



ITU Regional Radiocommunication Seminar 2014 for Americas (RRS-14-Americas)

Regional Scope

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(OOCUR)**



ABOUT OOCUR:

- OOCUR's membership currently consists of 11 regulatory bodies throughout the English speaking Caribbean.
- Members include Electricity-Sector-only regulators, Telecommunications-Sector-only regulators, Water-Sector-only regulators and Multi-Sector regulators.
- OOCUR was established as a means to improve and harmonize (to the extent feasible) utility regulation in the Caribbean through collaboration, cooperation, exchange and organized training.
- OOCUR is a voluntary organization and its strength and effectiveness lie solely in the conviction of its members and its acceptance within the region.



ABOUT REGULATION:

- The common practice around the Caribbean, with minor variations in execution from country to country, is to separate the roles of policymaking, regulation and service provision. This is accepted globally as a best practice approach. For the most part, this practice is legislated.
- In certain countries (more so in telecommunications), the relevant Ministry is responsible for regulation. If we accept the separation of roles described above as a best practice approach, certainly these countries may want to reconsider.
- There are also countries in the Caribbean where the Gov't owns, in part or wholly, the utility, and this results in distorting the best practice framework despite any legislation to the contrary.



THE REGULATOR'S ROLE:

- In the best practice framework, the policy makers and the service providers/market drive the proliferation of services, while the regulators role is to:
 - a) Create the appropriate environment to enable policy and services implementation
 - b) Protect the interests of consumers
 - c) Enforce compliance (laws, regulations, licence conditions, resolution of complaints & disputes, etc.)



WRC-15 AND THE ITU:

- Generally under the ITU, members enter into treaties that recognize the sovereign rights of such members for self-determination.
- Such treaties are not enforceable locally unless the members choose to amend or introduce relevant legislation to give effect to the provisions of such treaties.
- Therefore, a salient consideration with respect to WRC-15 and harmonization of spectrum allocation and management must be endorsed by the policy makers in the Caribbean (Governments).
- In this regard, and given its mandate, it is appropriate that the CTU is organizing the sessions over the next 2 days so that we may get consensus amongst all Caribbean Governments.



KEY SPECTRUM ISSUES FACING REGULATORS:

Long term assessment and conviction:

- In telecommunications, it is generally believed that regulators are always playing 'catch-up'. Regulators therefore prefer a long term assessment and planning of spectrum needs for the various services in order to facilitate timely implementation and avoid the many problems created by re-assigning spectrum bands currently in use.

Interference:

- It is not necessary to elaborate here as this is no doubt a salient issue for service providers also. The issue of cross-border interference is one that requires trust and cooperation of regulators from different jurisdictions and a commitment from service providers to act reasonably in the resolution of such issues. Surely, some appropriate protocols and technical solutions would greatly assist regulators in this regard.



KEY SPECTRUM ISSUES FACING REGULATORS:

Public Safety:

According to the ITU Website, studies are inconclusive with regards to the potential dangers of microwave emissions to the public. Even if this is the official policy of the ITU, there ought to be established minimum guidelines for the installation and operation of microwave-emitting devices and equipment to minimize the potential dangers. It is foreseeable that a regulator may one day be compelled to determine a complaint or dispute on this subject matter.



CONCLUSION:

- Regulators understand their roles in the telecommunications market. We are not drivers; we are facilitators. We will play our role in moving the sector forward. However, it is important to understand the issues the regulator has to deal with on an ongoing basis so that appropriate protocols and standards are implemented. These will ultimately allow regulators to 'catch up'. To this end, OOCUR and its members will continue to support the CTU in bringing regional issues to the fore.