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URCA Assesses Stakeholder Readiness to Meet Universal Service Obligations

On March 30, 2012, the Utilities Regulation and Competition Authority (URCA) initiated engagement with designated Universal Service Providers (USP), to assess their current provision of specified universal services, as prescribed by the Communications Act 2009 (The Act). URCA also issued a consultative document for broader public consultation on the scope and implementation of existing universal service obligations (USO). URCA document reference ***ECS 12/2012: Framework for the Clarification and Implementation of Existing Universal Service Obligations (USO), Under Section 199 and Schedule 5 of the Communications Act 2009.***

Universal service in regulated industries refers to the provision of reasonable access to a baseline level of services to all persons regardless of income status and geographical reach. Including therefore the economically disadvantaged as well as those residing in areas that may be considered comparatively remote, on the basis of what may be deemed affordable. The universal provision of basic telecommunication services, including television broadcasting, has been a long held policy objective in The Bahamas, and existing sector policy maintains that in the implementation of USO “no person in The Bahamas who today benefits from electronic communications services provided under the current USO and similar arrangements is left without service and that the services offered are no less than what is currently provided.”

The Communications Act designates the Bahamas Telecommunications Company (BTC) and Cable Bahamas Limited (CBL) as USPs, with the following obligations:

BTC

- Basic dial-up internet services to all populated areas
- Basic dial-up internet services free of charge to specified institutions
- Basic telephone services to all populated areas
- Public access to pay apparatus [pay phones]

CBL

- Basic television services to all populated areas
- Internet services to all populated areas
- Basic television services to specified institutions [free of charge]
- Internet services free of charge to specified institutions

Where relevant, the consultation proposes clarification of specific universal services identified in the legislation. For instance, where The Act includes “community centres” among the institutions specified to receive basic television and internet services free of charge, it does not provide criteria for what constitutes a community centre. URCA proposes a working definition with criteria and offers additional clarification on the identification of other such referred institutions. In the case of the television service USO, which is defined as “comprising six channels including ZNS Channel 13 and the Parliamentary channel”, the consultative document distinguishes the significance of a “must carry” obligation, which in earlier consultations was identified by a service-provider as the preferred alternative, from a USO.

URCA also proposes specific provisions of services for the differently-abled. The members of society with specific functional impairment; be it visual, aural or physical. These provisions are a particularly important first step to identifying means by which persons with disabilities might be able to access telecommunication services in the same way as persons without disabilities.

The consultation also seeks to establish core principles for calculating the costs to USPs to provide designated USO. One key objective is to be able to assess where such provision might create an unfair burden on the USP. The legislation entitles the USP to apply to URCA for funding associated with these costs, and also permits URCA to establish a universal service fund (USF) for the purpose of meeting various funding needs. URCA therefore also proposes funding mechanisms as part of this consultation.

Given the importance of electronic communications services to the economic and social wellbeing of everyone in our society, universal service in the sector remains a major policy objective in The Bahamas. URCA views this consultation as an especially vital priority.

This URCA consultation closes on June 29, 2012. Members of the public may download the document from the URCA website at www.urbahamas.bs. URCA will incorporate public meetings and discussions as part of the overall consultations on universal services.

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