

***REGULATORY FRAMEWORK FOR OVER THE TOP
SERVICES***

WHAT IS OTT ??

- APPLICATIONS AND SERVICES ACCESSIBLE OVER THE INTERNET
- SEPARATE CARRIAGE FROM THE CONTENT...IP PROTOCOL
- LTE AND A-LTE OPENING FOR THIRD PARTY SERVICES (OTT)
- DOESNOT ESTABLISH, OPERATE AND OWN NETWORK INFRASTRUCTURE
- VOICE & MEDIA SERVICES, MEDIA SERVICES, APPLICATIONS
- REAL-TIME AND NON-REAL TIME OTT

ISSUES/RATIONALE FOR REGULATORY INTERVENTION

- LICENSED TSPS NOT INVOLVED IN DISTRIBUTION OF OTT APPLICATIONS
- NO REVENUE FOR TSP
- IP CORE NETWORK DECOUPLE CARRIER FROM CONTENT
- DE-STABILISING BROADCASTING INDUSTRY
- VOIP AND MESSAGES EAT INTO TELECOM REVENUE
- LEVEL PLAYING FIELD

Regulatory imbalances created by OTT players offering real-time communication services

- **Licensing:** Telecom operators obtain license for running their operation whereas the OTT players are running the operation through telecoms infrastructure but they don't need license for running their operations.
- **Operating area:** Telecom operators are only serving customers within the regulated jurisdiction whereas the OTT service providers are serving all over the globe.
- **Quality of Services:** Telecom operators have QoS bindings as per the license. But OTTs have no bindings to maintain certain level of QoS.

Regulatory imbalances created by OTT players offering real-time communication services

- **Numbering and Interconnection:** Interconnection is mandated for the operators for enabling any subscriber to any subscriber call or establishing and protecting consumer right. OTTs don't have any interconnection requirements.
- **Infrastructure/Investment:** Telecom operators are investing huge amounts for building their network/infrastructures but OTTs are only riding over their network and running their business.
- **Provision of Legal Intercept:** Provision of legal intercept is a requirement of the licensing terms for the TSPs. But for OTT players it has not made mandatory.
- **Taxation:** Mobile operators are paying huge amount of corporate Tax whereas the OTT players are not obliged to any Taxes.

SOUTH ASIAN EXPERIENCE

- Content issues with social media and not being able to regulate
- Network clogging
- No specific protocol to deal with OTT providers
- Security issues
- Governments requesting OTT providers like Facebook for information or a monitoring facility

CONCLUSION/PROPOSAL

- **Creating conducive environment for TSPs/mobile operators and OTT players (WIN-WIN)**
- TSPs or mobile operators can enter into commercial agreements with OTT providers, and provide value added packages to the customers with enhanced quality.
- In such case the applications can be installed on the device, and traffic from these applications is zero-rated when specific bundles or tariff plan is purchased. It offers the customers an attractive service, which may increase their loyalty.

CONCLUSION/PROPOSAL

- the TSPs/mobile operators could enter into service agreements with OTT providers to provide QoS at a price. However, this may require relaxation on the concept of net neutrality regulation and interpret the OTT Apps as a distribution channel for TSP services.
- to require OTTs to give access to the national regulators some information upon request from national agencies. This can be better taken up with the OTT service providers through some multilateral organisation like ITU or other regional organisations like APT in Asia Pacific.



THANK YOU AND TASHI DELEK



