

Contribution to GSR-23 from the Communications Regulatory Commission of Colombia " Regulatory and economic incentives and tools for an inclusive sustainable digital future"

1 Defining regulatory and economic incentives to stimulate the deployment of sustainable digital infrastructure, especially in rural and isolated areas

One of the tasks entrusted to the Communications Regulatory Commission of Colombia (CRC) in Law 1978 of 2019 is to consider, in all draft legislation, the possibility of differential rules or measures for providers which are extending their networks or services to areas that do not have coverage, as an incentive for the deployment of infrastructure and the provision of services in universal service areas. The obligation to consider potential differential measures must be fulfilled in all CRC draft regulations. This could be a good practice to be adopted at the international level.

In line with the above, the experience of Colombia has led us to recognize that investment in rural and remote areas that are difficult to access can be promoted, inter alia, through the simplification of the regulatory framework, making it possible for operators to allocate resources to improve their networks and expand coverage. An example of this is the recent decision by which we established differential regulation that will allow us to bring fixed Internet to all regions in Colombia, especially to remote regions and those which are difficult to access¹. The main beneficiaries of this measure are people living in rural and remote areas that are difficult to access, located in 90 per cent of the municipalities in which 36.8 per cent of the population is concentrated, which is equivalent to 5.8 million households. These measures relax regulatory obligations – in non-essential aspects of Internet access service provision – related to user service, compensation when service is not available, measurement of indicators and information reports.

Another important case for the issues under consideration is the definition of regulations related to the quality of mobile services². In this case, CRC encourages the modernization of networks in order to provide higher quality services with a more efficient use of resources. Our quality regime was updated, by simplifying 57 per cent of indicators, which reduces the operational burden and frees up technical resources that can be dedicated to the migration to new technologies (4G and 5G). At the same time, we changed the way we measure mobile data quality by adopting the Crowdsourcing method, thus generating savings of nearly 90 per cent compared with previous measurement costs. With rural, remote areas and those are difficult to access in mind, we eliminated exceptions to comply with quality requirements that had been adopted in order to facilitate deployment, so that where this objective has been met, we will now measure quality in less time and at a lower cost for continuous improvement. Furthermore, exceptions will continue to apply to 320 municipalities where there are still challenges in terms of deployment and coverage expansion; through such exceptions we will continue to encourage deployment in these areas.

¹ Information available (in Spanish) at: <https://www.crcom.gov.co/es/proyectos-regulatorios/2000-38-3-7>

² See link (in Spanish): <https://www.crcom.gov.co/es/proyectos-regulatorios/2000-38-3-1>

Finally, recognizing the importance of infrastructure deployment for all citizens and regions in our country as a driver for the social and economic development of communities, we are steadily rolling out a collaborative programme with local authorities to eliminate barriers to the deployment of ICT infrastructure. To date 782 municipalities have been certified as barrier-free, i.e. 71 per cent of municipalities in the country have no barriers to the deployment of telecommunication infrastructure.

2 Identifying the right incentives required to ensure the introduction of emerging ICT technologies and business models

Based on the experience of CRC, the input on this issue is divided into two parts: the regulatory sandbox and the delivery of timely and relevant information to stakeholders.

In this connection, according to the Organisation for Economic Co-operation and Development (OECD), the regulatory sandbox refers to a relaxation of the regulatory framework or a limited set of regulatory exemptions granted to a project or company to allow it to test new business models with reduced regulatory requirements. The regulatory sandbox allows the testing of products, services and solutions in all aspects of the provision of communication networks and services, for a determined period of time, under flexible regulations or with regulatory exemptions, in an environment monitored by the regulator. CRC applied this alternative mechanism to traditional regulation, in order to implement projects that have social impact; it was the first regulatory sandbox for telecommunications in the world, and its main objective is to adapt the regulations to promote innovation in the provision of communication networks and services, to prioritize access to and the use of ICTs, especially in areas with low connectivity, to encourage competition and to generate timely responses to changes in the industry.

On the other hand, for the delivery of timely and relevant information to the entire sector, CRC has an open data strategy, which allows better interaction with users, through new forms of access to information and data, as well as the generation of new content and data products that allow agents and value groups to guide strategic decisions, based on data analytics which promote this type of platform. Postdata³ is a platform provided by CRC since 2018 for the open consultation of data relating to the sectors that we regulate. It was implemented for the purpose of reducing information gaps, eliminating purchase costs, promoting evidence-based decision-making and motivating the development of research. As at 21 February 2023, the Postdata platform had 171 datasets that the general public could consult and download; and 32 interactive dashboards which graphically and interactively display data from telecommunication, postal or audiovisual content services. This visualization tool is a means of enabling users and the different agents operating in the sector to consult data in a different way, so that they can produce their own analysis and conclusions on the trends and dynamics of the different services.

With all of the above, at CRC we have found that countries which adopt flexible and innovative regulatory schemes to eliminate excessive regulations that may impose unnecessary barriers show higher rates of innovation and development. Regulatory sandboxes can enhance the role of the State in the processes of adopting technology and innovation in different sectors of the economy.

³ www.postdata.gov.co