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Determination of 6.12.2002

Information to the public on portability and call charges to ported numbers

By determination of 6 December 2002, draft decision on information to the public on portability and call charges to ported numbers was approved with the following content:

“Whereas:

- a- It should be ensured to the user prior knowledge about the destination network (which, before the implementation of the portability functionality, could be identified by the user, namely in the case of the mobile destination network, through the dialled number prefix), in the case of mobile to mobile calls and mobile to fixed calls – in which the price differential between *in-net* and *off-net* calls is, generally, more significant - and whenever, as a result of porting the destination number, the call is more expensive or there is a risk of that taking place;
- b- The *On-line* announcement extension should not be excessive so as to avoid disturbing the user with systematic hearing contrary to what used to happen;
- c- The general public should be clarified about the introduction of the announcement *on-line*, its objective and content, in order to avoid situations of misunderstanding regarding the content of the announcement (which led in the past, in many cases, to the non realization of calls);
- d- The customers, once informed about the destination network of the destination ported number, should be able to get information about call charges through a telephone information service (similar to what happened before the introduction of portability, when the customer could be informed about the updated tariffs through a call to the operator’s telephone service);

The Board of Directors of ANACOM decides, pursuant to article 3 of Decree-Law no. 133/2002, of May 14, the following:

1 The Land Mobile Service operators should provide, on February 10, 2003, a free announcement *on-line* in mobile to mobile and mobile to fixed calls, whenever the respective tariffs contain a price increase to be paid by these calls as long as destined to ported numbers. This provision may only take place for calls that, as a result of porting the destination number, become really more expensive or, alternatively, when there is a risk of any price increase.

2 The announcement should contain the following message: “Ported number to (...) network”.

3 The Land Mobile Service operators, whenever technically feasible, should implement solutions that may allow its customers to avoid listening to this announcement *on-line*.

4 The Land Mobile Service operators and the Fixed Telephone Service providers should maintain a telephone information service with call charges to ported numbers, in accordance with ANACOM's determination of 18-04-02".

This determination was notified to all interested parties for them to give their opinion, in writing, within 10 days, pursuant to Articles 100 and 101 of the Rules of Administrative Procedure.

In the context of this determination and during the follow-up of its execution, it was also considered the following:

- I) The provision of the free announcement *on-line* shall be articulated with an informative campaign to be carried out by ANACOM in coordination with operators, through which will be namely clarified the objective of the announcement as well as the procedures to be followed by the users, if they wish to be informed on the price of calls to be made to ported numbers.
- II) ANACOM will go on collecting and assessing information on portability development and on its consequences aiming at creating a competitive market and safeguarding the interests of consumers.