



## ITU EXECUTIVE-LEVEL TRAINING FOR HEADS OF REGULATORY AUTHORITIES: STRATEGIC IMPACT OF COST MODELING AND DISPUTE RESOLUTION MECHANISMS

ITU Headquarters Geneva, Switzerland, Room H  
27 - 28 June 2011

### PROGRAMME

Monday, 27 June 2011		
STRATEGIC IMPACT OF COST MODELING		
	09.00 – 09.30	<i>Delegate registration</i>
	09.30 – 09.45	<i>Opening Ceremony</i>
	09.45 – 10.45	<b>Session 1: Introduction to the economics of competition, competition law and regulation</b> <ul style="list-style-type: none"><li>• Why does competition create benefits for the economy and citizens alike?</li><li>• Methods to determine static and dynamic welfare effects of competition</li><li>• How to ensure a competitive environment?</li><li>• General concepts of competition law and merger control (abuse of market power, cartels)</li></ul>
	<b>10.45 – 11.00 Coffee break</b>	
	11.00 – 12.00	<b>Session 2: Defining markets correctly - Structure and purpose of market reviews</b> <ul style="list-style-type: none"><li>• Market definition: services, geographical extension, segmentation</li><li>• Analyze the structure of markets, Significant Market Power (SMP), instruments to designate SMP</li><li>• Description of possible remedies for certain types of imperfect competition: transparency, non discrimination, regulatory accounting, access obligations, price controls</li><li>• Introduction to the role play exercise</li></ul>
	12.00 – 12.30	<i>Role play exercise</i>
	<b>12.30 – 14.00 Lunch</b>	
	14.00 -15.15	<b>Session 3: Defining a regulatory accounting and cost modeling strategy - Selecting the best approach in accordance with the national context</b> <ul style="list-style-type: none"><li>• Principles of regulatory accounting and accounting separation; strategic role of regulatory accounts for monitoring pricing</li><li>• Cost modeling strategic approach: from FDHC (fully distributed historic costs) to FLRIC</li><li>• Overcoming data collection challenges - its importance and the key role of the regulator</li><li>• Establishment of a “Costing Team” in charge of implementing the costing strategy</li></ul>
	15.15 – 15.30	<b>Presentation on Regulatory Accounting and Cost Modeling Strategy - Jamaican Experience</b> by Mr. Zia Mian, Head Office of Utilities Regulation (OUR) of Jamaica
	<b>15.30 – 15.45 Coffee break</b>	
	15.45 – 16.45	<b>Session 4: Price controls and its relation to cost modeling, accounting and regulation</b> <ul style="list-style-type: none"><li>• Types of price controls, price controls and creation of competition</li><li>• Price controls and investment incentives</li><li>• How to use regulatory accounts to determine regulated prices</li><li>• Which information is critical for the calculation of correct price ceilings?</li><li>• Impact of convergence and NGN on price controls: is it time to refocus?</li></ul>
	16.45 – 17.30	<i>Role play exercise</i>

<p><i>Tuesday, 28 June 2011</i></p> <p><b>DISPUTE RESOLUTION MECHANISMS</b></p>		
	09.30 – 09.45	<p><b>Introduction to the Dispute Resolution Sessions</b></p> <p><b>Resourcing Dispute resolution in ICTs</b></p> <ul style="list-style-type: none"> <li>• ITU ICTDec Part I – Alessandra Pileri</li> <li>• BDT Regulatory tools and activities – Carmen Prado-Wagner and Nancy Sundberg</li> </ul>
	09.45 – 10.45	<p><b>Session 5: Dispute resolution mechanisms in the current ICT environment, current practices, public/private roles and the role of regulators</b></p> <ul style="list-style-type: none"> <li>• Main trends in ICT dispute resolution</li> <li>• The importance of a robust dispute resolution scheme to ensure a fair and competitive environment</li> <li>• Roles and responsibilities in dispute resolution <ul style="list-style-type: none"> <li>○ Courts and Tribunal</li> <li>○ The telecom/ICT regulator</li> <li>○ Arbitration panel</li> <li>○ Expert determination</li> <li>○ Mediators</li> <li>○ Dispute resolution bodies- private actors</li> </ul> </li> <li>• Setting the legal and regulatory framework for dispute resolution (Communications law, licensing agreements, commercial agreements, reference interconnection offer, etc.)</li> </ul>
<b>10.45 – 11.00 Coffee break</b>		
	11.00 – 12.30	<p><b>Session 6: Mechanisms applied to resolve disputes</b></p> <ul style="list-style-type: none"> <li>• Overview of the different dispute resolution mechanisms</li> <li>• When and how to use alternative dispute resolution (ADR) mechanisms</li> <li>• Understanding the processes (facts findings, timeframe, appointment procedures for arbitrators, mediators and experts, rules of evidence, investigation powers, decision making, confidentiality and public consultation, enforcement and appeals) <ul style="list-style-type: none"> <li>○ Mediation/conciliation</li> <li>○ Arbitration</li> <li>○ Hybrid dispute resolution techniques</li> </ul> </li> </ul>
<b>12.30 – 14.00 Lunch</b>		
	14.30 -15.30	<p><b>Session 7: Role play exercise</b></p> <ul style="list-style-type: none"> <li>• Practical example of an interconnection dispute</li> </ul>
<b>15.30 – 15.45 Coffee break</b>		
	15.45 – 16.15	<b>Presentation and discussion of results from the Role play exercise</b>
	16.15 – 16.45	<p><b>Session 8: Resourcing Dispute resolution in ICTs - Institutions and service providers available to regulators</b></p> <ul style="list-style-type: none"> <li>• WIPO Arbitration and Mediation Center – Ignacio Decastro</li> <li>• ITU ICTDec Part II – Alessandra Pileri</li> </ul>
	16.45 – 17.00	<b>Concluding remarks</b>

