

Oman Telecommunication Regulatory Authority's contribution to the GSR 2008 consultation on " *essential regulatory principals on innovative sharing strategies to promote affordable access for all*"

The Telecommunications Regulatory Act of the Sultanate of Oman promulgated by Royal Decree 30/2002 (the Act) established the Telecommunications Regulatory Authority (TRA), and made provisions that address the necessity of access to and sharing of telecom facilities by various telecom licensees. Accordingly, TRA has followed the best practice of access and sharing requirements between various players in the national market. The principles that can be concluded from the Act in this regard are listed below:

- Dominant operators have to make their facilities available to other operators. The facilities to be made available are determined by TRA. Every licensee is entitled to use sites of telecommunications infrastructure such as telecommunication exchanges buildings, telecommunication equipment, buildings, telecommunication towers, ducts, pipes and cable channels etc.
- Access to the facilities has to be based on reasonable and fair conditions.
- Licensees have the right to request for access and site sharing services and enter into negotiations with the dominant operators.
- If negotiations do not result in reaching an agreement, a party may recourse to TRA for resolution.
- TRA shall issue regulations for access and site sharing.

Following the above-stated principles, TRA mandated that the dominant mobile operator (Oman Mobile) makes available national roaming to the new mobile entrant. In addition, TRA has issued guidelines (Site Sharing Guidelines) after the dispute referred to the Authority by new mobile entrant. The new entrant complained at the end of 2005 that it couldn't reach an agreement on site sharing upon technical conditions with the dominant mobile operator. TRA accordingly had investigated the issue, and announced guidelines that mandated sharing of masts, towers, and rooftops. Areas that were addressed in these guidelines include technical conditions for horizontal and vertical separations of antennas, costs of sharing, safety conditions, timeline to meet sharing request, and contact

information. These guidelines aim at increasing the efficiency in using the existing infrastructure, and to promote affordable access for new entrants. TRA is currently in the process of issuing more regulations pertaining to facilities sharing and equal access.

TRA has taken the initiative to issue more regulations pertaining to infrastructure sharing and equal access. The driving principles for this initiative are not different from that of *site sharing guidelines*; to promote competition and remove barriers of market entry. TRA issued public consultations regarding local loop unbundling and carrier selection. Interested parties are given until the mid of April 2008 to respond to the consultations after which TRA will finalize the policy and regulation for local loop unbundling and carrier selection.

More details of the access and sharing principles can be found by referring to the Act available at TRA website, www.tra.gov.om. For example, Articles 46 repeated (1) through (9) are relevant articles with site sharing and access requirements.