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Supreme Council of Information & Communication Technology

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المجلس الأعلى للاتصالات و تكنولوجيا المعلومات

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Subject: **2008 GSR Consultation**

The Supreme Council of Information and Communication Technology (ictQatar) is Qatar's regulator for the telecommunications sector. ictQatar is also mandated with the creation of an advanced knowledge society through ICT infrastructure, skills development, the delivery of e-services and the establishment of a regulatory environment that promotes growth and benefits citizens, businesses and the government. Fostering the development of advanced communications infrastructure is one of the key objectives of ictQatar.

Innovative Infrastructure Sharing Strategies
ictQatar regards sector liberalization as the most efficient means to improve access to telecommunications infrastructure and services. However, ictQatar supports the use of government funding from universal service/access funds and other public funding mechanisms in cases where the market is unlikely to deliver within the timeframes required to meet national policy goals or in cases where there is no economic case for the market to meet demand for access to advanced communications infrastructure. For example, ictQatar is considering a number of initiatives to drive universal access to broadband networks and services for the people of Qatar. These initiatives are exploring various sharing options.

For example, ictQatar is currently examining the possibility of funding a national broadband network to connect all schools, hospitals and clinics allowing them to access Next Generation (NG) Services such as high definition video conferencing, telemedicine and immersive learning applications. The design of this network would include the provision of additional ducts and fibre loops so as to expand access as needed for both public and private sector usage. ictQatar may also license a network manager to manage the network according to an open access network model. This model could include wholesale access for all licensed service providers on a non-discriminatory basis. Thus, both the public and private sector would benefit from such an initiative.

Open Access to International Capacity (e.g. submarine cable networks and their landing stations)
ictQatar suggests that the starting point in this discussion is to determine whether or not cable landing stations in a particular market are "essential" or "critical" facilities and the extent to which they may serve as bottlenecks to international capacity and thus act as barriers to competition in the provision of international services.

If there is sufficient evidence that access to cable landing stations in certain markets is essential to the development of competition in the provision and growth of international services, national regulators might consider the following approaches:

• Transparent and non-discriminatory access to cable landing stations.

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- Requiring owners of cable landing stations to submit Reference Interconnect Offers containing the terms and conditions of access facilitation and co-location facilities.

At the same time, regulators should also ensure that there are incentives for investors to build/create additional international gateways and thus expand opportunities and access to international capacity.

<u>Harmonized and Regional Policy and Regulatory Approaches to Sharing</u>
ictQatar would support a harmonized regional approach to sharing based on the following principles:

Active Sharing
- Infrastructure sharing should only be mandated for facilities that the regulator has identified as "critical" or "essential." The determination of "essential" facilities will vary by market, depending upon the level of competition.
- Regulators should define the general terms, conditions and time frames for mandated sharing in the licenses issued to owners of "critical" or "essential" infrastructure or as part of regulatory guidelines/regulations to be included in standard commercial offerings.
- Notwithstanding license conditions and other applicable regulations, commercial agreements for infrastructure sharing/access should be left to service providers with regulatory intervention only when service providers fail to reach mutually acceptable agreements within a specified time period.
- The process for infrastructure sharing should be transparent and non-discriminatory.

Passive Sharing
- Regulators should strive to balance the economic and environmental impact of unnecessary duplication of infrastructure with additional infrastructure needed to meet national goals.
- Service providers, including mobile operators, could be incentivized to enter into roaming agreements nationally and internationally and to share facilities such as towers, ducts and backhaul networks in order to avoid unnecessary duplication of infrastructure especially in densely population areas. Sharing of infrastructure in this way can also speed the delivery of new services to market and lower the costs of services for the consumer.
- Passive sharing should not be promoted to the extent that new build is avoided in under- served areas, does not lead to national coverage and the consumer suffers from a poor level of service quality as a result.

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