

DRAFT FOR PUBLIC CONSULTATION

POLICY ON QUALITY OF RETAIL COMMUNICATION SERVICES FOR PUBLIC CONSULTATION

DEADLINE TO SUBMIT RESPONSES: 5 FEBRUARY 2020

January 5, 2020

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VERSION CONTROL

Version	Date	Author	Rationale
0 01	22 April 2019	D (OG)	Draft
	30 April 2019	CRA (HZ/SA/JA)	Revised
	6 May 2019	D (OG)	Updated
	8 May 2019	CRA (CA)	Share for Revised
	13 May 2019	CRA (PD)	Revised
	22 May 2019	CRA	Share Comments
	10 Jun 2019	D (OG)	Update draft
	4 July 2019	CRA (HZ/SA/JA)	Comment
	14 July 2019	D (OG)	Updated
	17 July 2019	CRA (MH)	Revised

PART I INSTRUCTIONS FOR RESPONDING TO THE CONSULTATION

Consultation Procedures

1. All interested parties are invited to submit responses to the questions specifically identified in this document and to provide their views on any other relevant aspects. The CRA asks that, to the extent possible, submissions are supported by relevant evidence.
2. Responses should include comments with regards to any proposed approach outlined in this CD by the CRA.
3. If a respondent is in disagreement with any proposed approach by the CRA, the respondent is requested to provide, in its response:
 - 3.1 The reasons for disagreement;
 - 3.2 Its alternative proposal in a clear and concise manner;
 - 3.3 All assumptions, relevant justifications and references of all data sources behind its alternative proposal.
4. Any submissions received in response to this CD will be carefully considered by the CRA. Nothing included in this CD is final or binding. However, the CRA is under no obligation to adopt or implement any comments or proposals submitted.
5. Comments should be submitted by email to Q-Consultation@cra.gov.qa, before the date stated on the front cover. The subject reference in the email should be stated as “*Consultation QoS Regulation*”.
6. It is not necessary to provide a hard copy in addition to the soft copy sent by email.
7. The deadline for all respondents to submit their comment is indicated on the cover page of this CD.

Publication of Comments

8. In the interests of transparency and public accountability, the CRA intends to publish the submissions to this consultation on its website at www.cra.gov.qa.
9. All submissions will be processed and treated as non-confidential unless confidential treatment of all or parts of a response has been requested.

10. In order to claim confidentiality for information in submissions that stakeholders regard as business secrets or otherwise confidential, stakeholders must provide a non-confidential version of such documents in which the information considered confidential is blacked out. This “blacked out” portion/s should be contained in square brackets. From the non-confidential version, it has to be clear where information has been deleted. To understand where redactions have been made, stakeholders must add indications such as “business secret”, “confidential” or “confidential information”.
11. A comprehensive justification must be provided for each and every part of the submission required to be treated as confidential. Furthermore, confidentiality cannot be claimed for the entire or whole sections of the document, as it is normally possible to protect confidential information with limited redactions.
12. While the CRA will endeavor to respect the wishes of respondents, in all instances the decision to publish responses in full, in part or not at all remains at the sole discretion of the CRA.
13. By making submissions to the CRA in this consultation, respondents will be deemed to have waived all copyright that may apply to intellectual property contained therein.
14. For more clarification concerning the consultation process, please send your queries by email to Q-Consultation@cra.gov.qa or contact Heba Zaina, Jawahir Abuoyaqoub, Sharifa Al Yafei , on +974 4499 3647.

1. CONTEXT

One of the roles of the Communications Regulatory Authority (CRA) is to set criteria for Quality of Service (QoS) and to monitor the compliance of providers of telecommunications services in Qatar (Service Providers) with respect to QoS obligations. QoS regulation is a major aspect of telecommunications regulation.

Since the consultation in 2013, 2014 and 2015 for the QoS regulatory framework (Policy and Regulation) in addition to a consultation in 2016 for the Policy, the Regulatory Authority has been refining its views on how QoS shall be regulated in Qatar by:

- launching a project on QoS which aims at developing a QoS policy, a new comprehensive QoS regulatory framework, a methodology to assess and validate QoS measures and new internal and external processes;
- establishing a comprehensive benchmark on QoS regulation which covers 5 countries (Bahrain, Canada, France, Morocco, and Singapore). This benchmark has enabled the Regulatory Authority to identify best practices and study how regulatory authorities act and react depending on each specific local circumstance. It also enabled the Regulatory Authority to identify a list of KPIs which were commonly used and to observe forward- looking approaches for QoS regulation; and

- reviewing the comments from the 3 stakeholders Ooredoo, Vodafone Qatar and Qnbn to the previous consultations. These comments enabled the Regulatory Authority to better understand the potential difficulties associated with proposed KPIs as well as to acknowledge the need for more precision on KPIs.

Based on these activities, CRA has prepared a final Draft QoS Policy and QoS Regulatory Framework for Qatar. These provide a more precise, improved list of KPIs and are intended to give Service Providers the clarity they requested during the consultation on Draft QoS instructions.

To assess the impact of this final Draft QoS Policy and QoS Regulatory Framework on the telecommunications market in Qatar, CRA is launching hereby a fourth round of consultation on QoS.

All stakeholders are invited to review this consultation document and the annexed QoS Policy and QoS Regulatory Framework documents and submit comments to CRA following the procedures set out in Part 1.

2. LEGAL BASIS

The following legal provisions provide the basis for the QoS Policy and the QoS Regulatory Framework documents, but not exhaustively.

Article 4(8) of the Telecommunications Law of 2006 (“the Law”) empowers CRA to safeguard the interests of customers, including the setting of tariff regulation and criteria for QoS, and monitoring the terms and conditions of telecommunications services provision.

Article 101 of Executive By-Law 1 of 2009 for the Telecommunications Law (“Executive By-Law”) prescribes that CRA shall set the minimum QoS parameters and may have them amended following consultation with the related Service Providers. CRA may include those criteria in the licenses, or issue them by an order from it, which shall include reporting obligations.

The above-mentioned licenses authorize the Service Providers to provide the specified telecommunications networks and services in accordance with the terms and conditions of the licenses, relevant legislation, and any regulations, including instructions issued by CRA before or after the effective date of the licenses. Accordingly, CRA may from time to time issue additional requirements as part of the terms and conditions of the licenses which are binding on the Service Providers.

The considerations listed above justify without any doubt the need for CRA to set policies and a regulatory framework with respect to QoS.

CRA considers that the Telecommunications Law may evolve in the future. In this context, any future amendments to the Telecommunications Law shall apply to the QoS Policy and to the QoS Regulatory Framework.

3. QUESTIONS

Question 1: With respect to QoS policies, what do you think about CRA QoS Approach?

Question 2: What do you think about monitoring objectives which can be revisable on a time period and based on the expectation of the market?

Question 3: Do you have any views on CRA's intention to promote the use by customers of applications enabling them to test their own QoS?

4. NEXT STEPS

After the publication of this consultation document on Draft QoS Policy and Draft QoS Regulatory Framework:

- A workshop / public hearing will be organized to present the Draft QoS Policy and Draft QoS Regulatory Framework to stakeholders.
- Responses from stakeholders and interested parties must be received by CRA before the 9 January 2020.
- CRA will review the responses from stakeholders and interested parties and will issue the definitive versions of the QoS Policy and QoS Regulatory Framework.

PART 2 POLICY ON QUALITY OF RETAIL COMMUNICATION SERVICES

1. INTRODUCTION

1.1. Interpretation

1. Unless otherwise expressly defined in this Policy on the Quality of Retail Communication Services Provided to the Public (the “**Policy**”), the terms listed in the Policy shall have the corresponding meaning ascribed to them in:
 - i. [the Telecommunications Law promulgated by Decree Law No. 34 of 2006 on the promulgation of the Telecommunications Law, as amended by Law No. 17 of 2017 amending the Telecommunications Law (the “**Telecommunications Law**”); and
 - ii. the Decision of the Board of the Supreme Council for Information and Communication Technology No. 1 of 2009 on the promulgation of the Executive Regulation for the Telecommunications Law, as amended or replaced from time to time including as a result of amendments to the Telecommunications Law of 2009 (the “**By-Law**”).

1.2. Background and Scope

2. Transforming the State of Qatar into a smart and connected nation requires advanced communication services with the highest quality standards. Without the relevant quality of service (QoS), eHealth or eEducation will remain unreachable dreams, cities will not be as

“smart” as they could be, the safety of connected cars will not be ensured, and IoT services will not deliver their full benefits.

3. With the increasing prevalence of communication services, the Information & Communications Technology (ICT) sector worldwide is building new business models and new services are available. Accordingly, the quality of communication services available in Qatar will determine Qatar's ability to compete internationally and the extent to which Qatar will take advantage of these new opportunities.
4. The State of Qatar has issued two milestone documents emphasizing the paramount importance of the quality of communication services for its development:
 - i. The Qatar Nation Vision 2030 (the “QNV 2030”) has the aim of achieving the ambitious goal of the State of Qatar being a knowledge-based economy in which communication services will serve as an enabler for economic growth, social development and environmental management. The availability of 'high standards of telecommunication services' represents a foundation on which the four pillars of QNV 2030 - the human, the social, the economic and the environmental developments - are constructed; and
 - ii. The National Broadband Plan (the “NBP”) further acknowledges the importance of QoS and requires the Communications Regulatory Authority (the “CRA”) to 'act to ensure adequate Quality of Service' by redefining a set of QoS metrics to measure the performance of fibre-based services and publishing retail QoS metrics (Policy Action 1.5). Further, the NBP links the quality of communications services to an adequate level of competition in the market.
5. The Individual Licenses granted to Licensees address QoS. However, the related requirements were defined at a time when only traditional voice services were available. The continuing transformation of communication services requires a forward looking and flexible approach to enable the development of a smart and connected nation. To that end, the CRA has embarked since 2017 on an extensive consultation process with the Licensees to develop a relevant regulatory framework for the QoS of retail communications services provided in Qatar.
6. This Policy establishes CRA's objectives, principles and approach to the QoS of retail

communications services provided in Qatar. The QoS of wholesale communication services falls outside the scope of this Policy and is addressed in the wholesale regulatory framework.

1.3. Legal Basis for this Policy

7. The Emiri Decision No. (42) of 2014 established the CRA to regulate the communications sector, postal services, and access to digital media in the State of Qatar with the goal of achieving open and competitive ICT and Postal sectors that provide advanced, innovative, and reliable communication services.
8. As part of its mandate, the CRA shall set QoS standards for communication services and monitor the compliance of Licensees with these standards (Emiri Decision, Article 4(10)). This provision reinstates Article 4(8) of the Telecommunications Law which requires the CRA to set “criteria for the quality of service of telecommunications services provision”, and Article 50(6) of the Telecommunications Law authorizing the CRA to establish the rules regulating 'quality of service requirements and service quality monitoring and compliance procedures'.
9. Article 101 of the By-Law specifies that the minimum quality standards may be amended after consultation with the related Licensees, and the new criteria shall be either included in the Licenses or issued by an Order.

2. POLICY OBJECTIVES

10. The primary objectives of this Policy are to:
 - i. ensure that the QoS of the retail communication services provided by Licensees addresses the needs of all customers and provides for the appropriate delivery of the content or services requested by customers;
 - ii. follow a balanced, collaborative, and pragmatic approach by:
 - a. taking into consideration the related costs for Licensees and the continuing evolution of needs and requirements of customers;
 - b. focusing on known or predicted areas of concern; and
 - c. taking account of international best practice;

- iii. adapt QoS obligations as necessary over time to reflect the changing environment, the improvements resulting from the evolution of technologies, and the objectives of the State of Qatar;
- iv. encourage customers to provide feedback on QoS;
- v. provide accurate and relevant information to customers on QoS when choosing between the services of different Licensees;
- vi. use the availability or publication of Licensees' performance against QoS parameters as an incentive to improve QoS well above a minimum acceptable level; and
- vii. set principles for customers' compensation where quality fails to meet a minimum acceptable QoS level.

3. THE CRA'S APPROACH TO QOS

11. The CRA will publish a Regulation related to the Quality of Retail Communication Services Provided to the Public (the "**QoS Regulation**").
12. The QoS Regulation will establish a set of Key Performance Indicators (the "KPIs") formulated as far as practicable from a Quality of Experience ("QoE") perspective (customer vision) following the operating scheme:
 - OBJECTIVES SET: *Two types are defined*
 - Mandatory: Minimum Standards
 - Monitoring and Revisable: Market Driven
 - CONTROL: *can be performed on several ways*
 - Field Test: DT / Walk
 - Probes
 - QoS trackers
 - Service Providers Reports
 - Crowdsourcing: Measurement and complaints

- ANALYSE: *will be under format*
 - Report
- SANCTION: *can be on the form of*
 - Fines / Financial sanction
 - Administrative sanction
- FEEDBACK: *will be get from*
 - Survey / Expectation
 - Feedback of customer from Crowdsourcing application
 - Promises

Where Objective set are defined as:

- a. Mandatory objectives which will be specific and based on the minimum standards or minimum QoS requirements (or “Minimum Performance Requirements”) for the retail communication services currently provided in Qatar. Mandatory objectives are revisable by CRA
- b. Monitoring objectives which will be secondary and revisable on a time period and based on the expectation of the market, defined as Performance Monitoring Targets for retail communication services which may be upgraded to Minimum Performance Requirements when appropriate.

The Performance Monitoring Targets are defined in direct link with the customers’ expectations and follow the market with the evolution of the technologies.

By setting the mandatory and monitoring objectives, the CRA ensures that the minimum standards will be achieved.

13. The indicators for Mandatory and Monitoring Objectives will be taken from each Telecom Layer representing all the aspects of the Quality of Service and defined as below:

- **Layer 1:** Network Availability and Accessibility
- **Layer 2:** Broadband Infrastructure performance

- **Layer 3:** Basic Services Quality:
 - accessibility, retainability, integrity on voice calls, messaging and all on-net services
 - Interconnection between operators for these services
 - **Layer 4:** Internet service:
 - email, file transfer, TV, streaming, web browsing, OTT apps, online games, VPNs
 - other professional use
 - **Layer 5:** Quality of the other interactions the end user can have with the SPs:
 - customer journey quality on billing
 - initiation/ termination of subscription
 - number portability, customer care, etc
 - porting and publication obligations;
14. The QoS Regulation will specify the measurement methods and reporting and publication obligation toward the Telecommunication Service Providers
 15. The QoS Regulation will identify the different sources that may be used to collect data while monitoring or measuring the different layers.
 16. The Service Providers will be obliged to provide the CRA with Quality of Service Compliance Reports (QCR) and those will be validated by the CRA. The reporting and the analysis are detailed in the QoS Regulation.
 17. The CRA may publish the reports on its website and the press.
 18. The CRA may develop customers' awareness of QoS, for instance by publishing on its website the QoS achieved by each of the Licensees, and by requesting comments and feedback from customers.
 19. The CRA will require Licensees to publish information regarding the QoS of the services that they provide so that customers may be better informed of the QoS they can expect and so that there are incentives to improve QoS.
 20. The CRA will measure and assess QoS, as far as practicable, from the perspective of customers (i.e. "Quality of Experience" or "QoE").

21. From the results obtained, several possibilities are available for CRA and are detailed in the Regulation framework.
22. The CRA will review the adequacy and effectiveness of the QoS Regulation from time to time and the CRA expects to conduct the first formal assessment two years after the Effective Date of the QoS Regulation, in accordance with a procedure to be set out in the QoS Regulation. Any variation to the QoS Regulation shall be published on CRA website.

ANNEX 1 CONSULTATION RESPONSE TEMPLAT

Respondent	Consultation document reference (question/paragraph)	Response
<i>(company/organization name)</i>	<i>(specify question or paragraph number that response refers to)</i>	<i>(provide comments)</i>

ANNEX 2

- Annex 5: Quality of Service Benchmark Report