



COMMERCE COMMISSION

13.3/10094

1069097v2

**STATEMENT OF ELIGIBILITY OF SNAP INTERNET LIMITED AS  
AN ACCESS PROVIDER  
OF THE CELLULAR TELEPHONE NUMBER  
PORTABILITY SERVICE**

30 September 2010

**Introduction**

1. On 31 August 2005 the Commission issued a determination<sup>1</sup> ('Determination') in respect of the local and cellular telephone number portability designated multinetwork services ('Number Portability Services'). The Determination set out the formula for allocating the cost of delivering the Number Portability Services between the parties, the functions that must be performed by the system for delivering the Number Portability Services and the standard to which those functions must be performed.
2. The Determination assessed the eligibility of parties as access seekers and access providers and required that those parties be bound by the Determination. Parties to the Determination are required to notify the Commission when they consider that their status as an access provider has changed.<sup>2</sup>

**Application by Snap Internet Limited**

3. On 15 September 2010, the Commission received an application from Snap Internet Limited ('Snap') for consideration as an access seeker and access provider of the cellular telephone number portability service.
4. Any person that is determined by the Commission to be an eligible access provider becomes a party to, and is bound by, the Determination from the date of the applicable statement of eligibility declaring that person to be an eligible access provider. A party that qualifies as an access provider also qualifies as an access seeker where that party seeks access to the service.

**Decision of Commission**

5. An 'access provider' of the local telephone number portability service is:

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<sup>1</sup> Decision 554: Commission's determination of local and cellular number portability dated 31 August 2005 and the clarifications dated 17 May 2006, 30 March 2007 and 22 June 2007.

<sup>2</sup> *ibid*, para A8

**Access provider:** Every person who operates -  
(a) a PSTN to which numbers have been allocated; and  
(b) a telephone service that relates to that number portability service<sup>3</sup>.

6. In its application, Snap advised it had signed a MVNO agreement utilising Telecom New Zealand Limited's ('Telecom's) cellular network.
7. Snap is a party to the Number Administration Deed, and has been allocated a non-geographic number range block of 02890 for use with its cellular service.
8. The Commission is satisfied that Snap, through the use of its 02890 number range, exerts sufficient control over a PSTN and therefore satisfies subsection (a) of the applicable criteria as outlined in paragraph 7 above. The 02890 numbers are unique to Snap and may be assigned by Snap to customers using Snap's cellular telephone service.
9. The Commission is satisfied that the criteria as outlined in subsection (b) is satisfied, as Snap has signed an MVNO agreement with Telecom New Zealand Limited allowing Snap to provide a telephone service utilising Telecom's cellular network.
10. The Commission is accordingly satisfied that Snap is eligible as an access provider of the cellular telephone number portability service.

### **Statement of Eligibility**

11. The Commission monitors the eligibility of access providers for the term of the Determination and issues updated statements where necessary. A table listing the eligibility of parties as access providers of the Number Portability Services is attached as Appendix 1.
12. This statement is effective as of 30 September 2010.

Signed by:



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Dr Ross Patterson  
Telecommunications Commissioner

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<sup>3</sup> Subpart 2 of Part 2 of Schedule 1 of the Telecommunications Act ('the Act')

### Appendix 1 - Commission's assessment of access providers as at 30 September 2010

Party	Access Provider eligibility	
	Local telephone number portability service	Cellular telephone number portability service
Telecom	Yes	Yes
TelstraClear	Yes	Yes
Vodafone	Yes	Yes
CallPlus	Yes	Yes
Compass	Yes	Yes
IHUG	Yes	No
WorldxChange	Yes	No
Woosh	Yes	No
Airnet	Yes	No
Orcon	Yes	Yes
2degrees	No	Yes
M2	Yes	Yes
Symbio	Yes	No
LinkTel	Yes	No
TeleTraders	Yes	No
Digital Island	No	No
Telcoinabox	No	No
Snap	No	Yes

