



COMMERCE COMMISSION

13.3/10094

1017799v3

**STATEMENT OF ELIGIBILITY OF TELETRADERS (NZ)
LIMITED AS AN ACCESS PROVIDER
OF THE LOCAL TELEPHONE NUMBER
PORTABILITY SERVICE**

4 June 2010

Introduction

1. On 31 August 2005 the Commission issued a determination¹ (**‘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.²
3. The Commission monitors the eligibility of access providers for the term of the Determination and will issue updated statements where necessary. The Commission has issued a number of updated statements, the latest being the 14 August 2009.
4. The Commission’s assessment of access providers as at 4 March 2010 was:

Party	Access Provider eligibility	
	Local telephone number portability service	Cellular telephone number portability service
Telecom	Yes	Yes
TelstraClear	Yes	Yes

¹ Decision 554: Commission’s determination of local and cellular number portability dated 31 August 2005 which has been clarified on a number of occasions.

² *ibid*, para A8

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	No	Yes
Symbio	Yes	No
LinkTel	Yes	No
TeleTraders	No	No
Digital Island	No	No
Telcoinabox	No	No

5. On 13 July 2009, the Commission received an application from TeleTraders (NZ) Limited ('TeleTraders'). TeleTraders applied to the Commission for consideration as an access provider of the local telephone number portability service.
6. 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.

Definition of access provider

7. An 'access provider' of the number portability service is:

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 service³.

³ Subpart 2 of Part 2 of Schedule 1 of the Telecommunications Act ('the Act')

Eligibility of an access provider

8. In its application, TeleTraders advised that it intends to launch a wholesale and retail fixed-line voice communication services in Auckland, Wellington and Christchurch via an IP-PSTN gateway. The voice communication services will be delivered over Voice over Internet Protocol (VoIP) to the end-users using a Primary Rate ISDN link. Teletraders' soft switches interface with Telecom New Zealand Limited's circuit switch over ISDN links.
9. TeleTraders have advised that they will use their network to provide a full range of wholesale and retail fixed-line voice services in Auckland, Wellington and Christchurch to its customers such as:
 - Residential and business phone lines;
 - Internet services;
 - Toll calling; and
 - Tollfree.calling
10. Currently, Teletraders informed the Commission that it is only providing services to wholesale customers.
11. TeleTraders are a party to the Number Administration Deed (NAD), and has been assigned geographic number range blocks for Auckland, Wellington and Christchurch.
12. TeleTraders is currently interconnected with Telecom Corporation of New Zealand.

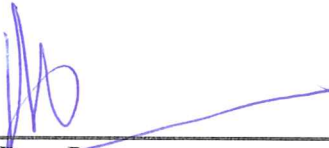
Commission's view

13. TeleTraders operates a PSTN to which numbers have been allocated and therefore satisfy subsection (a) of the applicable criteria at this time. In addition, Teletraders operates a telephone service that relates to the local telephone number portability service.
14. TeleTraders is therefore eligible as an access provider of the local telephone number portability service.

Conclusion

15. TeleTraders is a qualifying access provider of the local telephone number portability service and as this party seeks access to this service qualifies as an access seeker.
16. The eligibility of other persons as access providers of the Number Portability Services remains as stated in the Commission's previous 4 March 2010 update statement.
17. This statement is effective as of 4 June 2010.

Signed by:



Dr Ross Patterson
Telecommunications Commissioner