

TELECOMMUNICATIONS INFORMATION REQUIREMENTS

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^[1] The views expressed in the paper are strictly those of the author and do not necessarily reflect the views of the Office of Utilities Regulation (The Office).

Overview

- Background
- What: Specify the data requirements
- Why: Legal Framework (General and Specific)
- How: Source, Security, Analyze and Distribution
- International Carriers' licence provision for data requirements
- Conclusion

Background (1)

- Document No. TEL 2003/08 dated September 16, 2003
- The respondents were:
 - ◆ Reliant Enterprise Communications Ltd
 - ◆ Cable and Wireless Jamaica Limited
 - ◆ Mossel Jamaica Limited (Digicel)
 - ◆ Infochannel Limited

Background (2)

- In April 2004, the Office issued its determination on this matter.
- Two parties filed applications for reconsideration by the statutory deadline: Mossel Jamaica Limited (trading as Digicel) and Cable and Wireless Jamaica.
- After receiving clarification on Digicel's submission, the Office issued an Advanced notice of its decision on this matter on April 8, 2005
- Public Forum: May 17, 2005

What Data are Required (1): Mobile

- Retail call revenues and associated call volumes
- Retail messaging services
- Subscriber numbers
- Retail connection, one-off/set-up revenues (\$thousands)
- Mobile Internet access

What Data are Required (2): Mobile

- Transactions With Other Operators
 - Revenues and related minutes
 - Payments and related minutes

Why: Legal Framework (General and Specific) - 1

General Legal Framework

- The Office of Utilities Regulation (OUR) has a duty to regulate the telecommunications markets in Jamaica, in accordance with the Telecommunications Act (2000) (the Act). Consistent with the OUR's functions of promoting competition and protecting the interest of consumers, the OUR should:
 - collect
 - analyze
 - publishinformation on the various telecommunications markets.

Why: Legal Framework (General and Specific) - 2

- Pursuant to Section 4(4) of the Act, “Where the Office has reasonable grounds for so doing, it may for the purpose of its functions under this Act, require a licensee to furnish, at such intervals as it may determine, such information or documents as it may specify in relation to that licensee’s operations and the licensee shall be given a reasonable time within which to furnish the information.”

Why: Legal Framework (General and Specific) - 3

Specific Legislative Framework

Among other things, the data set is required by the OUR to:

- ◆ Establish regulatory fees
- ◆ Plan for and facilitate universal service
- ◆ Assist in the creation of a universal service fund
- ◆ Facilitate the efficient use of numbering resources
- ◆ Ensure that licensing requirements are fulfilled
- ◆ Assess market dominance, and
- ◆ Assess claims of anticompetitive activity

How: Source, Security, Analyze and Distribution

- **Source:** Why not source the data from the ITU?
- **Security:** Is the OUR's computer system secure? How is confidentiality protected?
- **Analysis & Distribution:** How will the information be used & by whom?

Sample data requirement: International Carriers (1)

The OUR recommended 68 International Carrier licences which the Minister issued with the following data requirements:

According to a licence provision, the Licensee... [must] maintain all necessary records and provide the OUR at such intervals as may be specified by the Office in its request, information on the Licensee's:-

- (i) incoming voice minutes and revenues;**
- (ii) outgoing voice minutes and revenues;**
- (iii) transit minutes and revenues;**
- (iv) data traffic volumes and revenues;**
- (v) other revenue from specified services;**
- (vi) any information as may be specified by the Office pursuant to Section 4(4) of the Act;**
- (vii) Tariffs, prices, costs and other similar information of a financial nature**
- (viii) Historical information and projections relative to the construction and operation of the specified carrier facilities; and**
- (ix) Regulatory accounts.**

Sample data requirements: International Carriers (2)

- Pursuant to the above licence provision, the Office directed "...all licensed international carriers to provide the Office within five days of a calendar month, information pertaining to:
 - ◆ Contract details with each correspondent foreign carrier indicating prices, volumes, points of handing over of traffic and all other terms of the contract for traffic terminated in Jamaica in that calendar month.
 - ◆ The volumes of traffic obtained from each foreign carrier for termination on fixed and mobile networks."

See [http://www.our.org.jm/PDF-FILES/Office Decision SETTLEMENT%20RATES%20January%202023Interim%20decision2004.pdf](http://www.our.org.jm/PDF-FILES/Office%20Decision%20SETTLEMENT%20RATES%20January%202023Interim%20decision2004.pdf)

Sample data requirements: International Carriers (3)

- The Office has not taken any action against any licensee for non-compliance with this licence requirement.
- It may be possible for the Office to take action under Section 14 of the Act.

CONCLUSION

- To conclude, information is critical in facilitating:
 - ◆ the growth of competitive markets;
 - ◆ regulatory decision making by the minister and the Office; and
 - ◆ Facilitating customer choice

THANK YOU