



EVERYTHING MATTERS

Regulatory Framework

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- Clear, and precise policy
 - to create and encourage private investment
 - encouraging liberalisation and privatisation
- Clear and precise legislation
 - all laws and regulations to be published
 - specify licensing regime
 - universal service obligation and financing
- Independent Regulator (NRA)
 - finance guarantees,
 - appointment and removal procedures for the chairman
- Non-Discriminatory and cost-oriented network interconnection (and RIOs)

- Complaints and disputes procedure through the NRA
- Licensing process to be transparent, text published
- Technology and Service Neutrality

Add to this:

- Properly trained regulator and staff
- Publication of decisions and reasoning
- open and independent appeals mechanism
- remove unnecessary regulations (eg on spectrum)
- Favour *ex-post* regulation not *ex-ante* (next slide for UK)

OFTEL's record on competition matters (1):

CASE	FINISHED	OUTCOME
Swan/Avaya	Nov 2000	Non-Infringement
Surf Together	May 2001	Non-Infringement
DSL Terms	Jan 2002	Non-Infringement
IPStream pricing	Mar 2002	Non-Infringement
DataStream pricing	Mar 2002	Non-Infringement
MMVoIP Agreement	July 2002	Non-Infringement
Openworld Broadband (1)	Mar 2002	Non-Infringement
BT Broadband Marketing	July 2003	Non-Infringement
UK-SPN pricing	May 2003	Non-Infringement
BT cross-subsidy/discount	May 2003	Non-Infringement
BT DQ Services	Dec 2003	Non-Infringement
BT Totalcare	May 2003	Non-Infringement

OFTEL's record on competition matters (2):

CASE	FINISHED	OUTCOME
BT/BSkyB promotion	May 2003	Non-Infringement
Openworld Broadband (2)	Nov 2003	Non-Infringement
Vodafone disconnections	Nov 2003	Non-Infringement
T-Mobile disconnections	Dec 2003	Non-Infringement
BT broadband delay	Dec 2003	Non-Infringement

CASE	FINISHED	OUTCOME
Floe Telecom / Voda (1)	Nov 2003	Non-Infringement
VIP / T-Mobile (1)	Dec 2003	Non-Infringement
DQ on BT phonebook	Dec 2003	Non-Infringement
MNO margin squeeze	May 2004	Non-Infringement
BT residential calls	July 2004	Non-Infringement
0845 and 0870 prices	July 2004	Non-Infringement
BT Analyst pricing	Oct 2004	Non-Infringement
BT Wholesale calls	June 2005	Non-Infringement
Floe (2)	June 2005	Non-Infringement
VIP (2)	June 2005	Non-Infringement
BT – cordless phones	Aug 2006	Non-Infringement
BBC – media access	June 2007	Non-Infringement
BT – NTS call termination	Aug 2008	Non-Infringement

OFCOM – long-running and open CA98 cases

CASE	Opened	Closed	Comments
Freeserve	April 2003	November 2010 (!)	OFCOM sent BT three separate Statement of Objections (most recent – October 2006) but finally closed with a " non infringement " decision.
Thus / Gamma: BT wholesale calls	August 2008	STILL OPEN	Allegations of margin squeeze in BT's wholesale pricing of end to end voice calls to resellers. Case ongoing. Statement of Objections sent December 2010.