stakeholder bodies who were previously involved in the consultation process.

G. Working Party Membership

All TCF Members, the Commerce Commission, TUANZ and non TCF members who submitted feedback on the current code will be invited to participate.

H. Resources

The TCF budget for existing code reviews will cover the TCF Forum Administrator resource requirements for this workstream.

I. Timetable

The table below shows an indicative project timeline to be agreed by the working party once it is established.

Milestone	Date
TCF Board Approval of Project Scope	5 September 2008
First formal meeting on the Working party to discuss the content of the Code	25 September 2008
Draft Code completed and submitted to TCF Board for approval to issue for public consultation	18 December 2008
Public consultation commences	19 December 2008
Public consultation period closes	5 February 2009
Draft Codes updated with feedback from the public consultation	26 February 2009
Regulated code issued for referendum	2 March 2009
Results of Referendum received	23 March 2009
If Referendum achieved, regulated Code submitted to Commerce Commission for approval.	25 March 2009
When regulated code is approved by the Commission, the non-regulated code is to be submitted to the Board for endorsement.	

J. Recommendation

That the Board approve this combined project proposal/project scope in accordance with section 9.5 of the TCF Handbook dated 9 November 2007.