

## REPORT ON THE CONSULTATION

**On the TRA Draft Three-Year Work Plan for 2007 - 2009**

**A Report issued by the Telecommunications  
Regulatory Authority (TRA)**

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# REPORT ON THE CONSULTATION

## On the TRA Draft Three-Year Work Plan for 2007 - 2009

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## On the TRA Draft Three-Year Work Plan for 2007 - 2009

### 1 Introduction

On 11 March 2007 the Telecommunications Regulatory Authority of the Kingdom of Bahrain ("TRA") published a consultation document on "the TRA Draft Three-Year Work Plan for 2007-2009". This Report summarises responses received and outlines the resulting final TRA Three-Year Work Plan for 2007-2009. The final Work Plan is published as a separate document.

In the Consultation document TRA defined the Vision of the policy, regulatory and institutional framework for the end of 2009 ("the Vision for 2009"). The Vision for 2009 was formulated along 6 action lines. These action lines covered 30 tasks, the purpose of which was to achieve the Vision for 2009, identified in the Consultation document.

In the Consultation document TRA asked stakeholders to identify tasks, which they considered to be priority ones, to identify additional tasks they might have considered important and to provide any other comments on the draft Work Plan they might have had.

TRA received 12 responses to the consultation from:

- Antelope Consulting;
- Batelco;
- Business Communications Services;
- Business Users Advisory Group;
- Consumer Advisory Group;
- Ericsson Bahrain;
- Etisalcom Bahrain;
- Information and Communications Technology Committee of Bahrain Chamber of Commerce and Industry;
- Kalaam Telecom;
- Lightspeed;
- Mena Telecom; and
- MTC Vodafone (Bahrain).

MTC Vodafone (Bahrain) requested TRA to consider its response confidential. TRA intends to respect this request.

In the summaries of the responses below, individual respondents are not distinguished. However, in certain cases specific references to certain

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groups of respondents are used – i.e., the term “User groups” is used to identify both the Business Users Advisory Group and the Consumer Advisory Group; the term “Other Licensed Operators” (“OLOs”) refers to Etisacom Bahrain, Kalaam Telecom, Lightspeed and Mena Telecom.

The remainder of this document summarises the responses received and outlines the final view of TRA on the tasks to be accomplished in the three-year period covered by the Work Plan.

A number of a task in brackets below refers to a number of a task in the Consultation document. This number may differ from the one in the final Work Plan.

## 2 Views of stakeholders on prioritisation of tasks

### 2.1 General overview

In their responses to the Consultation document most respondents (8), including all OLOs, identified the task *to review duct (and other infrastructure) construction and sharing policies and formulate proposals for improving them* (Task 2) as being one of the highest priorities. TRA concludes that stakeholders agree that this task should be one of those topping the list of TRA priorities for 2007-2009.

Most respondents (7), including all OLOs and both User groups, also agreed that *review of the availability and diversity of high-quality and high-speed international access and, if necessary, encouragement of new capacity and routes as well as consideration of possibility of taking measures related to the sharing of the available facilities* (Task 7) is also of high priority. One respondent suggested adding reduction of costs of international capacity to the expected outcome of accomplishment of this task. TRA has taken this suggestion into account in adopting the final Work Plan.

Six respondents suggested including the task titled *“in conjunction with the Directorate of Wireless Licensing, Frequency and Monitoring, review and update the telecommunications spectrum plan, determine the spectrum available for public and private telecommunications services, develop comprehensive spectrum migration/refarming plan, review the processes associated with allocation, assignment, monitoring and enforcement in the use of telecommunications spectrum as well as procure a modern spectrum management system”* (Task 5) in the list of priority tasks. One respondent suggested that the interests of existing licensees should be taken into consideration while implementing this task. TRA considers that this suggestion could be best evaluated in the process of execution of this task.

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Five respondents considered *evaluation of the option of licensing additional mobile (MNO/MVNO) operator/s and issuing a licence/licences subject to positive outcome of the evaluation* (Task 6) as being an important task.

Five respondents considered *Strategic market review and retail market reviews* (Task 16) to be an important task.

Five respondents, including all OLOs, also suggested including *review of the wholesale tariffs control mechanisms* (Task 17) in the priority list.

Furthermore, five respondents suggested inclusion of the *review of the regime of retail price control* (Task 11) in the list of priority tasks. However, three of them assigned to it lower than medium priority. One respondent (OLO) emphasised that retail price controls on the incumbent operator should remain as they are or even be strengthened.

Four respondents indicated *number portability* (Task 24) as being important.

Four respondents also included *review availability of basic telecommunications services and consider implementing universal access and/or universal service schemes* (Task 27) in their priority lists. Interestingly, both User groups assigned lower than medium priority to it.

Four respondents, including both User groups, identified the task titled "*adopt a framework concerning the collection, aggregation and publication of statistical data and establish key market performance indicators in order to make evaluation of market performance possible*" (Task 9) as being an important one.

Four respondents included *review and update of the licensing regime* (Task 3) in their lists of priority tasks. One respondent suggested that the necessity of protecting existing investments should be taken into account while implementing this task. TRA considers that this argument could be assessed in the course of implementation of this task.

Three respondents (all OLOs that do not have individual frequencies assigned) considered *full implementation of local loop unbundling* (Task 18) to be an important task. Two other respondents expressed their concerns regarding rapid implementation of local loop unbundling, indicating that this facility could threaten investment from holders of National Fixed Wireless Licences and that the effectiveness of current wholesale products should be evaluated before introducing new ones. TRA considers that the latter concerns could be assessed in the process of designing and implementing obligations for local loop unbundling without necessarily influencing prioritisation of this task. TRA also notes

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that local loop unbundling apparently is considered to be an important input into business models of new market players not able to use other technologies to access end-users.

Three respondents suggested that *collection of information on spectrum needs for telecommunications purposes and issuing available licences accordingly* (Task 4) could also be included in the list of priority tasks. One respondent suggested that the interests of existing licensees should be taken into account while implementing this task. TRA considers that this suggestion could best be evaluated in the process of execution of this task.

Two respondents (both User groups) suggested that *adoption of a basic consumer rights' protection framework, particularly in relation to billing, collection and payment processes and standard subscriber agreements*, (Task 25) should be considered important.

Two respondents (including one User group, which considered this task to be the second highest priority) indicated that *Consumer awareness campaigns* (Task 21) should also be considered important.

Two respondents also indicated TRA's *input into the drafting of the National Telecommunications Plan 2007-2009* (Task 1) as important.

Four respondents included a task to *develop dispute resolution framework* (Task 10) in their lists of priority tasks. However, they assigned a rather low level of importance to this task.

Two respondents (including one User group) included *electronic comparator of tariffs and public information on Quality of Service levels (according to Key Performance Indicators)* (Task 20) in their lists. One of them (not the User group) considered it to be the most important task.

Two respondents included *review and update of procedures for granting type approvals* (Task 8) in their priority lists. One respondent considered it to be of the highest priority.

One respondent (User group) considered *development of the ability of consumer and enterprise associations to participate in the activities of TRA more actively and efficiently* (Task 22) to be of the highest priority.

Two respondents included *evaluation of feasibility of implementing ENUM, and implementation thereof subject to a positive evaluation* (Task 13) in their lists of priority tasks. Only one of them (neither a telecommunications operator nor a User group) assigned higher than medium priority to it.

Furthermore, two respondents (both User groups) indicated *establishment of a framework for the protection of personal data and*

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*confidentiality* (Task 26) as being one of the ten priority tasks. However, both of them assigned lower than medium priority to it.

*Review of legal framework for the regulation of VoIP* (Task 14), *adoption of a framework for assigning spectrum for experimental/R&D telecommunications purposes* (Task 28) and *TRA regulatory approach position paper (strategy paper)* (Task 29) appeared in two responses. Their priority was not indicated as high.

*Review and update of the national numbering plan* (Task 12), *consideration of liberalization of directory enquiry services and proceeding with liberalization subject to a positive assessment* (Task 15) and *review of the framework for accounting separation* (Task 19) were included in one priority list only (without high priority assigned). One respondent also indicated that a review of the national numbering plan could involve costly changes for users of telephone services. The only respondent which included a review of the framework for accounting separation on its priority list, assigned the lowest priority to it.

Three respondents included *making procedures for stakeholders' interaction with TRA more effective* (Task 30) in their priority lists. However, they assigned very low priority to this task.

No respondent considered *adoption of a set of measures increasing the transparency of international roaming prices according to international best practice* (Task 23) important.

## 2.2 Views of User groups

In evaluating the results of a public consultation, it is important to separately evaluate the views presented by User groups. Such a separate evaluation is useful for several reasons:

- 1) Users are generally regarded as the ultimate beneficiaries of regulation of the telecommunications market. This is also acknowledged in Section 3 (b) (1) of the Telecommunications Law (Legislative Decree No. 48 of 2002) as well as in the mission of TRA;
- 2) It is usually more difficult for users to represent their interests before a regulator in comparison with operators. The former are less likely to possess the same expertise, skills and resources and to be organised on the same level as operators, because users are not professional stakeholders of the telecommunications market. Therefore, it is common for user opinion to be underrepresented in regulatory activities. This is also evidenced by the fact that out of

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12 responses to this Consultation document, only 2 were submitted by User groups.

- 3) The User Groups which submitted responses represent a wide scope of interests. The Consumer Advisory Group includes 6 non-governmental organisations, including the Bahrain Consumer Protection Society and other organisations representing interests of different consumer groups, as well as representatives of all the governorates. The Business Users Advisory Group includes 3 important industry associations (the Bahrain Chamber of Commerce and Industry, the Bahrain Businessmen's Association and the Bankers' Society of Bahrain) as well as several large corporate telecommunications users, including the public sector, represented by the Central Informatics Organization.

The opinion of the User groups is largely in line with the general opinion of stakeholders, in particular with regard to identifying the following tasks as important ones:

- 1) *review of the availability and diversity of high-quality and high-speed international access and, if necessary, encouragement of new capacity and routes as well as consideration of possibility of taking measures related to the sharing of the available facilities* (Task 7) – both User groups identified this as important;
- 2) *review of duct (and other infrastructure) construction and sharing policies and formulate proposals for improving them* (Task 2) – the Consumer Advisory Group identified this as being the most important task;
- 3) *review the regime of retail price control* (Task 11) – both User groups identified this task as a fairly important one.

Certain tasks were regarded as much more important by User groups than by other stakeholders. In particular, this applies to the following tasks:

- 1) *adoption of a framework concerning the collection, aggregation and publication of statistical data and establishing key market performance indicators in order to make evaluation of market performance possible* (Task 9) – both User groups considered it to be the third highest priority for TRA;
- 2) *adoption of a basic consumer rights' protection framework, particularly in relation to billing, collection and payment processes and standard subscriber agreements* (Task 25) – both User groups considered this task to be an important one and one of them assigned the second highest priority to it;

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- 3) *development of the ability of consumer and enterprise associations to participate in the activities of TRA more actively and efficiently* (Task 22) – one User group considered it to be the most important task of TRA;
- 4) *Consumer awareness campaigns* (Task 21) were regarded as the second highest priority by one of the User groups.

Other tasks gained less attention by User groups. TRA has taken the priorities outlined above into account in finalising the Work Plan.

### 3 Additional tasks

In their responses to the Consultation document stakeholders indicated certain additional priorities they believe TRA should include in its Work Plan.

Two respondents indicated that it was important that TRA ensured conditions for truly effective, free and fair competition. One respondent mentioned the regulation of Carrier Pre-selection as an area for TRA to look into in this regard. Whilst TRA believes that effective, free and fair competition is one of the overarching principles of the whole Work Plan and therefore a separate general task should not be included, TRA, however, agrees that it is important to *review functioning of the framework for Carrier Pre-selection with a view to updating it and/or taking other actions in this field if necessary*. The issue of Carrier Pre-selection was commonly identified at the TRA's previous meetings with market players as one that required further attention. Therefore, TRA has included an additional task in its Work Plan to tackle this issue.

One response suggested that special restrictions on the retail market (e.g., minimum prices) are needed in order to guarantee business for market players. TRA believes that this issue could be assessed in the course of implementing other tasks, already included in the Work Plan, and in particular in the course of the *Strategic market review and retail market reviews* (Task 16). Therefore, TRA does not consider that a separate task should be included in this regard.

One respondent also suggested the inclusion of a review of interconnection charges in the Work Plan. TRA considers that this issue is covered by the *review of the wholesale tariffs control mechanisms* (Task 17). Therefore, a separate task is not necessary.

One response further suggested that TRA should facilitate the sharing of credit information on subscribers. TRA, however, has not included this task in the Work Plan at this stage as, although this issue might be considered as important to appropriate market development, TRA is of

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the view that its limited resources should be devoted to other more pressing issues at the moment and that this issue is not directly within the remit of TRA. TRA considers that this issue could be better dealt with by self-regulatory measures employed by the market players concerned.

One respondent also suggested that TRA should pursue activities aimed at increasing legal knowledge of telecommunications regulation. TRA does not consider that a separate task should be included in the Work Plan in this regard, as making information available and communicating with the public is an integral part of TRA's day-to-day activities. Furthermore, this issue will partly be addressed by means of *Consumer awareness campaigns* (Task 21).

One response also included a suggestion for TRA to develop a communications technology training programme in collaboration with training institutions. Although TRA considers that appropriate training for telecommunications professionals in the Kingdom of Bahrain is important, TRA believes that this task is not directly within its remit, and TRA at the moment should devote its limited resources to other issues more directly related to its regulatory functions.

Furthermore, one respondent suggested that special expertise should be employed by TRA in drafting laws and regulations. The same respondent also suggested updating laws and regulations according to technological developments. TRA considers that these are not specific tasks but rather methods that TRA aims to continue to practice in accordance with needs.

One respondent also suggested undertaking global benchmarking of competitive outcomes. TRA considers this task to be a potentially important one. However, it did not gain much support from other respondents. Therefore, TRA does not intend to include this task as a separate one in the Work Plan at present. However, this issue could be subject to reconsideration in the course of the annual review of the Work Plan. TRA also intends to put this task forward as a suggestion to the Arab Regulators Network (AREGNET), of which Bahrain holds the Presidency for 12 months commencing in May 2007.

One response also included a suggestion that TRA should conduct market surveys. Additionally, it was suggested that TRA should carry out an independent study of optimal regulatory measures in a small economy. It was also suggested that TRA should perform a cost-benefit analysis of previous access initiatives. TRA believes that these issues are covered by *Strategic market review and retail market reviews* (Task 16).

One respondent suggested that TRA should consider issuing a mobile WiMax licence. TRA believes that the best way to assess this issue is to

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take it into account in the course of implementing *Strategic market review and retail market reviews* (Task 16), *evaluation of the option of licensing additional mobile (MNO/MVNO) operator/s and issuing a licence/licences subject to positive outcome of the evaluation* (Task 6), *review and update the telecommunications spectrum plan, determination of the spectrum available for public and private telecommunications services, development of comprehensive spectrum migration/refarming plan, review of the processes associated with allocation, assignment, monitoring and enforcement in the use of telecommunications spectrum as well as procurement of a modern spectrum management system* (Task 5), and *collection of information on spectrum needs for telecommunications purposes and issuing of available licences accordingly* (Task 4). Therefore, in the opinion of TRA, a separate task does not need to be included.

One respondent requested TRA to review microwave frequency pricing. TRA considers that pricing of radio spectrum is outside its direct remit. However, TRA intends to raise this issue in the course of pursuing *review and update the telecommunications spectrum plan, determination of the spectrum available for public and private telecommunications services, development of comprehensive spectrum migration/refarming plan, review of the processes associated with allocation, assignment, monitoring and enforcement in the use of telecommunications spectrum as well as procurement of a modern spectrum management system* (Task 5).

One respondent stated that it is important for TRA to pursue tariff rebalancing. TRA considers that this issue is covered by *review the regime of retail price control* (Task 11).

One respondent also requested TRA to consider carrying out an independent study on the likely areas of new business and residential development with a 3-to-5-year perspective. TRA considers this issue to be outside its direct remit, but is minded to make the relevant authorities aware of the importance of this issue to telecommunications market players.

Finally, one respondent suggested that TRA should promote the adoption of a general consumer protection law. TRA believes that the general framework of consumer rights in Bahrain is outside its remit. However, TRA intends to promote the rights of telecommunications consumers by *adopting a basic consumer rights' protection framework, particularly in relation to billing, collection and payment processes and standard subscriber agreements* (Task 25).

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#### 4 Additional comments provided

Apart from identifying priorities and suggesting additional tasks, a number of respondents provided additional comments on the content and structure of the Work Plan.

Three respondents indicated that, in their view, the Work Plan is too ambitious. One of these respondents also added that other activities (such as reviews of a reference access offer and a reference interconnection offer) should be taken into account when determining the total workload of TRA. TRA notes this comment and intends to decrease a number of tasks included in the final Work Plan as well as to spread out the tasks across the three-year period more evenly. One of the respondents also wished to know what would become of the non-priority projects. TRA stresses that it intends to carry out all the tasks included in the final Work Plan. However, as has been stressed in the Consultation document, “there may, of course, be alterations to the plan due to major developments in the market requiring the immediate attention of the TRA, such as an excessive number of cases requiring regulatory action”. TRA has reiterated this in the final Work Plan.

Two respondents indicated that an annual revision of the Work Plan is needed. The introductory part of the Consultation document indicated that “the plan will be reviewed at the end of each year and updated to reflect achievements as well as market changes”. TRA has reiterated this in the final Work Plan and, accordingly, proposes to carry out annual reviews of the Work Plan.

One response suggested that the definition of the tasks included in the Work Plan is insufficiently detailed and that their outcome is unclear. This view directly contrasted with another observation by the same respondent, which was also repeated in one additional response, namely that the Work Plan prejudices the outcomes of regulatory activities in certain cases. On the other hand, the same two respondents suggested supplementing the Work Plan with more detailed steps and parties within TRA responsible for implementing them. TRA considers that the Work Plan is designed to indicate areas where TRA aims to concentrate its activities. Any action taken in accordance with the final Work Plan will be subject to a full consultation where required. Good strategic planning practice requires determining the goals of the tasks and the expected outcomes. However, this is without prejudice to TRA’s discretion to reconsider outcomes, if evidence obtained in the course of pursuing a task indicates that TRA should do so. TRA also notes that the Consultation document indicates that “TRA will internally develop specific schedules of implementation for tasks included in the Plan where

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necessary". TRA believes that designation of parties within TRA responsible for separate items of the Work Plan is an issue of TRA's internal organisation. Several parties could be assigned to deal with separate issues covered by a single task. They could also be changed from time to time as necessary. However, the final responsibility for implementation of the actions included in the Work Plan lies with TRA as an organisation. Therefore, TRA does not believe that the Work Plan should be changed in this regard.

One respondent indicated that links between projects would be useful. TRA considers this to be a valid remark and has taken it into account in finalising the Work Plan as described below.

Two respondents indicated the necessity of recognising that TRA's ability to implement measures is constrained by provisions of the Telecommunications Law. TRA notes this remark and stresses that any amendment of the Telecommunications Law is beyond the remit of TRA. Therefore, TRA intends to perform all tasks within the limits prescribed by the Law in force. However, TRA will be working with the relevant Government authorities to consider areas within the current Telecommunications Law which might benefit from changes so as to reflect the development of the market and the experience gained since its issue.

Two respondents further suggested that more information on TRA's utilisation of its funds was needed and that it should be ensured that any surplus accrued should be returned to the industry. TRA notes that TRA's funding and financial accountability is governed by the detailed provisions of Sections 17, 18 and 19 of the Telecommunications Law, in particular Section 17 (d), (e) and (f) (financial accountability) and Section 19 (b) (usage of surplus). However, TRA is cognisant of the necessity of providing a cost-effective service to the Kingdom and the industry. Section 17 (a) (1) provides for the possibility of adjusting annual licences fees, provided they do not exceed one percent of gross annual turnover in the case of an individual license. TRA will, in the normal course of its work, seek to review its charges over the coming three-year period.

One respondent also indicated that, in implementing its Work Plan, TRA should consider the downsides of inefficient entry into the telecommunications market. TRA considers that this argument could be best assessed in the course of implementing specific tasks included in the Work Plan, particularly while *reviewing and updating the licensing regime* (Task 3).

One respondent indicated that, in implementing the Work Plan, TRA should give priority to commercial deals over regulatory intervention.

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TRA recognises this as a valid principle to be taken into account in TRA's regulatory activities (this principle could be referred to as the "principle of proportionality or minimum regulatory intervention"). However, the actual level of required regulatory intervention will be decided on a case-by-case basis. TRA will, in particular, use *Strategic market review and retail market reviews* (Task 16) to determine the level of regulatory intervention needed.

#### **5 Other issues to take into account in finalising the Work Plan**

In order to use the resources of TRA most efficiently and to achieve the best results in implementing the Work Plan, TRA considers it appropriate to take into account these additional aspects in setting the final priorities:

- 1) Progress that TRA has already made in certain areas so far, in particular in performing:
  - a. *Strategic market review and retail market reviews* (Task 16);
  - b. *Evaluation of the option of licensing additional mobile (MNO/MVNO) operator/s* (Task 6);
  - c. *Review and update of the national numbering plan* (Task 12);
  - d. *Review of duct (and other infrastructure) construction and sharing policies and formulation of proposals for improving them* (Task 2);
  - e. *Review and update of the licensing regime* (Task 3);
  - f. *Review of legal framework for the regulation of VoIP* (Task 14);
  - g. *Full implementation of local loop unbundling* (Task 18);
  - h. *Review of the functioning of the framework for Carrier Pre-selection* (new task on the Work Plan).
- 2) Interrelation of tasks (including importance of appropriate sequencing): TRA considers that this aspect should particularly be taken into account in the following contexts:
  - a. Successful accomplishment of specific tasks generally regarded to be a priority, i.e., *review of duct (and other infrastructure) construction and sharing policies and formulation of proposals for improving them* (Task 2) and *review of the availability and diversity of high-quality and high-speed international access and, if necessary, encouragement of new capacity and routes as well as*

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*consideration of possibility of taking measures related to the sharing of the available facilities (Task 7), is highly dependent on appropriate pricing of the respective wholesale products. Therefore, it is important to conduct a review of the wholesale tariffs control mechanisms (Task 17) before finalising the above-mentioned tasks;*

- b. *Strategic market review and retail market reviews (Task 16) are intended to provide input necessary for the appropriate implementation of a number of tasks, including final evaluation of the option of licensing additional mobile (MNO/MVNO) operator/s and issuing a licence/licences subject to positive outcome of the evaluation (Task 6), review of the regime of retail price control (Task 11), number portability (Task 24) and review of the availability of basic telecommunications services and consideration of implementing universal access and/or universal service schemes (Task 27). Therefore, it is important to finalise the Strategic market review and retail market reviews (Task 16) before embarking on the above-mentioned tasks.*
  - c. In order not to hinder the natural development of the market and to be able to identify areas where the competitive market itself is not able to ensure adequate accessibility and affordability of basic telecommunications services, *review of the availability of basic telecommunications services and consideration of implementing universal access and/or universal service schemes (Task 27) should be performed only after it is possible to evaluate the results of regulatory measures which are designed to assist the market forces in solving issues related to universal services themselves.*
- 3) Human resources available to TRA: Distribution of tasks across the staff of TRA is an internal issue and can be reviewed from time to time as necessary. However, TRA still considers it important to ensure that the final Work Plan takes levels of staff with different professional backgrounds available to TRA into account in order to ensure a level distribution of the workload.
  - 4) TRA's budget: TRA is able to supplement its permanent staff through the use of specialist consultants for short-term assignments. However, such employment will be constrained by a combination of financial and management resources.

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#### 6 Conclusions – resulting Work Plan

TRA concludes that the following tasks should be pursued in the first instance:

- 1) *Review of duct (and other infrastructure) construction and sharing policies and formulation of proposals for improving them (Task 2);*
- 2) *Review of the availability and diversity of high-quality and high-speed international access and, if necessary, encouragement of new capacity and routes as well as consideration of possibility of taking measures related to the sharing of the available facilities (Task 7);*
- 3) *Review of the wholesale tariffs control mechanisms (Task 17);*
- 4) *Strategic market review and retail market reviews (Task 16);*
- 5) *Adoption of a framework concerning the collection, aggregation and publication of statistical data and establishment of key market performance indicators in order to make evaluation of market performance possible (Task 9);*
- 6) *Adoption of a basic consumer rights' protection framework, particularly in relation to billing, collection and payment processes and standard subscriber agreements (Task 25);*
- 7) *In conjunction with the Directorate of Wireless Licensing, Frequency and Monitoring, review and update of the telecommunications spectrum plan, determination of the spectrum available for public and private telecommunications services, development of comprehensive spectrum migration/refarming plan, review of the processes associated with allocation, assignment, monitoring and enforcement in the use of telecommunications spectrum as well as procurement of a modern spectrum management system (Task 5);*
- 8) *Full implementation of local loop unbundling (Task 18).*

The following tasks should be carried out as soon as possible following the completion of *Strategic market review and retail market reviews (Task 16)*:

- 1) *Evaluation of the option of licensing additional mobile (MNO/MVNO) operator/s and issuing a licence/licences subject to positive outcome of the evaluation (Task 6);*
- 2) *Review of the regime of retail price control (Task 11);*
- 3) *Number portability (Task 24).*

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The following tasks belong to the second tier of priority. However, it is possible to accomplish them in a relatively short period because of the progress already made:

- 1) *Review and update of the licensing regime* (Task 3);
- 2) *Review and update of the national numbering plan* (Task 12);
- 3) *Review of legal framework for the regulation of VoIP* (Task 14). TRA believes that, because of the relatively moderate importance assigned to this task, a position paper on the legal status of VoIP would be a sufficient outcome of this task. Issues concerning VoIP numbering could be dealt with in the context of the *review and update of the national numbering plan* (Task 12);
- 4) *Development of a dispute resolution framework* (Task 10);
- 5) *Review of the functioning of the framework for Carrier Pre-selection with a view to updating it and/or taking other actions in this field if necessary* (new task on the Work Plan).

TRA believes that the following tasks should also belong to the second tier of priority because of the amount of interest shown in them by specific groups of stakeholders, because they are fairly important for an appropriate development of the market in TRA's judgement, and because some of them could be tackled by members of TRA's staff not directly involved in performing other tasks of higher priority (e.g., point 5 below):

- 1) *collection of information on spectrum needs for telecommunications purposes and issuing of available licences accordingly* (Task 4);
- 2) *review and update of procedures for granting type approvals* (Task 8);
- 3) *Consumer awareness campaigns* (Task 21);
- 4) *Development of the ability of consumer and enterprise associations to participate in the activities of TRA more actively and efficiently* (Task 22);
- 5) *Making procedures for stakeholders' interaction with the TRA more effective* (Task 30);
- 6) *Electronic comparator of tariffs and public information on Quality of Service levels (according to Key Performance Indicators)* (Task 20).

TRA believes that the implementation/commencement of implementation of the following tasks should be foreseen for the end of the planning period, because of the fairly low priority assigned to them:

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- 1) *Evaluation of feasibility of implementing ENUM, and implementation thereof subject to a positive evaluation* (Task 13);
- 2) *Adoption of a framework for assigning spectrum for experimental/ R&D telecommunications purposes* (Task 28);
- 3) *TRA regulatory approach position paper (strategy paper)* (Task 29). It is envisaged that this strategy paper will form the background for the next Work Plan for 2010-2012;
- 4) *Review of the framework for accounting separation* (Task 19).

As stated above, TRA also believes that *review of availability of basic telecommunications services and consideration of implementing universal access and/or universal service schemes* (Task 27) should be performed only after it is possible to evaluate the results of other regulatory measures.

In the context of the responses to the Consultation document, TRA does not consider that *TRA's input into the drafting of the National Telecommunications Plan 2007-2009* (Task 1) should be included as a separate task in the Work Plan. However, this does not mean that TRA is not going to follow strategic processes related to the formation of telecommunications policy. TRA will draft and present its input as part of its routine daily work in accordance with its legal obligations.

Due to lack of interest from stakeholders, TRA does not believe that *consideration of liberalization of directory enquiry services and proceeding with liberalization subject to a positive assessment* (Task 15) should be included in its Work Plan for 2007-2009.

TRA does not consider that *establishment of a framework for the protection of personal data and confidentiality* (Task 26) and *adoption of a set of measures increasing the transparency of international roaming prices according to international best practice* (Task 23) should be included as separate tasks anymore. Related issues could be considered under the framework of *adoption of a basic consumer rights' protection framework, particularly in relation to billing, collection and payment processes and standard subscriber agreements* (Task 25).

The final Work Plan is published as a separate document. TRA notes that the wording of certain tasks in the final Work Plan has been slightly amended in order to ensure a more accurate description of the tasks in question.