TCF Submission

On the Commerce Commissions' Draft Determination for the designated multinetwork services of 'local telephone number portability service' and 'cellular telephone number portability service'

November 2026

Introduction

1. The New Zealand Telecommunications Forum (TCF) welcomes the opportunity to comment on the Commerce Commission's draft Determination for the local telephone number portability and cellular telephone number portability services, published on 9 October 2026.

2. The TCF is the telecommunications sector's industry body which plays a vital role in bringing together the telecommunications industry and key stakeholders to resolve regulatory, technical and policy issues for the benefit of the sector and consumers. TCF member companies represent 95 percent of New Zealand telecommunications customers. Our members include network operators, retail service providers and the tower companies that own and operate cell towers.

3. The TCF operates the Industry Portability Management System (IPMS), which handles the port request process, including validation and authorisation, for LMNP. There are currently more than 40 providers that interact with the IPMS system daily. The TCF is also responsible for the supporting operations manual to the Number Portability Determination.

4. The TCF supports the Commission's draft decision to continue regulation of the LMNP services. We also acknowledge the constructive engagement undertaken during the review and the Commission's adoption, in full or in substance, of most amendments proposed by the TCF. In particular we support the inclusion of the definitions and

provisions for Resellers. This inclusion is a significant and practical improvement because reseller involvement is now expressly recognised in the regulated framework.

5. This submission is therefore focused on three matters where further amendment is warranted: the definition of Business Day for local porting; the safeguards and operational detail applying to fraud-related porting suspensions; and the LSP response time for simple local ports.

6. The TCF has worked with the Parties to the Determination who are members of the TCF to prepare this response, and they support this submission.

Definition of Business Day

7. The TCF maintains its proposal to reinstate the previous definition of Business Day, as it pertains to local porting (landline numbers), which excludes Saturdays. Saturday local porting should remain available only where the gaining and losing providers agree that the port can be supported successfully.

8. Saturday local port volumes have declined substantially since 2021[1], as the operational circumstances that originally supported routine Saturday local porting, including the fibre rollout, have changed.

9. Due to the decline in local port volumes, not all parties have operational and technical support available on Saturdays, meaning that if a problem occurs there is increased risk that the issue cannot be resolved promptly.

10. The practical issue is not whether a Saturday port can ever occur, but whether every provider should be required to support routine Saturday local porting regardless of whether the necessary people and systems are available at both ends.

11. We consider that a mutual-agreement model would preserve customer choice where providers can safely support the port, while avoiding the cost and customer risk associated with unsupported or partially supported Saturday activity.

12. As such, we request that the definition of Business Day for local porting be amended to exclude Saturday. The Operations Manual shall confirm that Saturday local ports may occur when requested by a customer, but that this should require prior agreement between the relevant providers.

Fraud protection and temporary porting suspensions

13. The TCF supports the Commission's recognition that fraud and scam activity evolves and that providers and industry must be able to implement reasonable measures, processes,

[1] In 2021 there were 5,668 numbers ported on a Saturday, approximately 2% of total numbers ported over the year. Conversely, in 2025 only 688 numbers were ported on a Saturday, less than 0.5% of total numbers ported.

controls and system functionality to protect customers and the integrity of the LMNP service.

14. The Commission's drafting of the additional safeguards is substantially more prescriptive than is necessary in the LMNP Terms. Detailed fraud controls need to respond to changing scam techniques, operational experience and system capability. Additionally, publishing detailed operational rules in the publicly available Determination makes the protective controls visible to persons seeking to circumvent them.

15. We consider that the Terms should establish the governing principles for fraud protection and temporary number porting suspension activity such as: reasonable grounds, necessity, proportionality, non-discrimination, appropriate records, prompt release of the porting suspension when the grounds no longer exist, and an avenue for a genuine customer to progress a port. However, the processes to support the governing principles described in the Terms should be drafted in the Operations Manual or another secure industry procedure that can be updated as risks evolve, with Commission oversight as appropriate.

16. The requirement in cl. 23.5 to escalate a suspension after two Business Days and review it on every Business Day thereafter is not workable in practice, as it creates a significant administrative burden. A longer review timeframe would be more proportionate and operationally achievable. Our rationale is that some cases may be resolved quickly, but suspected fraud investigations can take materially longer. A daily reapproval process would divert operational effort without necessarily improving customer protection or the quality of the decision.

17. The TCF proposes that cl. 23.5 be redrafted to allow a suspension to remain in place for up to 30 days, subject to the continuing requirement that it end as soon as the grounds no longer exist. A temporary porting suspension is not intended to prevent a genuine customer from porting, but rather is a serious action taken to protect a consumer against unlawful porting of their number. A Gaining Service Provider (GSP) that is satisfied that the customer has valid authority should be able to seek or apply an override, provided the reason for that decision is recorded and capable of being defended.

18. Cl. 23.7 should not require proactive customer notification in every case. Notification may provide little practical benefit where the customer did not request the attempted port, and the suspension does not affect their existing service. It may also compromise fraud-prevention activity or an investigation. Where a customer did not request the attempted port, the suspension may have no immediate service impact. Where a genuine customer has requested the port, the delay will generally prompt the customer to contact the relevant provider and complete any necessary verification. The notification requirement should therefore be risk-based, allowing notification to be

deferred or omitted where it would provide no material benefit or could compromise protective action.

19. The TCF does not support the requirement in cl. 23.8 for separate six-monthly reports from every Service Provider and Carrier, if the same information can be produced more consistently and efficiently from IPMS. Subject to system capability and agreement on the required fields, a consolidated industry report would reduce duplication and give the Commission a clearer view of the use, duration and outcome of suspensions.

LSP response time for simple local ports

20. The TCF asks the Commission to reconsider our request to amend the four-Working Hour LSP response time in the LMNP Terms (refer to the *Port Request Process Timing Table*) to match the eight-Working Hour setting in IPMS.

21. We would like to clarify that the eight-hour IPMS setting is not used as a processing target. Straightforward ports are generally completed significantly faster. The additional time is needed for exceptions, particularly where a reseller or another third party must be engaged.

22. In a sample of 403 simple local ports, 345 were approved within two hours and a further 15 within two to four hours. Fifteen took more than ten hours. This indicates that routine performance is already well inside four hours, while a minority of complex cases require additional time for reasons that may not be within the immediate control of either the LSP or GSP.

23. Amending the LSP response time to eight-Working Hours would not lengthen the customer journey in the vast majority of cases. It simply provides a realistic compliance ceiling for exceptions while preserving incentives to complete ports as quickly as possible. It may also avoid providers defaulting to using the complex local port process, which has substantially longer timeframes, merely to manage foreseeable exceptions.

24. We reiterate our request to amend the LSP response time for a simple local Port from four to eight Working Hours. An alternative would be to retain four Working Hours as the standard response time but provide that additional time, up to eight Working Hours, may be used where reseller involvement or another documented complexity makes the standard timeframe impracticable, but where the two Business Days timeframe for a complex local port is not required. A proposed amended *Port Request Process Timing Table* for this alternative approach is appended to this submission.

Closing remarks

25. We thank the Commission for the opportunity to comment on the Draft Determination and welcome any clarifying queries. Please contact Nina Matthews in the first instance: nina.matthews@tcf.org.nz

Appendix: Proposed amended Port Request Process Timing Table

Flowchart	Port Request Process	Response Times		
		Simple Local Port	**Complex Local and Mobile Port**	**Simple Mobile Port**
PR3 to PR8	RFS Notice	RFS Date minimum two Business Days' notice, maximum 30 days	RFS Date minimum five Business Days' notice, maximum 30 days	RFS Date minimum one hour notice, maximum 30 days
PR4 to PR6	LSP responds to Port Request	Within four Working Hours*	Within two Business Days	Within 30 Working Minutes
PR6 to PR8	Port Request Complete	Within four Working Hours	Within two Business Days	Within 30 Working Minutes

*This is the standard timeframe. For a port where reseller involvement or another documented complexity makes the standard timeframe impracticable, additional time may be used provided the LSP response time does not exceed eight Working Hours.