

# Market Definition and Dominance Designation in Qatar - Market definition and review of Candidate Markets with competing infrastructure Final Decision

CRA 2015/RAC/009  
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## Purpose

This document sets out the results of Phase I of the MDDD (Market Definition and Dominance Designation) update in relation to the changes to the MDDD methodology, the list of Candidate Markets to consider as part of the MDDD update and an assessment on the continued need for ex-ante regulation of services in Candidate Markets where Network and Service Providers (NSP) own and operate competing infrastructures.

## Background

In line with the requirements under the Telecommunications Law and international best practice, the Communications Regulatory Authority (the Authority, hereafter) regularly reviews the competitive dynamics in the telecommunications sector in order to determine the need for (ex-ante) regulatory intervention. This is referred to as the MDDD process. The need for regular updates of the MDDD is to ensure that any resulting regulation remains up-to-date and in line with the underlying market dynamics.

Following previous MDDDs in 2008 and 2011, the Authority has currently conducted the MDDD update.

The key market developments since 2011 and the resulting need for this update is motivated, amongst others, by the following:

- At the time of the 2011 MDDD, both Vodafone and Qnbn had only recently entered the Qatari telecommunications market as a NSP. Since then, the sector has been characterised by the growth of two competing national (mobile) network infrastructures and a passive infrastructure in parts of Qatar. Given this, the Authority considers it important to assess the resulting impact of the competitive dynamics in the sector.
- Competition in the fixed voice and broadband services and associated wholesale services has not developed sufficiently so far and Ooredoo remains the only NSP on a national scale.
- Vodafone and QNBN remain reliant on Ooredoo for certain wholesale services.

As part of the 2011 MDDD the Authority further identified three Relevant Markets which, at the time, were considered to be 'dynamic' and thus would be the focus of the MDDD update (with the remaining Relevant Markets being assessed based on market shares, lack of countervailing buying power and the likelihood of further entry)<sup>1</sup>. These markets included the markets for:

- Retail national voice services from a mobile device,
- Retail mobile broadband services and
- Retail outgoing international call services from a fixed location or mobile device.

In June 2014 the Authority issued a policy statement (**2014 Policy Statement**) setting out its overall approach to regulation of the sector going forward.<sup>2</sup> This, amongst others, stated the Authority's focus

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<sup>1</sup> This "Shortcut Process" is outlined in the Authority's Notice and Orders on the Methodology and Standards for Determining Market Power 2011 (Notice and Orders 2011)

should be on regulating wholesale markets and prevailing bottlenecks. This is particularly relevant in markets which are characterised by competing national networks, as is the case for mobile voice and broadband services in Qatar, as there may be no bottlenecks in these markets.

In preparation for this MDDD update, the Authority has also reviewed its **MDDD methodology**. This review was based on the obligation recognized by Article 72 of the Executive By-Law 1 of 2009 (**Executive By-Law**) requiring CRA to establish the standards and methodology to be applied in determining SMP status in a relevant market. This has led to the inclusion of a Three Criteria Test (TCT), a commonly applied test to assess the need for ex-ante regulation in a particular service market, based on whether that market exhibits three specific characteristics - i.e.:

- that it has high and non-transitory barriers to entry,
- that it does not tend to effective competition; and
- that competition law would be insufficient to address competitive concerns.

In parallel, the Authority is developing and consulting on a **Competition Policy**, setting out, among others, the approach it will take to examining allegations of anti-competitive behavior by NSPs.

## The Process

The current MDDD update is being conducted in two phases:

- **Phase I** – During this initial phase, the Authority has confirmed its proposed changes to the MDDD methodology and developed a list of Candidate Markets to review during the MDDD update. It has further applied the TCT to the Candidate Markets which are characterised by competing infrastructure or other pro-competitive characteristics (such as, competitive pressure, potentially in some sub-markets, from Over-the-Top (OTT) consumer offerings).
- **Phase II** - As part of the second phase, the Authority will then apply the TCT to the remaining Candidate Markets. To the extent that markets meet the TCT, the Authority will then conduct the market analysis and dominance findings for each Relevant Market considered, to determine the regulatory remedies for DSPs.

On 12 May 2015 the Authority consulted on its preliminary results from the Phase I activities (CRA 2015/05/12NC). In particular:

- The implementation of the TCT to the MDDD methodology to identify the markets susceptible to ex-ante regulation
- The proposed list of Candidate Markets to assess as part of the MDDD update

The proposed **new Candidate Markets** contained several changes to the current product markets (as defined under the 2011 MDDD). In particular, the Authority proposed to define:

### For retail services

- A single product market for retail fixed access, national calls and fixed broadband services

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<sup>2</sup> <http://cra.gov.qa/sites/default/files/Policy%20Statement-Regulating%20for%20the%20future-En.pdf>

- Separate product markets for international calls originating at a fixed location and from a mobile device and further separated into a market for residential and business customers
- A single product market for retail mobile voice and mobile broadband services
- Separate product markets for retail national and international leased lines

#### For wholesale services

- Four new sub-markets within the market for wholesale physical network infrastructure access:
  - Physical access to all relevant NSPs' mobile sites, masts, towers, including relevant ancillary facilities/services and collocation space
  - Physical access to all relevant NSP's access network dark fibre, relevant ancillary facilities/services and collocation space
  - Physical access to all relevant NSP's and 3rd parties' duct network, relevant ancillary facilities/services and collocation space
  - Functional access to international gateway facilities required to gain international connectivity (including, but not limited to, physical access to the facilities, collocation space, cross-connects and other relevant ancillary facilities and/or services)
- Separate product markets for the terminating, trunk and international transit segments of wholesale leased line services

Having applied the TCT to the proposed Candidate Markets for retail national mobile voice and broadband services and retail international call services, the Authority preliminary concluded that two Candidate Markets are not susceptible for ex-ante regulation<sup>3</sup>:

- Retail market for national mobile voice and broadband services
- Retail international outgoing international call services via a mobile device

All remaining Candidate Markets will be assessed in more detail as part of Phase II of the MDDD update. The preliminary results from Phase II activities will then also be subject to public consultation, expected in September 2015.

In response to CRA 2015/05/12, the Authority received submissions from Ooredoo, Vodafone Qatar (Vodafone), and Qnbn. The key comments made by each party, along with the Authority's responses can be found in the accompanying Economic Analysis and Response Document CRA 2015/RAC/010. For ease of reference, a brief summary of the main points made by the NSP's is provided below.

- **Ooredoo** agreed on the overall proposed amendments to the MDDD methodology and the proposed approach to determine Candidate Markets and Relevant Markets, but it raised concerns about how this approach was then applied. Ooredoo agreed only with the definition of some of the proposed Candidate Markets and considered that all Candidate Markets to which the TCT was applied should not be susceptible to ex-ante regulation.
- **Vodafone** considered that the proposed amended MDDD methodology was incompatible with the Telecoms Law and Executive By-Law, and that the TCT was incorrectly applied. Whilst it

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<sup>3</sup> For the avoidance of doubt, any regular reporting requirements for service providers on these and other services will prevail. This will be further discussed in Phase II of the MDDD update.

stated it had no objection to most of the proposed Candidate Markets, it considered all such markets should remain susceptible to ex-ante regulation.

- **Qnbn** only commented on limited aspects of the consultation. In particular, it supported the proposed Candidate Markets for retail fixed international call services and the continued need for ex-ante regulation of these services. Qnbn also commented on the need to further refine the definitions of wholesale Candidate Markets, to ensure they are both future proof and enable the CRA to implement relevant remedies.

In conducting the economic analysis in accordance with the approach set out in Section 2 the Consultation Document, the Authority considered:

- The relevant submissions by Ooredoo, Qnbn and Vodafone
- Data and information available the Authority
- Information published on the NSP's websites
- International practice in defining economic markets and determining the need for ex-ante regulation on these economic markets

## Legal Basis

Decree Law 34 of 2006 on the promulgation of the Telecommunications Law (**Telecommunications Law**) calls for licensing of Network and Service Providers (Article 9) on the one hand, and Spectrum licenses on the other (Article 15).

The Telecommunications Law explicitly provides for the designation of DSPs in Articles 19.5, 23, 27, 40 and 42.

Article 40(1) of the Telecommunications Law entitles the Authority 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(2) of the Telecommunications Law entitles the Authority to update the competitive policy and related regulations to reflect the state of competition in those markets, and this must be for the purpose of relying on market forces, where sufficient to safeguard the interests of customers and the public.

Article 40(3) of the Telecommunications Law entitles the Authority to determine the criteria that must be applied in the designation of NSPs as having Significant Market Power (SMP), or dominance in identified telecommunications markets and implementing such criteria in any designation process.

Article 42 of the Telecommunications Law provides a legislative framework for the MDDD process, including the requirements of an order specifying the designation.

Article 42 of the Telecommunications Law grants the Authority discretion to consult with service providers or customers or any other interested parties in the course of undertaking the determination of any market, analysis or market power designation in accordance with the provisions of this article.

Article 62 of the Telecommunications Law empowers the Authority to require service providers or others to provide information in the manner and time, necessary for exercising its powers.



The Executive By-Law 1 of 2009 (**Executive By-Law**) empowers the Authority to issue other regulations, decisions, rules, orders, instructions and notices for the implementation of the provisions of the Law and this By-Law (Article 4). The Authority also shall carry out the powers and authorities stipulated in the Law and this By-Law (Article 5) and shall take measures, actions and decisions, as it deems appropriate, to ensure that Licensees and NSPs comply with the provisions of the Law and this By-Law (Article 6).

Article 72 of the Executive By-Law requires the Authority to establish the standards and methodology that it be applied in determining SMP status in a relevant market. Article 72 of the Executive By-Law sets out the criteria that may be included in the methodology to be applied.

According to Article 74 of the Executive By-Law, the Authority shall, from time to time, review its designation of service providers as dominant in the relevant markets and the specific requirements imposed upon those service providers as a result of that designation.

Article 124 of the Executive By-Law obliges the Authority to establish a dispute resolution process should disagreements arise between Service Providers and other entities.

Article 4 of the Emiri Decree No. 42 of 2014 gives the Authority all the powers necessary to encourage competition and prohibit or minimize anti-competitive practices, prevent misuse of any person or entity of its market dominance position, and take all necessary measures to achieve this and protect the rights and interests of the public and service providers in the market, promote transparency and provide advanced, innovative and quality services at affordable prices to meet the needs of the public.

Article 15 of the Emiri Decree No. 42 of 2014 directs the Authority's Regulatory and Competition Affairs Department to determine the criteria to assess, and modify if required, the market dominance status, and lay down economic rules in this regard; develop criteria for the market definitions, follow up market conditions, competition, and the status of a dominant service provider; and develop and identify policies and regulations for all services which will foster a competitive market and serve the interests of the consumers.

## Assessment

### Amendments to MDDD methodology

The approach brought forward in this document specifies the Authority's implementation of the TCT in the Market Definition stage.

Applying the TCT in the Qatari context aims to focus ex-ante regulation on the markets where it is necessary, by identifying upstream bottlenecks, and avoids ex-ante regulation where competition is possible, and ex-post regulation could be sufficient. Having considered comments from the respondents, the Authority wishes to make clear that barriers to entry and an assessment of the tendency to competition are usually assessed through a modified Greenfield approach, meaning that they are assessed in the first instance under a hypothetical scenario in which no ex-ante regulation is already in place. Where the Authority finds that barriers to entry are high or the tendency to competition is unlikely, the Authority will then in addition consider whether existing or alternative ex-ante wholesale remedies are sufficient to mitigate the concerns.

The evidence that the Authority considers in assessing whether each market passes the TCT will vary from market to market depending on the specific economic context and the data that is available. The

types of information that the Authority considers are set out in section 2.3 of the Consultation document.

### Candidate Markets

The telecommunications sector in Qatar and elsewhere is dynamic with constant market developments and innovations impacting how services are provided to end users and how NSPs compete against each other in the provision of these services. Recent key market developments include, amongst others:

- Vodafone having established itself as a second national (mobile) network operator offering mobile voice and broadband services with a 99% population coverage and having launched LTE advanced technology and fixed voice and broadband services in selected parts of the country.
- Mobile broadband services becoming widely available, with take-up and usage increasing significantly each year, resulting, amongst others, in an increasing demand for fibre-based backhaul services from mobile sites.
- Qbn continuing to offer passive network infrastructure in limited parts of the country.
- The continued trend towards bundled product offerings, in particular in fixed voice (i.e., unmetered (local/on-net) calls offered as part the fixed line rental product by both NSPs) and for fixed voice, broadband and TV services (i.e., neither NSP offers standalone fixed broadband).

Having reviewed the market definitions underlying the 2011 MDDD and the key relevant market developments, the Authority has concluded there is a need to amend some of the markets to better reflect the current dynamics in the sector. In particular, the 2015 MDDD Candidate Markets include:

- Sub-markets for Retail fixed access, national calls and fixed broadband services within a wider Candidate Market for retail national fixed voice and broadband services.
- Separate product markets for international calls originating at a fixed location and from a mobile device.
- A retail product market which includes both mobile voice and mobile broadband services for each of residential and business consumers.
- Separate product markets for national and international retail leased lines and separate product markets for the terminating, trunk and international transit segments of wholesale leased line services.
- More refined wholesale markets for physical access to network infrastructure and wholesale broadband access at a fixed location.

All Candidate Markets have been defined, in the exercise, to be national in scope.

### Review of Candidate Sub-Markets with competing infrastructure

In this phase of the 2015 MDDD (Phase I) The Authority has reviewed certain of the Candidate Markets to determine whether they pass the TCT, and are therefore susceptible to ex-ante competition. In doing so it has focused, in Phase I, on the markets which are most likely to not be susceptible to ex-ante regulation (the remaining markets will be considered in Phase II). That is those Markets where there are competing infrastructures, or are otherwise more likely to be competitive. Therefore, it has assessed the following markets:

- the market for residential national mobile voice and broadband services;
- the market for business national mobile voice and broadband services;
- the market for residential outgoing international call services via a mobile device;
- the market for business outgoing international call services via a mobile device;

- the market for residential outgoing international call services from a fixed location; and,
- the market for business outgoing international call services from a fixed location

For each market, the Authority applied the TCT. In doing so it considered whether the market had any of the following features. Where the market has each of the three criteria then it is susceptible to ex-ante regulation.

- high and non-transitory barriers to entry;
- no tendency to effective competition; and
- that competition law would be insufficient to address competitive concerns.

The analysis found that all markets were subject to high and non-transitory barriers to entry since mobile and fixed infrastructures required significant investment in sunk costs; and licencing arrangements in Qatar may be a barrier to entry.

In some of the markets there was a tendency to competition. Specifically in the markets for (i) residential national mobile voice and broadband services (ii) residential outgoing international call services via a mobile device, and (iii) business outgoing international call services via a mobile device, Vodafone had established itself as a competitive player. In both the markets for residential national mobile voice and broadband services, and the market for the residential outgoing international call services via a mobile device, Vodafone's market share has grown quickly since its entry. This suggests that it is able to compete strongly with Ooredoo. Further, Vodafone's control over its own infrastructure implies that barriers to expansion are low. Additionally, the Authority concludes that competition law would be sufficient in this market since Vodafone's control over its own infrastructure implies that complex and detailed ex ante remedies would be unlikely to be necessary in this market, or that anti-competitive behavior could lead to irreparable damage. Furthermore, in the context of the market for residential outgoing international call services via a mobile device, the presence of OTT services (such as Skype or Viber) impose an additional competitive constraint on suppliers, []

In contrast, whilst in the business national mobile voice and broadband services market,) Vodafone has successfully entered the market; its penetration is less significant and its share has not grown in the previous twelve months and seems unlikely to go above 40% over this market review period. Therefore, the Authority was unable to conclude at present that the market has a tendency to competition. Furthermore, since converged fixed and mobile products are increasingly important to some business consumers, the Authority considers that the absence of effective wholesale remedies in adjacent wholesale fixed network markets may limit the development of competition for these large business users who value converged mobile and fixed data packages. Given its control of the majority of fixed infrastructure in Qatar, this could therefore give Ooredoo a significant advantage also in the business mobile market, if Vodafone remained unable to access the relevant wholesale products on appropriate terms and conditions.

Therefore, if wholesale remedies were available to support that competitor's ability to offer converged mobile and fixed packages which in turn would enhance its ability to effectively compete in this market, the Authority might well have cause to revisit its conclusions in this decision.

Finally in some sub-markets (such as for residential and business outgoing international call services from a fixed location) Vodafone's share of the market was negligible and therefore the Authority could not conclude that the markets had a tendency to competition. Where relevant, the Authority augmented its analysis with other data on the competitive conditions in the market such as analysis of



price trends, or the relevance of OTT offerings as a potential “out of market” competitive constraint. However, there was no evidence that such evidence should lead to broadening of markets.

In its assessment of whether competition law might be insufficient to address competition concerns, the Authority found that the competition provisions in the Telecommunications Law provide for extensive and comprehensive competition safeguards. Indeed, these will be detailed in the competition policy to be issued in 2015. In addition in the case of mobile markets, the existence of competing mobile infrastructures led the Authority to conclude that ex post regulation could be sufficient. That is because neither party need rely on the other for an important input, and each could freely respond to competitive threats from the other.

One exception to this, however, is the mobile national voice and broadband services market for business customers, given the importance in that market of providers also being able to offer fixed services. Finally, in the case of residential and business sub-markets for outgoing international call services from a *fixed location* the Authority concluded that ex post competition regulation may not be sufficient since the remedy to anti-competitive behavior could require detailed and forward looking price remedies, which are less appropriate for ex post investigations.

The Authority therefore concludes that the retail markets for: (i) residential national mobile voice and broadband services; (ii) residential outgoing international call services via a mobile device; and (iii) business outgoing international call services via a mobile device are not susceptible to ex-ante regulation going forward.

The Authority will continue to monitor the competitive dynamics in the Candidate Markets (and in particular in national markets for voice and broadband services from a mobile device for both residential and business users). It will therefore continue to require the provision of information and data from the market participants in relation to all Candidate Markets.

### **Final Determination**

The Authority determines that going forward MDDD updates will be conducted based on the revised methodology, as set out in the diagram below. For the avoidance of doubt, this also applies to the current MDDD update.



The Authority determines the following **Candidate Markets** to be relevant for the current MDDD update:

**Table 1.** 2011 MDDD markets and Candidate Markets for the 2015 MDDD update

2011 MDDD	Final Candidate Market 2015 <sup>4</sup>	Key change
<b>Retail services</b>		
M1 - Access to public telecommunications networks at a fixed location	M1 - Retail national fixed voice and broadband services • M1a - Retail fixed access services • M1b - Retail national fixed call services • M1c - Retail broadband services	Retail fixed access, national calls and fixed broadband services are treated as sub-markets within the wider Candidate Market for retail national fixed voice and broadband services
M2 - Public national telecommunications services at a fixed location	M2a - Retail international outgoing call services at a fixed location – Residential customers M2b - Retail international outgoing call services at a fixed location – Business customers M2c - Retail international outgoing call services via a mobile device – Residential customers M2d - Retail international outgoing call services via a mobile device – Business customers	Separate product markets for calls originating at a fixed location and from a mobile device Each product market is further separated into a market for residential and business customers
M3 - Public international telecommunications services at a fixed location and via a mobile device		
M4 - Broadband services at a fixed location	M1c - Retail broadband services	Considered as sub-market in the wider Candidate Market for retail national fixed voice and broadband services
M5 - Retail leased lines services	M3 - Retail national leased lines services M4 - Retail international leased lines services	Separate product markets for national and international leased lines
M6 - Public national telecommunications services via a mobile device	M5a - Retail national mobile voice and broadband services – Residential customers M5b - Retail national mobile voice and broadband	Single product market for mobile voice and broadband services Separate markets for residential and business

<sup>4</sup> All proposed Candidate Markets are national in scope. This is in line with the geographic market definitions under the 2011 MDDD.

M7 - Broadband services via a mobile device	services – Business customers	customers
<b>Wholesale services</b>		
M8 - Origination on public telecommunications networks at a fixed location	M6 - Wholesale origination on public telecommunications networks at a fixed location	No change
M9 - Termination on public telecommunications networks at a fixed location	M7 - Wholesale termination on individual telecommunications networks at a fixed location	No change
M10 - Wholesale physical network infrastructure access	M8 - Wholesale physical access to network infrastructure <ul style="list-style-type: none"> <li>M8a - Physical access to NSPs' mobile sites, masts, towers, including relevant ancillary facilities/services and collocation space</li> <li>M8b - Physical access to NSP's dark fibre, including relevant ancillary facilities/services and collocation space</li> <li>M8c - Physical access to NSP's and third parties ducts, including relevant ancillary facilities/services and collocation space</li> <li>M8d - Functional access to international gateway facilities required to gain international connectivity (including, but not limited to, physical access to the facilities, collocation space, cross-connects and other relevant ancillary facilities and/or services).</li> </ul>	New sub-markets defined for: (i) physical access to mobile sites, masts, towers, (ii) physical access to dark fibre and ducts and (iii) functional access to international gateway facilities.
M11 - Wholesale access to broadband services at fixed locations	M9 - Wholesale broadband access at a fixed location	No change, but refined demarcation <sup>5</sup> For avoidance of doubts, this may include the backhaul from the OLT to the PoP/Pol
M12 - Wholesale leased lines (regardless of the technology used)	M10 - National trunk segment of (national and international) wholesale leased lines services M11 - Terminating segment of (national and international) wholesale leased lines services M12 - International transit segment of international wholesale leased lines services	Separate product markets for terminating, trunk and international transit segments of leased line services
M13 - Access and origination on public mobile networks	M13 - Wholesale access and origination on public mobile networks	No change
M14 - Termination on public mobile networks	M14 - Wholesale termination on individual mobile networks	No change

The Authority determines the following Candidate Markets not to be susceptible to ex-ante regulation going forward:

- M2c - Retail international outgoing call services via a mobile device – Residential customers
- M2d - Retail international outgoing call services via a mobile device – Business customers

The Authority determines that, currently, Market M5a - Retail national mobile voice and broadband services – Residential customers - is not susceptible to ex-ante regulation. However, if evidence (such as data on market shares) were to suggest that the market no longer had a tendency to competition, the Authority would revisit its decision. Therefore, the Authority will continue to closely monitor this market

<sup>5</sup> This Candidate Market covers active access services from the customer premise to the PoP/Pol of the OLO. PoP/Pol will be defined according to the Dominant Service Provider's (DSP) network structure and when developing the relevant Reference Offers.

(including during Phase II of this MDDD process, and beyond) and examine evidence on the degree of competition observed in it.

The Authority determines the Candidate Market M5b (Retail national mobile voice and broadband services – Business customers) is likely to be susceptible to ex-ante regulation, at least until a well-functioning ex ante remedy is introduced to enable Ooredoo's competitors to effectively and successfully compete in the segment of this market which is characterized by converged fixed and mobile packages. In the event that such a product were available, the Authority recognizes that this market may tend to effective competition and so not be susceptible to ex ante regulation and, as such, might revisit its decision at such a time.

In Phase II of this MDDD process, the Authority will set out its view on the appropriate wholesale access products that could enable rivals to effectively compete. In doing so it will consider whether, for example, Carrier Ethernet and / or MPLS wholesale products are required, and if provided, then whether they would mean that the market tended to effective competition.

Given that, the Authority will continue to monitor the competitive dynamics in the Candidate Markets (and, in particular, in national markets for voice and broadband services from a mobile device for both residential and business users). It will therefore continue to require the provision of information and data from the market participants across all Candidate Markets. This will include the assessment of methodologies used to allocate costs and revenues between the different products and markets.

Further, the Authority considers that the following Candidate Markets remain susceptible to ex-ante regulation going forward as they pass the TCT, and so are considered Relevant Markets for the purpose of the MDDD:

- M2a - Retail international outgoing call services at a fixed location – Residential customers
- M2b - Retail international outgoing call services at a fixed location – Business customers

In view of the above, the Designation of Ooredoo in the Notice and Orders 2011 as a DSP in the market for public national telecommunications services via a mobile device (M2) and broadband services via a mobile device (M7) will not apply to residential customers and the existing obligations set out therein and under the Regulatory Framework (RF) will be removed for these services offered to residential customers only. The Authority will continue to monitor developments in these markets.

Similarly, the Designation of Ooredoo in the Notice and Orders 2011 as a DSP in the market for public international telecommunications services at a fixed location and via a mobile device (M3) will not apply to telecommunications services to international call services from a mobile device for residential customers and the existing obligations set out therein and under the ARF will be removed for these customers only.

However, for the avoidance of doubt, any regular reporting requirements for NSPs on the above and other services will prevail. The Authority will further detail the reporting requirements for each Candidate Market in Phase II of the MDDD update.

During Phase II of the MDDD update, the Authority will, amongst others, further examine the market for retail national voice and broadband services for business customers (M5b) to confirm the need for continued ex-ante regulation of that market. This is because, in the Authority's assessment, the extent to which this market may tend towards competition (and hence the need for ex-ante regulation) may be linked to the availability of additional wholesale products.

All remaining Candidate Markets will also be assessed in more detail as part of Phase II of the MDDD update.

  
Mohammed Ali Al-Mannai  
President of the Communication Regulatory Authority

Dated

9/7/2015