

Retail Tariff Notification Form

MCD/02/10/016 – 18 February 2010 – Issue 1

Instructions for completing the Retail Tariff Notification Form

The Retail Tariff Notification Form (the “Form”) should be completed by any Notifying Operator, as defined in the Retail Tariff Notification Regulation (the “Regulation”), as and when required under Article 3 of the Regulation.

As per Article 4.2 of the Regulation, in order for this form to be considered valid by the Telecommunications Regulatory Authority of the Kingdom of Bahrain (“TRA”), it must:

- include all the required analysis and information; and
- certify that the notified Controlled Tariff is compliant with the Tariff Controls set out in Article 6 of the Regulation.

The Notifying Operator shall include in the form:

- a margin squeeze analysis - when a wholesale product exists and/or is required as per Article 3.2 of the Regulation to allow a competing operator to replicate the retail services offered by the Notifying Operator at the Controlled Tariff;
- a predatory pricing analysis - when a margin squeeze analysis is not required; and
- an anti-competitive bundling analysis in the case of a Bundle or Tie.

TRA may require the Notifying Operator to perform additional tests relating to other Tariff Controls, as set out in the Regulation.

When performing the tests, TRA recommends that the proposed analysis and guidance as set out in the Retail Tariff Notification Guidelines (the “Guidelines”) is followed.

In the case of tariff withdrawal, only the applicable elements of Sections 1 and 2 of the Form must be completed.

The Form should be sent to TRA’s designated email address for the notification of Retail Tariffs along with:

- fully functioning spreadsheet(s) for all underlying calculations; and
- any separate written explanations / justifications and Undertaking as required.

The Notifying Operator may add any additional information deemed necessary.

[Notified Controlled Tariff Number and Name]

Date of notification: [Insert date]

1. Operator information

Name of operator: [Insert Name]

Contact details: [Insert name, email and phone number of point of contact]

2. Information about the tariff

Name of product/service:

Summary of proposed tariff: [Insert a brief description of the proposed tariff, including the way it will be marketed]

Planned start date of tariff change/introduction/withdrawal:

Planned end date: [Where appropriate]

Type of tariff: [Delete as appropriate]

- New permanent: (tariff is different from any existing tariff and is expected to be offered for at least 24 weeks)
- New temporary: (tariff is different from any existing tariff and will be implemented by the Notifying Operator for 24 weeks or less)
- Existing tariff: (tariff already exists and one or more elements are being changed)
- Withdrawal of existing tariff [This does not apply to temporary tariffs]

Type of product/service: [Delete as appropriate]

- Single product/service and no corresponding wholesale input is required
- Single product/service and corresponding wholesale input is available/proposed
- Bundle or tied products/services

Affected market(s): [Provide name and number of market(s) in line with prevailing SMP Determination]

Affected sub-segment of the market(s): [If tariff is not applicable to all consumers, explain which consumers are affected]

Existing and forecast level demand:

Reason for change / introduction / withdrawal: [Briefly explain why you want to change the tariff, introduce a new tariff or withdraw, including business rationale, competitive response, benefit to consumers]

Is the tariff part of a re-balancing plan? [If so, explain relevance]

Existing and new price terms: [Set out in an appropriate format the existing (where applicable) and new price terms. If the tariff is multi-part, provide the price of each element]

Existing non-price terms: [Applicable only if tariff exists]

New non-price terms: [Applicable if tariff is new or non-price terms are to be changed]

3. Technical Information

Network diagram: [Insert diagram showing how the service is or will be provided on your network, indicating which network elements are used]

Additional explanation: [Provide additional information if necessary]

4. Benchmarking

Optional section to assist in understanding the positioning of the service in the market.

[Insert any benchmarking information (domestic or international) of operators which offer similar services]

5. Tariff Controls

As per the instructions of the Form, the Notifying Operator shall include in the form:

- a margin squeeze analysis - when a wholesale product exists and/or is required as per Article 3.2 of the Regulation to allow a competing operator to replicate the retail services offered by the Notifying Operator at the Controlled Tariff;
- a predatory pricing analysis - when a margin squeeze analysis is not required; and
- an anti-competitive bundling analysis in the case of a Bundle or Tie.

Where a tariff passes a margin squeeze test, there is in principle no need to also perform a predatory pricing test as a tariff that passes the margin squeeze test is expected to be compliant with the no predatory pricing obligation. TRA may require the Notifying Operator to perform additional tests relating to other Tariff Controls, as set out in the Regulation.

When performing the tests, TRA recommends that the proposed analysis and guidance set out in the Guidelines is followed.

The source of cost information, any adjustments made to regulatory accounts and assumptions should be documented.

No undue price discrimination test:

[Insert analysis conducted, when requested]

No excessive pricing test:

[Insert analysis conducted, when requested]

No margin squeeze test:

[Insert analysis conducted, when required]

No predatory pricing test:

[Insert analysis conducted, when required]

No abusive bundling (or tying) test:

[Insert analysis conducted, when relevant]

6. Files/Documents/Supporting information

[Insert the name and a brief description of content for each File/Document included]

File/Document Name	Content
[Expand as appropriate]	

7. Certification

I [Insert name], an authorised representative of [Insert Licensee's name], hereby certify that [Insert Licensee's name] has read and understood the Regulation and Guidelines and can confirm that:

- the Notification Form is valid (as defined in Article 4 of the Regulation); and
- based on the analysis and information provided in this Notification Form, the notified Controlled Tariff [Insert Number] complies with all Tariff Controls set out in Article 6 of the Regulation.

Signature: _____

Name: _____

Position: _____

Date: _____