

Jersey Competition Regulatory Authority,  
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JE2 3RF

23 April 2025

Dear Sir/ Madam

**Case T-083 - Telecoms Market Review - Draft Decision – Cenerva Limited Response**

Cenerva Limited would like to thank the JCRA for the opportunity to comment on the Jersey market review draft decision.

Cenerva as regulatory and policy advisors to governments, regulators and operators around the world, we concur with the JCRA's market review consultation initiative. Regular market reviews are an important element of a regulator's responsibility to routinely reassess and re-evaluate the effectiveness of the current regulatory and licencing framework to align with the competitive dynamics and landscape in the national markets to meet the dynamic technological developments and rapidly changing needs and expectations of consumers.

Cenerva recognises the breath and far-reaching scope of the JCRA's market review, but we are focusing this response on our specific area of pertinent expertise and understanding of the Channel Islands number portability landscape which is a key aspect of the JCRA's market review consultation, namely Box 4: The Authority's consideration of FNP.

## **Channel Islands MNP**

Cenerva's consultants were directly involved in the Channel Islands Mobile Number Portability (MNP) service launched across both Jersey and Guernsey in 2008.

Since the launch of the Channel Islands MNP service, consumers from all segments, including Retail, Enterprise and Government, have benefited from the removal of the final hurdle for customer choice to move their mobile service and mobile number to the provider who best meets their specific needs.

The launch and subsequent operation of the Channel Islands MMP service has allowed both incumbent and challenging service providers to effectively compete with each other across both islands to enhance and drive the competitive dynamics in the Jersey and Guernsey mobile markets enabling all service providers to optimise their value, quality of service and innovation offerings to consumers.

## **Cenerva Number Portability Credentials**

Cenerva and its consultants have been working in the global field of number portability since 2008. Over the last 17 years, Cenerva and its consultants have advised regulators and operators across more than 45 markets globally on the development, implementation, introduction and operation of number portability services (both fixed and mobile, cross a broad range of countries including the UK, Isle of Man, Gibraltar, Nigeria, Kenya, Benin, Russia, Kazakhstan, Guyana, Trinidad & Tobago, Jamaica Algeria, Iraq, Jordan, Qatar etc.

Specifically, we have extensive experience of successfully developing, introducing and operating fixed and mobile number portability services in small island jurisdictions which we believe are pertinent to the JCRA's final assessment and decision process with regard to the potential introduction of fixed number portability into the Jersey market.

We have been directly involved in the development implementation and operation of fixing and portability services in similar markets, including, the Isle of Man, Gibraltar, Barbados, Jamaica, Cayman Islands, Guyana, and the ECTEL markets. These markets have similar size, scale and economic/ consumer profiles to jersey and Guernsey and thus we believe are appropriate as benchmarks for the JCRA's consideration.

### **Appropriate regulatory precedence for FNP**

We note that the EU regulations make specific references to the obligations on EU member states with regard to the switching and porting of number specific services whether these be mobile or all fixed. Whilst we recognise that Jersey is not subject to the EU regulations, we do note that the UK regulator, Ofcom, which is not a signatory of the EU regulations has adopted these regulations into the United Kingdom General Conditions regulatory regime, which has implications on the JCRA's regulation of the Jersey market.

For instance, EU Directive (EU) 2018/1972, Article 106 states:

*“The requirement that all end-users with numbers from the national numbering plan, who so request can retain their numbers independently of the undertaking providing the service shall apply:*

*(a) in the case of geographic numbers, at a specific location; and (b) in the case of non-geographic numbers, at any location. “*

Furthermore, the recently introduced European Electronic Communications Code (EECC) states:

*“Other provisions, such as number portability, which are important also for larger enterprises should continue to apply to all end-users.”*

From our experience of advising regulators and operators across the world, we note that stakeholders have recognised the benefits of introducing and operating fixed number

portability services in a variety of small island/ state markets with similar size and economic profiles as Jersey, for instance, Isle of Man, Gibraltar, the Bahamas, Barbados, Cayman Islands, Jamaica, Eastern Caribbean islands within ECTEL, Turks & Caicos etc. In these markets, Regulators have recognised the competitive and economic benefits of enabling retail and specifically enterprise/ corporate consumers to move their fixed numbers and services to the service providers who best meet their needs.

### **FNP benefits or Jersey**

We note the JCRA's observation that fixed number demand has been stagnant in Jersey for the last few years, but according to the JCRA's 2023 market report, landline subscriptions still account for 49% of all telecommunications subscriptions in Jersey.

Historically, fixed and mobile numbers were allocated and provided by separate wireline and wireless technologies. But with the growth of all IP services, the separation of fixed and mobile numbers has reduced dramatically due to technology and service delivery convergence. Thus, the traditional distinction in service delivery between fixed and mobile services is no longer appropriate as incumbent and challenging service providers deliver services to consumers using a variety of different technologies.

However, even in the all-IP world, the importance of numbers as the key identifier for all consumers, i.e., retail and enterprise, has grown.

For most retail consumers, because of the recent growth of two factor authentication and identifiers for the key OTT services which are now a key part of daily life, a subscriber's mobile number is now the defacto identifier.

For Jersey, whose economy is dominated by professional services businesses and entities, the fixed numbers are a key driver in the smooth and effective operation of commerce and government activities. Without FNP, Jersey enterprise, corporate and government users are effectively trapped and denied freedom to choose the service provider who best meets

their requirements since the cost and inconvenience of advising contacts/ clients of changed numbers. Enabling enterprise, corporate and government users to be able to move service provider but keep their fixed numbers will open up choice and drive competition, value and innovation in the Jersey telecommunications sector.

### **Is Jersey ready for FNP?**

As specialist NP consultants, we are often engaged to assess the suitability of markets to consider the viability to introduce NP services. We have developed an eight-point assessment model which considers the key drivers for successful number porting. We are pleased to use this model to assess the suitability for FNP to be introduced in Jersey.

- **Size/ Scale – CONFIRMED** - With a Jersey population of 103,950 (raising to 167,600 if the Guernsey population is included), when compared to other small state markets which operate FNP services, such as Isle of Man – population 84,165, Cayman Islands – population 73,000 and Gibraltar – population 38,471) then we conclude that based on precedent the Jersey market has the necessary size and scale to support FNP. We note that both Jersey and Guernsey have successfully supported MNP since 2008.
- **Consumer Demand – CONFIRMED** - MNP was introduced in 2008 enabling new entrant Airtel to grow its market share from zero to around 22% within fully saturated markets. Whilst we note that that MNP porting rates in Jersey have been declining since 2014 from 4.5% to around 1.7% in 2023. This is likely to be explained by consolidation in the Jersey mobile sector and increased consumer satisfaction resulting from enhanced competition. From our experience in other similar markets with high levels of enterprise/ corporate usage, FNP porting rates can be at least similar to MNP rates and in some markets, we have seen high levels of corporate/ enterprise porting increase FNP demand ahead of MNP rates. Specifically, in Jersey we understand that there are smaller challenging fixed service providers such as Newtel and Genesis, which operate across both Jersey and Guernsey. We understand that both Newtel and Genesis are supportive of FNP as is the main challenger to JT,

Sure. On this basis, we believe that FNP will provide be a strong driver to enhancing competition, value and innovation in the fixed sector for the benefit of consumers.

- **Established Competition – CONFIRMED** - JT as the dominant fixed provider in Jersey is facing increasing competition from established and new entrant competitors alike, especially in the vibrant and lucrative enterprise/ corporate sectors. On this basis, we conclude that existing competition in the Jersey fixed sector is established and viable to support the introduction of FNP. From the JCRA market statistics, we note the number of alternative/ non-incumbent fixed connections in Jersey (12,462) is low and less than in Guernsey (15,038) which suggests that alternative providers could be constrained in being able to compete more effectively with JT than the ability to compete with Sure in Guernsey. We believe that introducing FNP in conjunction with attractive cross-island wholesale access products could allow the alternative providers to increase consumer choice and thus enhance competition and increase market share.
- **Stakeholder support – CONFIRMED** - We understand that the established and new entrant fixed service competitors are supportive of the potential introduction of FNP. We are not aware of JT's views on FNP, but we will be recommending that the approach to develop, implement and introduce FNP should follow the successful approach adopted for MNP in 2008, i.e., the FNP service should be introduced simultaneously in both Guernsey and Jersey at the same time.
- **Interconnection between providers – TO BE CONFIRMED** - We understand that there are existing fixed voice interconnection arrangements between JT and its main competitor in Jersey, Sure. We are not aware of the actual interconnection arrangements between JT/ Sure and the new entrants is not established and should be confirmed.
- **Equivalence of service availability – TO BE CONFIRMED** – JT as state owned incumbent has full coverage across Jersey, as Sure has in Guernsey. Some of the challenging providers in Jersey do have limited last mile coverage in many parts of the island and thus will rely on wholesale access via regulated JT wholesale products to provide island-wide coverage. To provide cross-island wholesale access to last mile consumers to both established and new entrant competitors may require the JCRA to

reassess the suitability and applicability of the current JT retail and enterprise/corporate wholesale products. Additionally, a potential pan-Channel Islands FNP service and process would need to be able to process porting transactions involving a) the gaining provider having last mile access to the subscriber (i.e., a full port); and b) a wholesale porting transaction where last mile access is provided by the incumbent provider, but the retail billing arrangements are updated during porting between the gaining and wholesale (losing) provider. These scenarios have been experienced and supported in the bespoke FNP solution designed by Cenerva and provided by PXS in the Isle of Man. For expediency, in parallel to the development and implementation of a potential pan-Channel Islands FNP service, we would recommend the JCRA progresses its review and updating of the regulated JT Wholesale Product portfolio offerings to ensure that JT is required and capable of providing competitor access island-wide to retail and enterprise/corporate users to licenced competitors.

- **Robust regulatory regime – CONFIRMED** – We understand the JCRA has an established and robust regulatory mandate and framework to progress the development, implementation and introduction of FNP to the Jersey marketplace.
- **Stable numbering plan – CONFIRMED** – Albeit we understand that Jersey numbering resources are managed by OFCOM on behalf of the JCRA, we understand there is no constraint on fixed numbering resources that could require the JCRA to revise the Jersey numbering plan which could impact the introduction of the FNP service.

#### **FNP update to the existing PXS Number Portability Clearinghouse (NPC)/ Channel Islands NP service.**

From experience in other small-scale markets which operate both FNP and MNP, the key differences in the process are:

- Two porting modes depending on how the Recipient Operator provides the service to the customer, for instance.

- Direct provision where the Recipient Operator is able to connect the customer directly to its network.
- Wholesale provision where Donor Operator still provides the physical network connection but transfers the billing relationship to the Recipient Operator
- Method of customer validation and authorisation
  - MNP uses central SMS validation with the NPC.
  - FNP uses a combination of IVR, and unique NPC generated PAC (Porting Approval Code)
- Separation of porting of fixed voice from ancillary services, such as Broadband etc
- Porting process steps are similar, but the timelines for each activity may be extended, for instance, Recipient Operator activation.
- Out of hours porting for enterprise/ corporate/ government customers to minimise the impact on the customer's business.

The current PXS NPC platform which is supporting the Channel Islands MNP service is also supporting FNP and MNP services across a number of small-state markets. Specifically, in 2017, Cenerva was asked by the Isle of Man Communications Commission to develop and introduce FNP. Cenerva worked with the Isle of Man operators and PXS to develop a bespoke direct and wholesale converged fixed porting solution, based on expanding the current pan-Channel Islands NPC platform.

The Isle of Man FNPWG and PXS supported by Cenerva delivered a hybrid fixed number porting solution which has been successfully implemented and operated in the Isle of Man. The fixed service landscape within the Isle of Man is similar to that in Jersey and Guernsey and thus we believe the Isle of Man FNP solution is appropriate for implementation across the Channel Islands.

## Conclusions and Recommendations

We concur with the JCRA's view that the case for developing, implementing and introducing FNP into the Jersey (and Guernsey) markets is made since the FNP service will enhance the fixed market competitive dynamics, increase consumer choice and value, as well as encouraging innovation.

Cenerva is pleased to propose the following recommendations:

- FNP service should be developed, implemented and introduced across both Jersey and Guernsey simultaneously.
  - This aligns with the approach successfully adopted in 2008 for MNP.
  - Allows all operators to compete fairly and equitably across both islands.
  - Can be supported on the existing PXS NP platform with relatively modest revisions and enhancements.
  - Could reduce the NPC operating costs for the existing stakeholders as additional service providers contribute to the NPC funding.
- Developing, implementing and developing the pan Channel Islands FNP service could be completed within 8 to 10 months of a final decision being jointly made by the JCRA/ GCRA.
- Consideration should be given to verifying the existing interconnection arrangements between all fixed service providers to identify additional requirements for all stakeholders to support All Call Query (ACQ) Direct Routing for ported and non-ported numbers.
- The current regulated wholesale products offered by the two incumbent operators should be reviewed to ensure an appropriate wholesale service portfolio is available to all service providers to provide alternative fixed service access to all retail and enterprise consumers across both Jersey and Guernsey.

We trust the Cenerva response to the JCRA Draft Decision consultation meets with the JCRA's approval and we would be pleased to share our pertinent experience of implementing FNP services in similar markets to Jersey and Guernsey.

**Yours faithfully**  
**For Cenerva Limited**



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