

INFORMATION TO THE GENERAL PUBLIC ON PORTABILITY AND CALL CHARGES TO PORTED NUMBERS

In light of the comments on the draft decision approved via determination of December 21, 2001, and market developments verified in the interim period, and considering that:

- a) Complaints were received in the meantime from both the providers involved and end users themselves, concerning listening to the announcements on-line already implemented by some providers, whereby it was considered that such announcements could lead callers to choose not to complete calls made to ported numbers, and subscribers that have adhered to portability, especially companies, to desist from their respective contracts.
- b) As a result of the complaints received, it appears to be evidence that consumers are not willing to hear any message when they make a call.
- c) These reactions may lead companies to restrict the adoption of portability during the two-month period specified for such messages, thus reducing the relevance of the message and delaying the development of portability itself and perhaps also the development of competition.
- d) Facing these facts and the possible consequences identified above, it is probable that certain measures specified in the draft decision, in particular the one concerning the provision on-line of a message for calls to ported numbers, whenever the price of such calls is higher, would be counter-productive for the promotion of portability.

By determination of 18/04/2002, the Autoridade Nacional das Comunicações (ANACOM) approved the following set of measures to be adopted by providers for information to the general public on portability and call charges to ported numbers:

1. Providers that have tariff plans that might imply that the price of a call to a ported number is higher than the price paid before porting the number, must implement, within a maximum of thirty days, an information service on call charges to ported numbers (whenever applicable for voice calls, data transmission and short messages).

2. This information service must be divulged via the bill during a minimum period of six-months and starting within a maximum of 60 days.
3. The “Information to consumers” in annex, has to be sent by providers to their respective customers with the first bill containing the information specified in no. 2.
4. The providers must inform ANACOM of the start date of provision of the information service specified in no. 1 and the start date of sending customers the “Information to consumers” specified in no. 3.
5. Within a maximum of 10 days the providers must withdraw any messages that, on their own initiative, are already being provided *on-line* within this framework for calls to ported numbers.
6. ANACOM will continue to receive and analyse information on the development of portability and its consequences, and may establish new measures in light of such developments, the safeguarding of consumer interests and the objective to foster a competitive market.