



Explanatory Note & Guidelines for Reference Offers

The Supreme Council of Information and Communication Technology
"ictQATAR"

Draft for Consultation

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1 Introduction

This document serves as a Consultation Document (**CD**) for this Regulation on Reference Offers (**RO**) and also as a consultation framework for the

- Reference Interconnect Offer (RIO) ICTRA 2013/06/12--B
- Reference Transmission Link Offer (RTO) ICTRA 2013/06/12--C
- Reference Passive Infrastructure Offer (RPO) ICTRA 2013/06/12--D

which are being consulted on in parallel.

Views and comments, on the fullest extent possible, on this Consultation Document are invited from industry participants, other stakeholders and interested parties. We would ask to provide views and comments on this Consultation Document generally and on a number of specific questions in particular. A complete list of the questions for this Document is contained in Annex IV. General consultation procedure provisions are in section 5 INSTRUCTIONS FOR RESPONDING TO THIS CONSULTATION on page 12.

This Regulation is issued by the Supreme Council of Information and Communication Technology (**ictQATAR**) in accordance with Decree Law No. (34) of 2006 on the promulgation of the Telecommunications Law and the Executive By-Law of 2009. In its capacity as the authority responsible for regulating the telecommunications sector, it is ictQATAR's mandate to establish a fair regulatory regime that meets the requirements of the competitive marketplace through the implementation of Interconnection and Access services between service providers and all procedures related thereto.

The Regulation applies to Interconnection and Access services of Dominant Service Providers (**DSP**) or Service Providers with specific obligations.

The scope of this Regulation is :

- to explain the policy objectives of Reference Offers and their contribution to a fair, open, transparent and predictable level playing field for all licensed Service Providers (**SP**) in Qatar,
- to lay down the legal basis for Reference Offers,
- to introduce the main principles of Reference Offers as part of a broader framework for wholesale interconnection and access,
- introduce different types of Reference Offers and to specify basic requirements that must be addressed in a Reference Offer.

Policy Goals

ictQATAR has set out an ambitious vision for 2015, captured within Qatar's National ICT Plan¹: Advancing the Digital Agenda. As part of that vision, ictQATAR has set out a commitment to ensure that Qatar fosters a legal and regulatory environment to encourage growth and investment.

In its considerations to the Regulatory Strategy ictQATAR set out the key objectives in the context of Reference Offers:²

- Contribute to the creation of a “robust and ubiquitous infrastructure that enables high-speed broadband connectivity for all households and businesses”, with services “affordable and set at competitive prices”.

¹ Qatar's National ICT Plan 2015, Supreme Council of Information and Communication Technology (ictQATAR), 11th June 2011

² See ictQATAR Regulatory Strategy: 2013-2016. Consultation Document 7 April 2013, ICTRA 2013/04/07

- “Modernize policies and regulations to protect the interests of end users, attract further investments, and create a business model to stimulate the development of digital content”.
- “Foster competition and a sustainable ICT environment”. To that end, ictQATAR shall, inter alia, “eliminate barriers to competition in network services through open standards, interoperability and technology neutrality” and “carefully regulate” spectrum planning and policy.

Access and interconnection play a crucial role in the creation of a competitive telecommunication services market. They are the component that will allow new entrants to provide telecommunication services using a DSP’s network and infrastructure.

In markets which huge asymmetries in terms of market and consequently negotiating power between SPs it is appropriate to establish a Regulation to ensure that the market functions effectively and evenhandedly in a fair manner.

In this consultation document ictQATAR reiterates its commitment towards competition and sustainable ICT development.

This is also in line with ictQATAR’s overarching goal in liberalizing the sector. Already in 2007 ictQATAR set out, that the objective is to create sustainable competition based upon network infrastructure. Worldwide this has proven to be the most sustainable form of competition. The objective is to achieve competition which works to the benefit of the economy and consumers.³

A major gap in the current regime is an overarching framework to guide the regulatory approach to Interconnection and Access. In particular, there is an urgent need for Reference Offers to be developed for access and interconnection services provided by Dominant Service Providers. As there is currently no comprehensive framework, access and interconnection between service providers have been achieved through bilateral commercial agreements.

ictQATAR has already started the work needed to introduce a robust wholesale interconnection and access regulatory framework and this work will extend into 2013/14. The key tasks are, among others, drafting a policy for wholesale access and ensuring that Dominant Service Providers produce ROs for selected Access and Interconnection services.

Reference Offers

Provision of interconnection and access on fair and efficient terms is an essential requirement for the creation of an efficient and competitive telecommunications market.

The introduction of Reference Offers for selected Access and Interconnection services by Dominant Service Providers will enhance the competitive environment by, inter alia:

- providing increased legal certainty in the market;
- reduce the effects of market and hence negotiation power;
- helping avoid or reduce disputes between service providers as negotiations will be focused on a smaller set of technical and commercial issues;
- allowing for the faster introduction of competition; and
- providing improved regulatory transparency.

This Regulation sets the guiding principles for Interconnection and Access and helps to:

- Ensure an effective interconnect and access regime in Qatar;

³ “Summary of comments and response of ictQATAR to the “Consultation on liberalization of the telecommunications sector in the State of Qatar” (ICTRA 01/07) 10 June 2007 Question 3, 6.9

- Simplify the arrangements for interconnection and access and provision of services between operators;
- Ensure operators are treated fairly and in a non-discriminatory manner;
- Ensure coherent and consistent interconnection and access regulation in line with international best practice;
- Encourage and secure adequate interconnection and access and interoperability of services in the interest of all users;
- Ensure transparency, accountability, fairness and reasonable timeliness in reaching regulatory decisions on interconnection and access;
- Promote technical and commercial efficiency, sustainable competition and give maximum benefits to users;
- Provide a formal process for dealing with interconnection and access disputes.

RO's will help to ensure that that all Service Providers are treated fairly and in a non-discriminatory manner with respect to the provision of interconnection and access services. ROs encourage good practice between Service Providers and promote the provision of high quality access and interconnection services by technical and economic efficiency. ROs also contribute to a satisfactory quality of service, encourage collocation and facility sharing and establishing a process for dealing with disputes among service providers.

This Regulation is subject to review from time to time and might be amended as and when needed after consultation with interested parties. Amended version of this Regulation will be posted on the ictQATAR's website.

Question 1 Do you agree with the Policy Goals set out by ictQATAR and do you regard the introduction of Reference Offers as an appropriate instrument to achieve these goals?

2 Legal Basis

ictQATAR has to ensure that the most appropriate remedies are applied ensuring open and efficient market conduct. In addition, the State of Qatar has entered into commitments on access and interconnection of telecommunications networks in the context of the World Trade Organization (WTO). These commitments need to be respected

General provisions in the Applicable Regulatory Framework (ARF) in Qatar

The State of Qatar has empowered and authorized ictQATAR to liberalize and regulate the telecommunications sector under Decree Law 34 of 2006 and the Telecommunications Law (**Telecommunications Law**),⁴ and Executive By-Law 1 of 2009 for the Telecommunications Law (**By-Law**).⁵ These laws establish the objectives and legal framework for ictQATAR to create the appropriate legal and regulatory conditions for the development of sustainable competition in the telecommunications sector so that, amongst other things, telecommunications may become a factor for promoting social and economic development.⁶

⁴ See [http://www.ictqatar.qa/files/elaw\(1\).pdf](http://www.ictqatar.qa/files/elaw(1).pdf).

⁵ See http://www.ictqatar.qa/files/images/The_Telecommunication_Executive_By-Law.pdf.

⁶ The ARF comprises the relevant legal provisions in Qatar, inter alia but not limited to the Telecommunications Law, the Executive By-Law, the Licenses of the SP and any related regulations, rules, orders, notices, decisions, directions and instructions.

ictQATAR has mandated objectives and goals to achieve under the Telecommunications Law. Article 2 of the Telecommunications Law outlines the main objectives.

Article 4 of the Telecommunications Law empowers ictQATAR to set and enforce remedies to: prevent anti-competitive practices (Article 4(4)), set the terms of interconnection and access between service providers (Article 4 (6)), safeguard the interests of customers (Article 4(8)), require the provision of information relating to network or service development plans, technical and statistical information (Article 4(10)).

Article 19 of the Telecommunications Law also requires ictQATAR to undertake functions and duties in respect of interconnection and access to: promote appropriate, effective and low cost interconnection between telecommunications networks and to promote access to facilities of other service providers to ensure interoperability of telecommunications services that originate or terminate in the State and promoting the growth of competitive telecommunications services markets (Article 19(1)), and to establish a public, transparent and commercially viable regulatory framework aimed at the facilitation of the regulatory procedures, and to remove or minimize the effects of other barriers to entry into telecommunications market (Article 19(2)).

Article 40 of the Telecommunications Law requires ictQATAR to set and implement the competition policy and the related regulations in the telecommunications sector and to: review the state of competition in the telecommunications markets in the State and exercise its authorities, functions and powers to consolidate competition in the provision of telecommunications services (Article 40(1)), monitor and prohibit any abuse of market power or dominant position and anti-competitive practices in accordance with the Law (Article 40(2)), and determine and apply the appropriate procedures and arrangements to confront abuses of market power and anti-competitive practices in order to strengthen competition and safeguard the interests of customers and the public (Article 40(3)).

Provisions regarding Reference Offers

The obligations of DSPs are largely predefined in the ARF. The main provisions regarding Interconnection and Access are provided in the Telecommunications Law in chapter five (Articles (18)ff), in the By-Law in Chapter four (Articles (46)ff) and in the Licenses in the “Obligations of the Licensee to Wholesale Customers” and in Annexures F and J.

Article (18) of the Telecommunications Law sets out the Rights, Obligations and Terms of Interconnection and Access. This article states that ictQATAR shall determine the rights, obligations and terms of Interconnection and Access and it shall ensure such rights, obligations and terms are complied with. It also sets out the rights and obligations of each licensed SP.⁷

⁷ Each licensed service provider shall have the rights and obligations regarding interconnection and access as follows:

1. the right to enter into negotiations based on good faith with another service provider in order to reach an agreement concerning interconnection and access;
2. the right to interconnection and access to services or installations of another service provider in accordance with the terms of the interconnection and access agreement;
3. the obligations provided for in article (24) of this Law relating to a dominant service provider for the purposes of interconnection and access;
4. compliance with the controls on interconnection and access as provided for in article (21) of this Law;
5. obligation to provide interconnection and access to services or installations of another service provider in accordance with the terms of the interconnection and access agreement;
6. the obligations provided for in articles (20), (22), (24) of this Law including the obligations to have access to information and technical equipment and the obligations related to requests for interconnection and access;
7. the obligations embodied in or annexed to the Reference Interconnection Offer as specified by the General Secretariat in the case of a dominant service provider for the purposes of interconnection and access in accordance with the rules of article (24) of this Law; and

Article (19) of the Telecommunications Law set out the Functions and Duties of ictQATAR. It states that ictQATAR shall undertake the following functions and duties in respect to Interconnection and Access.

Article (20) of the Telecommunications Law contains the obligation to negotiate in good faith.⁸ This is further elaborated in Article (47) of the By-Law. Annexure F of the Licenses in Section 1 contain “Negotiation Procedures for Interconnection Agreements”.

Article (21) of the Telecommunications Law contains controls on Interconnection and Access Agreements.⁹

Article (22) of the Telecommunications Law lists acts and practices that constitute a breach of the obligation to negotiate in good faith.

Article (23) of the Telecommunications Law contains stipulations do designate a Service Providers of having a dominant position. ictQATAR has, as part of the Market Definition and Dominance Designation (**MDDD**) 2010 set out the criteria it uses to a) define markets and b) define a Dominant Position on one or more Relevant Markets.¹⁰ In the MDDD 2010 QTel was designated as having a Dominant Position on **all** Relevant Markets¹¹.

Article (24) of the Telecommunications Law sets out obligations regarding Interconnection and Access of Dominant Service Providers.

8. any obligations or requests to a dominant service provider regarding interconnection and access as specified by the General Secretariat and which relate to its charges or calculation of costs or the requirements of accounting separation pursuant to the rules of article (24), (25) and (33) of this Law.

⁸ Interconnection Negotiations

Any service provider must upon receiving a written request from another service provider in respect to interconnection and access, enter into negotiations in good faith with the service provider requesting such interconnection and access for the purpose of reaching an agreement on interconnection or access to:

1. interconnect networks and/or
2. provide access to telecommunications facilities including central offices, other sites for equipment, emergency, towers, poles, telecommunications lines or and underground facilities, whenever necessary, in a reasonable manner in order to enable the service providers to provide their services to their customers.

⁹ No service provider shall be obliged to enter into interconnection and access agreement on terms which, in his reasonable judgement may cause material damage or harm to any person or property or inflict material damage upon its network and telecommunications facilities or negatively affect the performance of either of them or the provision of the telecommunications services or such terms deemed unreasonable in light of given technical or economic facts available.

¹⁰ Notice of the Standards, Methodology and Analysis to be applied in the Review of Market Definition and Dominance Designation in the Telecommunication Sector in Qatar (ICTRA 2011/10/31b) 31 Oct 2011 http://www.ictqatar.qa/sites/default/files/documents/MDD_Notice_English.pdf

¹¹ Notice and Orders (ICTRA 2011/10/31) 31 Oct 2011

Retail Markets

- M1. Access to public telecommunications networks at a fixed location;
- M2. Public national telecommunications services at a fixed location;
- M3. Public international telecommunications services at a fixed location and via a mobile device;
- M4. Broadband services at a fixed location;
- M5. Retail leased lines;
- M6. Public national telecommunications services via a mobile device; and
- M7. Broadband services via a mobile device.

Wholesale markets

- M8. Origination on public telecommunications networks at a fixed location;
- M9. Termination on public telecommunications networks at a fixed location;
- M10. Wholesale physical network infrastructure access;
- M11. Wholesale access to broadband services at fixed locations;
- M12. Wholesale leased lines;
- M13. Access and origination on public mobile networks; and
- M14. Termination on public mobile networks.

Article (25) of the Telecommunications Law contains further rights and obligations of DSPs, which may be included in the Executive By-Law and the regulations, rules and instructions issued in this regard.¹²

Article (43) of the Telecommunications Law set out the rules for the abuse of Dominance.

Article (50) of the By-Law deals with charges of Interconnection and Access.

Article (51) of the By-Law contains stipulations regarding Reference Offers.

Article (52) of the By-Law deals with filing and publication of Interconnection and Access Agreements. Section 5 in Annexure F of the Licenses set out the publication of access information.

Article (53) of the By-Law provides that ictQATAR might amend any agreement that violates the Law or the By-Law.

Article (55) of the By-Law provides that a DSP has to file a tariff for interconnection or access related charges and are subject to Articles (56), (57), (58) and (59) of the By-Law.

The provisions on Reference Offer also follow the Licenses. Licenses contain the “Obligation of the Licensee to Wholesale Customers” and the provisions of Annexures F and J.¹³

The principle of non-discrimination ensures that DSPs do not distort competition, in particular where they are vertically integrated undertakings that supply services to undertakings with whom they compete on downstream markets. The imposition of a specific obligation on an DSP requires a justification that the obligation in question is appropriate and proportionate in relation to the nature of the problem identified.

The obligations on RIO / RTO / RPO does not preclude the issuance of further Reference Offers, for example Reference Unbundling Offers or Reference Bitstream Offers. Introduction of additional ROs beyond the current catalogue requires a Public Consultation.

Question 2 Do you have any legal objections on the introduction of Reference Offers as part of the Applicable Regulatory Framework (ARF) in Qatar?

3 Current Scope of Reference Offers

Obligations and conditions under this framework shall be objective, transparent, proportionate and non-discriminatory.

Obligations include, inter alia, the publication of Reference Offers. Reference Offers are offers made by one DSP equally to all other SPs for Interconnection and Access services. A RO will cover commercial, technical, operational and procedural aspects of the relationship between the SPs. It will serve as the basis for negotiating and finalizing Interconnection or Access Agreements between SPs. ictQATAR envisages the following Reference Offers:

¹² In addition to the provisions of this chapter, the Executive By-Law and the regulations, rules and instructions issued in this regard shall determine the rights and obligations of dominant service providers which include, among others, the following:

1. any requirements relating to obtaining the prior approval of the General Secretariat, regarding the interconnection and access charges, or relating to calculation of costs or accounting separation;
2. Any requirements relating to the preparation and contents of an interconnection reference offer; and
3. Any requirements relating to submission and publication of interconnection and access agreements.

¹³ Requirements for Interconnection and Access are set out in 2.1 of Annexure F of the Licenses. In addition, section 4 in Annexure F of the Licenses contains stipulation for Reference Offers.

- Reference Interconnection Offer (RIO): An offer including all aspects of interconnection and interconnection services
- Reference Transmission Link Offer (RTO): an offer including access to the DSPs transmission links (leased lines)
- Reference Passive Infrastructure Offer (RPO): an offer including access to the DSPs passive infrastructure including ducts, dark fiber and collocation.

The list of Reference Offers is not exclusive. Other Reference Offers, such as unbundling or bitstream, might follow with growing maturity of the wholesale interconnection and access framework.

Question 3	Do you regard the obligation of three Reference Offers as appropriate and sufficient to achieve the objectives of a more efficient and competitive market setup?
Question 4	Please provide reasoning regarding the obligation of three Reference Offers as appropriate and sufficient to achieve the objectives of a more efficient and competitive market setup?

4 Guiding Principles

The Reference Offers are specific regarding the nature of products and services included in the respective offer. However, all ROs are based on a common set of principles. The principles shall also apply for all future Reference Offers. Some of these principles apply to all Service Providers while others apply specifically to Dominant Service Providers.

Principles applicable to all Service Providers are:

1. all Operators have to make provisions ensuring conditions covering fairness, reasonableness and timeliness
2. Interconnection & Access arrangements should encourage efficient and sustainable competition
3. Interconnection shall be permitted at any technically and economically feasible point
4. all Service Providers, if so requested in writing, must enter into good faith negotiations to complete interconnection & access agreements with other Service Providers
5. Interconnection interfaces and standards shall be based on recognized national and international standards.
6. the quality of interconnect services should be optimized to bring benefits to customers and the Parties should aim continuously to improve shared targets for quality of service, operations and maintenance, provisioning and network performance in interconnection;
7. the Parties should exchange technical information willingly in order to make interconnection effective, without prejudice to commercial confidentiality;
8. the Parties entering into a interconnection and/or access agreement recognize the necessity of effective interconnection and access provisions to/from their networks in the provision of quality telecommunications services to their respective customers. The Parties believe that a fundamental principle of interconnection and/or provision of wholesale access is to enable customers of one of the Parties to communicate effectively with customers of the other Party
9. the Parties should at all times act so as to facilitate the speedy and effective operation of the Interconnect and /or Access Agreements, to the benefit of customers and to their mutual advantage;

10. in implementing services and facilities, all Parties should endeavour to minimise the attendant costs, provided that this does not result in additional cost attribution to other products and services provided by either Party and is consistent with agreed quality standards.
11. all the necessary measures for interconnection & access need to guarantee fundamental requirements, in particular: maintaining network integrity; interoperability of services, including end-to-end quality of service; data protection and confidentiality of information processed, transmitted or stored.
12. Interconnection & Access disputes should be resolved quickly and fairly
13. all Service Providers and other concerned parties may at any time seek clarification or guidance from ictQATAR on interconnection principles and issues affecting them

Principles applicable to DSPs are:

1. Interconnection & Access procedures / arrangements shall be transparent, fair and non-discriminatory
2. Reference Offers include obligations for transparency in relation to interconnection and/or access, requiring operators to make public specified information, such as technical specifications, network, characteristics, terms and conditions for supply and use, and prices
3. Obligations of non-discrimination shall ensure, in particular, that the operator applies equivalent conditions in equivalent circumstances to other Service Providers providing equivalent services, and provides services and information to others under the same conditions and of the same quality as it provides for its own services, or those of its subsidiaries or partners
4. Reference Offers must be sufficiently unbundled to ensure that Service Providers are not required to pay for facilities which are not necessary for the service requested, giving a description of the relevant offerings broken down into components according to market needs, and the associated terms and conditions including prices
5. Interconnection should not be unnecessarily constrained by technical obstacles or limitations which have no justifiable objective basis;
6. The DSP ensures to respond to reasonable requests for access to and use of specific network components and associated facilities, particularly in situations where the denial of access or the setting of unreasonable conditions would hinder the emergence of a sustainable competitive market at the retail level or harm the interests of end-users
7. ictQATAR is aware of the need to balance the rights of an infrastructure owner to exploit its infrastructure for its own benefit, and the rights of other service providers to access facilities that are essential for the provision of competing services. Where obligations are imposed on DSPs that require them to meet reasonable requests for access to and use of networks elements and associated facilities, such requests should only be refused on the basis of objective criteria such as technical feasibility or the need to maintain network integrity. Where access is refused, the aggrieved party may submit the case to the dispute resolutions procedures referred to in the respective Reference Offers. An operator with mandated access obligations cannot be required to provide types of access which are not within its powers to provide.
8. When imposing access obligations on operators ictQATAR shall take into account the following factors:
 - (a) the technical and economic viability of using or installing competing facilities, in the light of the rate of market development, taking into account the nature and type of interconnection and access involved;

- (b) the feasibility of providing the access proposed, in relation to the capacity available;
 - (c) the initial investment by the facility owner, bearing in mind the risks involved in making the investment;
 - (d) the need to safeguard competition in the long term;
 - (e) where appropriate, any relevant intellectual property rights;
9. Access provisions might, inter alia, include to provide co-location or other forms of facility sharing, including duct, building or mast sharing, access to technical interfaces, protocols or other key technologies that are indispensable for the interoperability of services or virtual network services,
 10. All charges regarding interconnection and access shall be transparent, reasonable and cost-based. Any cost inefficiencies of Dominant Service Providers shall not be passed on through interconnection charges to other Service Providers. The basis for interconnection and access charges is not covered in this document, will be subject to an individual consultation.

ictQATAR shall be able to impose changes to reference offers to give effect to obligations imposed.

Question 5 Do you agree on the Guiding Principles for all Service Providers and Dominant Service Providers? If not, please provide your reasoning.

5 INSTRUCTIONS FOR RESPONDING TO THIS CONSULTATION

5.1 Consultation procedures

All interested parties are invited to submit responses to the questions identified in this document and to provide their views on any other relevant aspects. Comments should reference the number of the question being addressed or the specific section of this document if not responding to a particular question.

The Supreme Council of Information and Communication Technology (**ictQATAR**) asks that, to the extent possible, submissions be supported by examples or relevant evidence. Any submissions received in response to this consultation will be carefully considered by ictQATAR when implementing Reference Offers. Nothing included in this consultation document is final or binding. However, ictQATAR is under no obligation to adopt or implement any comments or proposals submitted.

Comments concerning this consultation must be submitted by email to **rschnepfleitner@ict.gov.qa** or in writing by no later than the date indicated on the cover page. The subject reference in the email should be stated as "Consultation on Regulation for Reference Offers". It is not necessary to provide a hard copy in addition to a soft copy sent by email.

For ease of process respondents are invited to give comments in **track change mode** in the relevant documents. For these reasons the documents are available in Word format.

5.1 Publication of comments

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

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" 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".

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.

While ictQATAR 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 ictQATAR. By making submissions to ictQATAR in this consultation, respondents will be deemed to have waived all copyright that may apply to intellectual property contained therein.

For more clarification concerning the consultation process, please contact **Dr. Rainer Schnepfleitner (rschnepfleitner@ict.gov.qa)**.

Annex I Content of Reference Offers

The following Table specifies the content expected in a RO.

RIO	RTO	RPO	Remarks
MAIN BODY			
Part 1: ACCEPTANCE PROCEDURES			
1. STRUCTURE	1. STRUCTURE	1. STRUCTURE	Introduces the Structure of the RO
2. ACCEPTANCE NOTICE	2. ACCEPTANCE NOTICE	2. ACCEPTANCE NOTICE	Explains the requirement of an Acceptance Notice, if OLO accepts RO
3. ASSESSMENT OF ACCEPTANCE NOTICE	3. ASSESSMENT OF ACCEPTANCE NOTICE	3. ASSESSMENT OF ACCEPTANCE NOTICE	Provides information on reasons for non-conforming ROs and actions to be taken
4. REPRESENTATIONS AND WARRANTIES	4. REPRESENTATIONS AND WARRANTIES	4. REPRESENTATIONS AND WARRANTIES	Provides representations and warranties by both, QTel and OLO
5. EFFECT OF VARIATION	5. EFFECT OF VARIATION	5. EFFECT OF VARIATION	Explains QTel's right to amend the RO
PART 2 INTERCONNECTION AGREEMENT	PART 2 TRANSMISSION LINK AGREEMENT	PART 2 Passive INFRASTRUCTURE SHARING AGREEMENT	
1. DEFINITIONS AND INTERPRETATION	1. DEFINITIONS AND INTERPRETATION	1. DEFINITIONS AND INTERPRETATION	Contains all definitions and hierarchy of definitions. Full details are to be given in Annex A – Definitions and Glossary of Terms
2. COMMENCEMENT AND DURATION	2. COMMENCEMENT AND DURATION	2. COMMENCEMENT AND DURATION	Specifies commencement date and duration of RO
3. SCOPE	3. SCOPE	3. SCOPE	Defines scope of agreement and restricts services to those that are subject to the agreement
4. NON DISCRIMINATION AND EQUIVALENCE INPUT	4. NON DISCRIMINATION AND EQUIVALENCE INPUT	4. NON DISCRIMINATION AND EQUIVALENCE INPUT	Contains concept of non-discrimination and requirement to provide equivalence regarding own network and OLO's network
5. NETWORK INTERCONNECTION	5. DEFINITION OF TRANSMISSION LINKS (LEASED LINES)	5. DEFINITION OF PASSIVE INFRASTRUCTURE SHARING	Includes definition of services, including procedures, technical requirements, planning, and forecasting (if required) Details might be specified in Annex C – Technical Information, Annex F Planning and Forecasting, Annex D – Service Schedule, Annex E – Service Levels and Annex H – Price List

6. NETWORK ALTERATION AND DATA MANAGEMENT	6. NETWORK ALTERATIONS AND MODIFICATIONS	6. NETWORK ALTERATIONS AND MODIFICATIONS	Provides detailed information on procedures of network alteration and requirements for data management (if required)
7. INTERCONNECTION SERVICES	6. TRANSMISSION SERVICES	7. PASSIVE INFRASTRUCTURE SHARING SERVICES	Includes details regarding all services subject to the agreement. Full scope of services and service conditions are to be specified in Annex D – Service Schedule
8. CHARGING FOR INTERCONNECTION SERVICES	7. CHARGING FOR TRANSMISSION LINKS	8. CHARGING FOR Passive INFRASTRUCTURE SHARING	Provides the structure and amount of charging for services. Details might be specified in Annex H – Price List
9. TECHNICAL ASPECTS	8. TECHNICAL ASPECTS	9. TECHNICAL ASPECTS	Includes full technical details and requirements for compliance with Standards on the services. Details to be set out in Annex C – Technical Information Technical Aspects &
10 NUMBERING			Contains information on number ranges. Details might be specified in Annex C – Technical Information
		10. INTERFERENCE WITH SERVICES OF OTHERS	Contains procedures of handling non-compliant equipment
11. OPERATIONAL ASPECTS	9. OPERATIONAL ASPECTS	11. OPERATIONAL ASPECTS	Provides details on all operational aspects. Full details to be provided in Annex G – Operational Procedures
12. PLANNING AND FORECASTING	10. PLANNING AND FORECASTING	12. PLANNING AND FORECASTING	Contains information on planning and forecasting requirements and procedures. Details might be specified in Annex C – Technical Information, Annex E – Service Level Agreement, and Annex F – Planning and Forecasting
	11. FEASIBILITY STUDIES	13. FEASIBILITY STUDIES	Contains information on feasibility requirements and procedures. Details might be specified in Annex F – Planning and Forecasting
	12. ORDERING AND CANCELLATION	14. ORDERING AND CANCELLATION	Provides information on ordering and cancellation process, Details might be specified in Annex F – Planning and Forecasting

13. PROVISIONING	13. PROVISIONING AND IMPLEMENTATION	15. PROVISIONING AND IMPLEMENTATION	Provides information on provisioning and implementation requirements and procedures. Details might be specified in Annex F – Planning and Forecasting and Annex E - Service Level Agreement
14. PROVISION OF INFORMATION	14. PROVISION OF INFORMATION	16. PROVISION OF INFORMATION	Contains information on the provision of information and confidentiality thereof. Details might be specified in Annex I – List of Network Routes and Collocation (if required)
15. QUALITY OF SERVICE MEASURES	15. QUALITY OF SERVICE MEASURES	17. SERVICE LEVELS	Specifies the quality parameters of the services. Details might be specified in Annex E – Service Levels
16. MANAGEMENT OF INTERCONNECTION	16. MANAGEMENT OF TRANSMISSION SERVICES	18. MANAGEMENT OF PASSIVE INFRASTRUCTURE SERVICES	Details the daily management of the services. May require specific management for technical and commercial aspects. Might be further specified in Annex B – Billing Processes and Procedures
17. MEASUREMENT OF TRAFFIC VOLUME			Provides requirements for measuring traffic and traffic volumes. Details might be specified in Annex B – Billing Processes and Procedures and Annex D – Service Schedule
18. NEW SERVICES			Provides rules and procedures for introduction of New Services
19. BILLING AND PAYMENT	17. BILLING AND PAYMENT	19. BILLING AND PAYMENT	Contains information on billing and payment. Details to be set out in Annex B – Billing Processes and Procedures and Annex H – Price List
20. CREDIT ASSESSMENT AND CREDIT RISK MANAGEMENT	18. CREDIT ASSESSMENT AND CREDIT RISK MANAGEMENT	20. CREDIT ASSESSMENT AND CREDIT RISK MANAGEMENT	Provides information on the right to and procedures of credit vetting
21. STAFF SAFETY AND NETWORK PROTECTION	19. STAFF SAFETY AND NETWORK PROTECTION	21. STAFF SAFETY AND NETWORK PROTECTION	Provides information on staff safety and network protection requirements
22. CONFIDENTIALITY AND DISCLOSURE	20. CONFIDENTIALITY AND DISCLOSURE	22. CONFIDENTIALITY AND DISCLOSURE	Provides information on confidentiality and disclosure of information requirements
23. RETAIL CUSTOMER MANAGEMENT	21. RETAIL CUSTOMER MANAGEMENT		Contains information on the responsibility of retail customer management

24. RESOLUTION OF DISPUTES	22. RESOLUTION OF DISPUTES	23. RESOLUTION OF DISPUTES	Contains information on dispute resolution rules and procedures
25. BREACH AND SUSPENSION	23. BREACH AND SUSPENSION	24. BREACH AND SUSPENSION	Contains rules and procedures for breach and suspension of services
26. TERMINATION	24. TERMINATION	25. TERMINATION	Contains rules and procedures of terminating a service
27. NOTICES	25. NOTICES	26. NOTICES	Contains rules and procedures of giving and receiving notices
28. ASSIGNMENT AND NOVATION	26. ASSIGNMENT AND NOVATION	27. ASSIGNMENT AND NOVATION	Contains requirements of written consent for changing the agreement
29. RELATIONSHIP OF PARTIES (NO PARTNERSHIP)	27. RELATIONSHIP OF PARTIES (NO PARTNERSHIP)	28. RELATIONSHIP OF PARTIES (NO PARTNERSHIP)	Statement that the parties to the agreement do not enter into partnership
30. USE OF SUBCONTRACTORS	28. USE OF SUBCONTRACTORS	29. USE OF SUBCONTRACTORS	Provides information on conditions and rules for sub-contracting
31. INTELLECTUAL PROPERTY RIGHTS	29. INTELLECTUAL PROPERTY RIGHTS	30. INTELLECTUAL PROPERTY RIGHTS	Contains provisions on intellectual property rights
32. REVIEW	30. REVIEW	31. REVIEW	Contains rules and procedures for review of agreement and sets conditions for thereof
33. ENTIRE AGREEMENT	31. ENTIRE AGREEMENT	32. ENTIRE AGREEMENT	Statement that the agreement contains the whole agreement (no subsidiary agreement)
34. SURVIVAL AND MERGER	32. SURVIVAL AND MERGER	33. SURVIVAL AND MERGER	Provides information on clauses that survive expiry of the agreement
35. WAIVER	33. WAIVER	34. WAIVER	Provides information on conditions of waivers
36. CONSENTS AND APPROVALS	34. CONSENTS AND APPROVALS	35. CONSENTS AND APPROVALS	Statement of acting reasonably regarding consent and approval seeking
37. AMENDMENTS (Notice to ictQATAR)	35. AMENDMENTS (NOTICE TO ICTQATAR)	36. AMENDMENTS (NOTICE TO ICTQATAR)	Provides information on conditions, rules and procedures to amend the agreement
38. THIRD PARTY RIGHTS	36. THIRD PARTY RIGHTS	37. THIRD PARTY RIGHTS	Statement that each party acts solely in its own legal capacity
39. COUNTERPARTS	37. COUNTERPARTS	38. COUNTERPARTS	Provision on validity of counterparts
40. COSTS, EXPENSES AND DUTIES	38. COSTS, EXPENSES AND DUTIES	39. COSTS, EXPENSES AND DUTIES	Provision that each party must pay its own costs relating to the agreement
41. OBLIGATIONS IN GOOD FAITH	39. OBLIGATIONS IN GOOD FAITH	40. OBLIGATIONS IN GOOD FAITH	Statement of acting in good faith
42. INSURANCE	40. INSURANCE	41. INSURANCE	Sets out requirement for insurance
43. DEALING WITH GOVERNMENT	41. DEALING WITH GOVERNMENT	42. DEALING WITH GOVERNMENT	Sets out conditions of dealing with government

44. NO PRIOR REPRESENTATIONS	42. NO PRIOR REPRESENTATIONS	43. NO PRIOR REPRESENTATIONS	Provision of no prior representation
45. FURTHER ASSURANCES	43. FURTHER ASSURANCES	44. FURTHER ASSURANCES	General assurance statement
46. FORCE MAJEURE	44. FORCE MAJEURE	45. FORCE MAJEURE	Sets out conditions on Force majeure
47. WARRANTIES	45. WARRANTIES	46. WARRANTIES	Provides information on warranties and warranty requirements
48. LIABILITY	46. LIABILITY	47. LIABILITY	Provides information and conditions on liabilities
49. SEVERABILITY	47. SEVERABILITY	48. SEVERABILITY	General statement on validity of agreement (if individual clauses are unenforceable)
50. GOVERNING LAW	48. GOVERNING LAW	49. GOVERNING LAW	Statement that governing law the Law of Qatar
51. INDEMNITIES	49. INDEMNITIES	50. INDEMNITIES	Sets out rules and conditions of indemnity
ANNEXES			
ANNEX A: DEFINITION AND INTERPRETATIONS	ANNEX A: DEFINITION AND INTERPRETATIONS	ANNEX A: DEFINITION AND INTERPRETATIONS	Contains all definitions and interpretations of the agreement
ANNEX B: BILLING PROCESSES AND PROCEDURES	ANNEX B: BILLING PROCESSES AND PROCEDURES	ANNEX B: BILLING PROCESSES AND PROCEDURES	Contains all billing processes and procedures of the agreement. Contains inter alia list of chargeable services, billing format, billing period, rules of invoicing, solving of disputes and payment conditions
ANNEX C: TECHNICAL INFORMATION	ANNEX C: TECHNICAL INFORMATION	ANNEX C: TECHNICAL INFORMATION	Contains all technical information of in relation to the agreement and required to execute the agreement
ANNEX D: INTERCONNECTION SERVICE SCHEDULE	ANNEX D: TRANSMISSION LINK SERVICE SCHEDULE	ANNEX D: PASSIVE INFRASTRUCTURE SHARING SERVICE SCHEDULE	Contains detailed service descriptions covering all services under the agreement
ANNEX E: SERVICE LEVEL AGREEMENTS	ANNEX E: SERVICE LEVEL AGREEMENTS	ANNEX E: SERVICE LEVEL AGREEMENTS	Contains service level agreements for all services and includes inter alia definition of KPIs, calculation of service levels, and monitoring of service levels
ANNEX F: PLANNING & FORECASTING	ANNEX F: PLANNING & FORECASTING	ANNEX F: PLANNING & FORECASTING	Contains all requirements, rules and procedures for planning and forecasting, including introduction of new services, forecasting requirements and rules, requirements of feasibilities, etc.

ANNEX G: OPERATIONAL PROCEDURES	ANNEX G: OPERATIONAL PROCEDURES	ANNEX G: OPERATIONAL PROCEDURES	Contains all requirements, rules and procedures for operations regarding the agreement. It contains, inter alia, testing arrangements, fault management, maintenance processes, etc.
ANNEX H: PRICE LIST	ANNEX H: PRICE LIST	ANNEX H: PRICE LIST	Contains all prices, charging structure and charging rules for all services under the agreement
		ANNEX I LIST OF NETWORK ROUTES AND LOCATIONS	Contains QTel network routes and locations with service availability under the agreement

Question 6 Do you regard the content requirement for Reference Offers as being sufficient? Do you miss any items that, in your opinion, shall be subject to the respective Reference Offer?

Annex II Definitions and acronyms

ARF	Applicable Regulatory Framework
BSA	Bitstream Access
CD	Consultation Document
DSP	Dominant Service Provider
GATS	General Agreement of Trade in Services
MDDD	Market Definition and Dominance Designation
RIO	Reference Interconnection Offer
RO	Reference Offer
RPO	Reference Passive Infrastructure Offer
RTO	Reference Transmission Link Offer
SP	Service Provider
WTO	World Trade Organization

Annex IV List of Questions

Question 1	Do you agree with the Policy Goals set out by ictQATAR and do you regard the introduction of Reference Offers as an appropriate instrument to achieve these goals?	5
Question 2	Do you have any legal objections on the introduction of Reference Offers as part of the Applicable Regulatory Framework (ARF) in Qatar?	8
Question 3	Do you regard the obligation of three Reference Offers as appropriate and sufficient to achieve the objectives of a more efficient and competitive market setup?	9
Question 4	Please provide reasoning regarding the obligation of three Reference Offers as appropriate and sufficient to achieve the objectives of a more efficient and competitive market setup?	9
Question 5	Do you agree on the Guiding Principles for all Service Providers and Dominant Service Providers? If not, please provide your reasoning.	11
Question 6	Do you regard the content requirement for Reference Offers as being sufficient? Do you miss any items that, in your opinion, shall be subject to the respective Reference Offer?	18