



Consultation on Measures for the Collection and Reporting of Market Data by Specified Licensees in the Electronic Communications Sector

Statement of Results and Final Decision

ECS 27/2017

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1 Introduction

The Utilities Regulation and Competition Authority (“URCA”) issues this Statement of Results and Final Decision on its **“Consultation on Measures for the Collection and Reporting of Market Data by Specified Licensees in the Electronic Communications Sector”** (ECS 05/2017).¹ The consultation² stems from URCA’s authority under sections 8(1)(k) and (l) and section 5 of the Communications Act, 2009 (the “Comms Act”) and relevant licence conditions relating to market information. In particular, the consultation builds on URCA’s previous consultation to receive more frequent market information from licensees and is intended to improve URCA’s overall data collection practice and requirements in light of regulatory experiences, best regulatory practices and mobile liberalization, amongst other factors.

Concurrently with the publication of this Statement of Results and Final Decision, URCA also publishes its **“Market Information Reporting Requirements for Specified Licensees in the Electronic Communications Sector”** (ECS 28/2017). The reporting format and requirements set forth in ECS 28/2017 repeals, supersedes and replaces URCA’s current data collection practice and cover the following communications activities:

- provision of mobile voice and mobile data services using cellular technology;
- provision of fixed telephony services;
- provision of fixed broadband and narrowband internet services;
- provision of pay TV services (include Cable/IPTV); and
- provision of business data connectivity services, such as national and international leased circuits.

For the purposes of implementation and enforcement “specified licensees” includes all licensees who hold an Individual Operating Licence (“IOL”) issued by URCA, or are registered with URCA as holders of a Class Operating Licence Requiring Registration (“COLRR”).

Failure to comply with the new reporting format and requirements may subject “specified licensees” to the enforcement provisions of the Comms Act, any other relevant law and regulatory or other measures.

¹<http://www.urcabahamas.bs/download/037626500.pdf>

² For the avoidance of doubt, the consultation refers to ECS 05/2017 and the Addendum Document to ECS 05/2017 dated 28 July 2017.

For the avoidance of doubt, this process does not apply to or impact licensees regulated by URCA in the Electricity Sector.

1.1 Consultation Process

As the official source of information on the Bahamian electronic communications sector (ECS), URCA is expected to hold detailed information on the performance of the overall market as well as specific information on the performance of major licensees. Also, it is URCA's responsibility to validate, authenticate and disseminate data on the ECS.

In fulfilment of the above, on 30 June 2017 URCA published the Consultation Document and established 31 July 2017 as the closing date for the submission of responses. On 3 August 2017, URCA published an addendum³ to the Consultation Document to allow for an inclusive and comprehensive consultative process for the data collection. Essentially, the addendum document proposes to align ITU annual data request with URCA's data collection practice. For this reason, the original closing date for the submission of written responses to the Consultation Document was extended to 15 August 2017.

In summary, the consultation consisted of the following:

- background to the consultation including an overview of URCA's current data collection practice for specified licensees in the ECS;
- the statutory framework for the collection of market statistics/data from licensees;
- reasons for URCA's new approach to the collection and publication of market statistics/data; and
- a detailed description of URCA's new data collection format/requirements and associated timelines.

In addition to seeking general comments and/or views on URCA's proposals, the Consultation Document requested respondents' views on a number of questions in order to assist respondents in preparing their consultation submissions.

1.2 Responses to the Consultation

On or before 15 August 2017 URCA received written responses from the following:

³<http://www.urcabahamas.bs/download/088350600.pdf>

- Cable Bahamas Limited (“CBL”);⁴
- Be Aliv Limited (“Aliv”); and
- Bahamas Telecommunications Company Ltd. (“BTC”).

URCA thanks the respondents for their contribution during this public consultation process. Their participation in this process was instrumental in developing this Statement of Results and Final Decision. The full text of all submissions received can be found on the URCA website at www.urbahamas.com.

URCA additionally notes that any comments raised and not answered does not signify agreement in whole or part with said comments, or that URCA has not considered the comment or that the comment is without merit. The publication of this Statement of Results and Final Decision brings to an end URCA’s public engagement on this important consultation process.

1.3 Purpose of this Statement of Results and Final Decision

In this Statement of Results and Final Decision, URCA:

- summarises the written responses received to the Consultation Document (inc. addendum);
- outlines URCA’s responses and analysis to the written comments submitted by the respondents; and
- sets forth URCA’s review and Final Decisions to the responses, issues and questions in the Consultation Document.

1.4 Structure of the remainder of this document

The remainder of this document is structured in the following way:

- Section 2 – Legal Framework for the Consultation;
- Section 3 – Summary of Comments and URCA’s Responses; and
- Section 4 – Conclusion and Next Steps.

⁴ Including its subsidiaries, particularly Systems Resource Group Limited (“SRG”).

2 Legal Framework for this Consultation

URCA is the independent body for regulation and competition in the Bahamian electronic communications and electricity⁵ sectors. As it relates to the communications sector, URCA is tasked under the Comms Act to carry out various duties and functions as the regulator and competition authority in The Bahamas. URCA, therefore, requires different information to support its role. More generally, the Comms Act prescribes the statutory framework for regulation and competition in the communications sector and charges URCA with the responsibility for implementing the ECS Policy.

Section 8(1)(e), (k) and (l) of the Comms Act states that:

“For the purposes of carrying into effect the electronic communications policy objectives, URCA shall have the power to issue any regulatory and other measures and in particular shall-

(e) issue directions, decisions, statements, instructions and notifications;

(k) require any licensee or licensees to furnish such information and submit such returns in relation to its operations as such intervals as it [i.e., URCA] may require; and

(l) conduct market investigations and market reviews and publish regular information and reports”.

Because the consultation proposed to replace an existing regulatory measure, URCA must have regard to:

- The core objectives of the ECS policy as specified in section 4 of the Comms Act; and
- Guidelines for regulation and other measures as prescribed in section 5 of the said Act.

In section 4 of the Comms Act, the ECS Policy has, among others, the following as its objectives:

“(a) to further the interests of consumers by promoting competition and in particular-

(i) to enhance the efficiency of the Bahamian electronic communications sector and the productivity of the Bahamian economy;

⁵URCA has regulatory remit for all persons who generate, transmit, distribute or supply electricity within, into, from or through The Bahamas. URCA’s powers and functions are set out in the Electricity Act (“EA”) and include the power to issue regulatory and other measures in furtherance of the Electricity Sector Policy (“ESP”) objectives.

- (ii) *to promote investment and innovation in electronic communications networks and services;*
- (iii) *to encourage, promote and enforce sustainable competition: and*
- (iv) *to promote optimal use of state assets, including radio spectrum; and*

(b) to further the interests of persons in The Bahamas in relation to the electronic communications sector by —

- (i) *promoting affordable access to high quality networks and carriage services in all regions of The Bahamas; ...”*

Section 5 of the Comms Act provides:

“All policy measures, decisions and laws to take effect in the electronic communications sector in The Bahamas shall be made with a view to implementing the electronic communications policy objectives and shall comply with the following guidelines —

- (a) *market forces shall be relied upon as much as possible as the means of achieving the electronic communications policy objectives;*
- (b) *regulatory and other measures shall be introduced —*
 - (i) *where in the view of URCA market forces are unlikely to achieve the electronic communications policy objective within a reasonable time frame, and*
 - (ii) *having due regard to the costs and implications of those regulatory and other measures on affected parties;*
- (c) *regulatory and other measures shall be efficient and proportionate to their purpose and introduced in a manner that is transparent, fair and non-discriminatory; and*
- (d) *regulatory and other measures that introduce or amend a significant government policy or regulatory measure (including, but not limited to, the sector policy) —*
 - (i) *shall specify the electronic communications policy objective that is advanced by the policy or measure; and*
 - (ii) *shall demonstrate compliance with the guidelines set out in paragraph (a), (b) and (c).”*

The cumulative effect of the above provides the framework by which URCA exercises its statutory duty to amend its current data collection practice as set out in this document.

3 Summary of Comments and URCA's Responses

In this Section, URCA summarises and responds to the substantive comments received on the consultation, as follows:

- Section 3.1 – General comments received on the consultation; and
- Section 3.2 – Specific responses to the consultation questions.

3.1 General Comments Received on the Consultation

CBL's comments

CBL referenced URCA's previous consultation on the collection of market data and in comparison argued that the new proposals, as set out in the current consultation, were burdensome and intrusive. CBL stated that, *"Whereas URCA's 2016 proposals would require CBL to collect, validate and submit about 90 pieces of information per year to URCA, the current proposals would require CBL to collect, validate and submit over 1,800 pieces of information per year."*⁶ CBL commented that URCA failed to assess the potential cost and implications of its current proposals on the affected operators. CBL then commented that URCA's proposals were against:

- (i) Section 5(a) of the Comms Act *"...that there should be light touch regulation in The Bahamas."*
- (ii) Section 5(b)(ii) of the Comms Act requiring URCA to have *"due regard to the costs and implications of those regulatory and other measures on affected parties..."*
- (iii) Section 5(c) of the Comms Act that *"regulatory and other measures shall be efficient and proportionate to their purpose."*

CBL argued that the imposition of unnecessary costs on operators in the form of additional employees and reporting obligations is burdensome. Another concern raised by CBL is in relation to the publication of the information collected in the proposed format. In this regard, CBL is concerned with commercially sensitive information being placed in the public sphere, stating it is unclear what information will be published by URCA. In conclusion, CBL suggested that URCA withdraw the consultation and revert to the 2016 proposals.

Aliv's comments

Aliv opined that the proposed information to be collected is *"unjustified, disproportionate and a breach of the requirements of commercial confidentiality."* Aliv echoed CBL's sentiments that a

⁶ See page 2 of CBL's Submission dated 17 August 2017

cost/benefit analysis is necessary to assess the possible impact of URCA's proposals on the affected operators.

BTC's comments

BTC is of the view that the increase in reporting frequency of market data and the level of disaggregated data would impose significant costs resulting in BTC having to engage the services of a third party vendor to build out the appropriate report generation system. BTC continued that the implementation of this system would cause an added pressure on its existing resources considering that the company is required to provide other periodic data to URCA.

BTC urged URCA to ensure that the new reporting requirements comply with the principles laid down in section 5 of the Comms Act for regulation or other measures.

URCA's response to comments received

URCA notes the respondents' comments in reference to a *previous consultation* on market data collection, and the *substantive provisions in section 5 of the Comms Act*.

The *purpose of the 2016 consultation* (ECS 19/2016)⁷ was to alert specified licensees, that the frequency of data reporting requirements would increase from annually to quarterly. In contrast, this consultation builds on URCA's 2016 proposal and is intended to update and expand URCA's current data collection practice and requirements in light of regulatory experiences, best regulatory practices, mobile liberalisation, amongst other factors. In particular, the consultation afforded the affected operators a reasonable opportunity to comment on URCA's proposals to collect market data on a broader range of retail and wholesale services including disaggregated information on access to key communications services, call volumes, and associated revenues. At Section 3.1 of the Consultation Document, URCA presented justification for its new approach to data collection. Therefore, URCA does not propose to repeat these arguments here.

Responding to the comments about section 5 of the Comms Act:

- There is no express requirement under the Comms Act that there should be light touch regulation in The Bahamas. URCA accepts that as a general principle, market forces should be relied upon as much as possible and regulatory or other measures should be introduced by URCA only when necessary. Therefore, where URCA considers that market forces alone are unlikely to achieve a policy objective, URCA may introduce regulatory requirements, having due regard to the costs and implications for affected parties. Consistent with section 4 of the Comms Act, this consultation aims to:

⁷ "Notification, Issued to: Holders of Individual Operating Licences (IOL) and Class Operating Licences Requiring Registration (COLRR), Submission of Quarterly Market Information."

- ensure communications markets work in the best interests of consumers, through effective and sustainable competition; and
- regulate where market forces are insufficient to adequately protect consumers and competition.

Communications markets that work in the best interests of consumers, offering appropriate networks and services, are a critical component to national development for The Bahamas and provide elevated benefits for consumers.

Following on from the above, URCA does not accept the respondents' reasoning that reliance on market forces means that URCA should collect market information only on an "as needed basis" or "on a decision by decision basis". As explained below (question 1) this thinking is out of step with URCA's statutory mandate and international experience, and URCA also considers that approach to be inefficient as it frequently results in overlapping information requests. URCA also notes that communications regulators in mature markets (e.g., USA, UK, and Canada) around the world still collect a significant amount of market statistics from licensees despite their reliance on light-touch regulation.

- The respondents' position is also inconsistent with the fact that there is no obligation under the Comms Act for URCA to quantify the *benefits and costs* of the new reporting format and requirements. CBL and its affiliates did not raise any objection to this point in their 2015 and 2016 consultation submissions on infrastructure sharing,⁸ and national roaming.⁹ From URCA's standpoint, the Comms Act appropriately requires URCA to have "***due regard to costs and implications***" (emphasis added) of the regulatory or other measures it proposes to introduce. URCA confirms that it has duly considered the potential costs and implications in proposing the new reporting format and requirements set out in the consultation, and has sought to ensure that the burden is introduced only to the extent that it is consistent with the objectives of the Comms Act.

URCA additionally notes that the respondents presented no information on the implementation costs associated with the proposed measures within their consultation submissions for URCA's consideration.

⁸ <http://www.urbahamas.bs/wp-content/uploads/2017/02/ECS-05-2015-Statement-of-Results-Infrastructure-Sharing-Regulations...pdf>

⁹ ECS 18/2016 issued 22 July 2016 "Provision of National Roaming Services on the Cellular Mobile Networks of the Bahamas Telecommunications Company Ltd. in The Bahamas to the Second Cellular Mobile Operator for an Interim Period. Statement of Results, Final Determination and Order"

Also, URCA assesses that the activities relating to implementation of the new measures include the time to review URCA's instructions, check existing records, gather and maintain the requested data and actually complete and review the relevant data reporting worksheet. URCA's finding is that it would not take the reporting entities a significant amount of man hours to complete each reporting sheet. URCA is therefore of the view that the implementation costs relating to the new measures are minimal and are reasonable in the context of necessary costs of participating in a regulated communications market in The Bahamas and for meeting the regulator's reasonable information requirements.

Corresponding to the foregoing, URCA finds that:

- most, if not all, of the requested data would be readily available to any efficient telephone company operating in a liberalized environment subject to regulation; and
 - as the operators become familiar with the new measures the associated costs of compliance will progressively decline.
- URCA disagrees with the claim that the new data collection measures are *unjustified, disproportionate and inefficient to their purpose, and a breach of the requirements for commercial confidentiality*. URCA is not aware of any breach of *requirements relating to commercial confidentiality* in The Bahamas. URCA set out in Section 3.1 of the Consultation Document, the justification for its proposals, emphasizing that its current approach to data collection is outdated and not fit for purpose. URCA particularly notes that the respondents have not given any consideration to this point in their respective responses.

As the official source of information on the ECS in The Bahamas, URCA is expected to hold detailed information on the performance of the overall market as well as specific information on the performance of major licensees. Corresponding to this, it is URCA's responsibility to validate, authenticate and disseminate data on the ECS. At present there is no comprehensive and authoritative information database for the ECS. URCA currently retrieves yearly market statistics at the end-user level for a limited range of retail and wholesale services offered in the ECS, which is not reflective of the sector.¹⁰

Having regard to URCA's experience, and other factors URCA considers it *necessary, reasonable and appropriate* to implement a new reporting format. In accordance with the

¹⁰ See Section 1.1 of ECS 05/2017

statutory framework of the Comms Act and other relevant measures URCA takes the view that its revised approach to data collection should require the licensees to:

- report market data on a broader range of services that is currently the practice;
- report market data on a more granular/disaggregated level;
- report market data on the contribution of electronic communications activities to the national economy; and
- submit quarterly and annual reports to URCA in respect of the required data.

In summary, URCA stands by its original analysis that the revised reporting format and requirements are the most *efficient and proportionate* way to achieve the policy objectives under the Comms Act. As URCA mentioned in the Consultation Document, the overall purpose of the revised data collection regime is to improve URCA's understanding of the size of, and development in, those market activities that URCA regulates and to give URCA a reasonable understanding of the specific performance of major licensees, including information in areas such as investment, revenue, market shares, and the economic impact of the sector on the national economy.

URCA reiterates that most, if not all, of the requested data would be readily available to any efficient telephone company operating in a liberalized environment. As such, URCA disagrees that the collection and provision to URCA of the required data will impose significant cost on the affected operators.

URCA will respond to comments about commercial confidentiality and publication of market data in its assessment of consultation submissions on questions 1 and 4 below.

URCA's final decision

URCA is not persuaded to withdraw the consultation and revert to the 2016 proposals, as proffered by CBL and concludes that its proposals are in strict accordance with the substantive:

- provisions in section 5 of the Comms Act for regulation or other measures; and
- provisions in section 8(1)(k) and (l) of the Comms Act and the licence conditions for market information.

URCA reaffirms its proposals as a final decision to require the affected licensees to:

- report market data on a broader range of services than is currently the practice;
- report market data on a more granular/disaggregated level;

- report market data on the contribution of electronic communications activities to the national economy; and
- submit quarterly and annual reports to URCA in respect of the required data.

3.2 Responses Received to the Specific Consultation Questions

Question 1: Do you agree with URCA’s justification for its new reporting procedures for the collection of market data? If not, please state why not?

CBL’s comments

CBL rejected URCA’s reasons for changing the collection of market data:

- *Input to regulatory decisions* – According to CBL the data required for regulatory decision making should be collected on a “*decision by decision basis*”, and not on what CBL refers to as a “*nice to have*” basis. CBL perceived that URCA will not use the data collected, opining that there is no need for it resulting in a waste of resources for both the operators and the regulator.
- *Other National Regulatory Agencies collect market data* – CBL argued that URCA has failed to consider the differences between The Bahamas and other countries in terms of size and the competitive dynamics of the market. CBL noted that The Bahamas consists of two operators in fixed telephony, mobile and pay TV services. Given this, CBL expressed the concern that commercially sensitive data would be easily identified by another operator.

CBL opined that as the handsets and CPE markets in The Bahamas are competitive, URCA has no reasons to intervene, or to collect data, about them. CBL queried whether URCA has simply “copied and pasted” its data requirements from other markets to pay TV without consideration of why it needs the data on pay TV.

CBL commented that URCA has no duty to submit information to the International Telecommunications Union (ITU), adding that most countries do not provide the full range of the information requested by the ITU. CBL stated that the ITU only requires the number of pay TV subscribers and other national bodies do not publish detailed information on pay TV. CBL noted that URCA has departed from its usual practice of forwarding the ITU data request to operators for operators to respond to by the specified deadline, adding that URCA did not mention this practice in the consultation or provide justification for a change in the status quo.

- *The market in The Bahamas is changing* - CBL noted the innovations taking place in the market highlighting the entry of Aliv in the cellular market and the introduction of bundles. It is CBL’s position that URCA should not intervene in the market unless URCA

finds that market forces are insufficient. CBL stated that these innovations are examples of the success of market forces and there is no need for interference or the collection of data about these markets unless a specific problem is recognized.

Aliv's comments

Aliv's comments on question 1 were materially identical to CBL's, and as such URCA will not repeat those comments here.

BTC's comments

BTC asserted that URCA's proposed data collection revisions should be balanced with the overall cost imposed on operators. The proposed changes combined with existing reporting obligations will require added resources. BTC is also concerned with the level of disaggregation of the market data to be collected. BTC considers the proposed data requested to be commercially sensitive information. As such, BTC proposed more aggregation of data particularly where it will be subject to publication. To demonstrate its concern BTC pointed out that because the cellular mobile market in The Bahamas consists of two companies, one competitor can easily extrapolate the behaviour of its competitor. BTC appreciates the benefit of collection of the data to aid anti-competitive investigations. BTC, however, suggested that the information is requested on an ad hoc basis. BTC also recommended a glide path for the reporting of quarterly data to URCA where the information is initially produced semi-annual basis and then in the first quarter of 2019, eventually migrate to being produced on a quarterly basis.

URCA's response to comments received

URCA notes the extensive feedback received from the operators on this question, and responds as follows:

- *Input to regulatory decision making:* URCA disagrees with the representations made by the respondents. URCA maintains that the requested information is vital to URCA's activities in the ECS. URCA requires different information to support its role and to objectively discharge its various regulatory functions. In particular, URCA considers that the requested information would greatly enhance URCA's ability to exercise its ex-post investigative powers in a more timely and efficient manner. Given that ex-post inquiries are backward-looking, having access to current and complete data should enable URCA to form an early view on the merits of a competition complaint or an inter-licensee dispute. URCA could then request more tailored data to inform its analysis, or in many cases entirely avoid certain lines of enquiry and even some interventions based on analysis of information already in URCA's possession.

The current state of affairs in which URCA finds itself is that URCA is severely hampered in its effort to conclude ex-post inquiries and market reviews on a timely basis due to the

dearth of relevant sector data. As a case in point, URCA's review of BTC's and CBL's broadband resale offers experienced an inordinate delay due in part to data related issues. URCA has encountered similar challenges in its 2014 SMP assessment of key communications retail markets and various competition investigations. Given its experience and other factors, URCA strongly disagrees with the suggestion that it requests information on a "decision by decision basis "or on an "as needed basis", as this would not promote efficiency in decision making.

- *Other NRAs collect market data:* URCA notes the respondents' disagreement with URCA's reference to data collection practices in other markets. URCA respectfully submits that the differences in size and market realities highlighted by the respondents might not be relevant in this consultation. URCA understands that there is no universally agreed format for data collection and publication by national regulators. The ITU and other international bodies collect and publish statistics on communications markets around the world, regardless of size and competitive dynamics.¹¹ It is useful to note that prior to the entry of a third mobile network in the UK, that country's communications regulator saw it fit to published statistics on the mobile market. Ultimately, it is up to each national regulatory body to determine the items to be published taking into account their objectives and any statutory requirement to publish information and reports.

In support of its final position on responses and issues in this consultation, URCA further reviewed both the rationale and reporting format for market statistics by other national regulatory bodies. The sample includes two-company operated markets in the Caribbean (e.g., the five countries making up the Eastern Caribbean Telecommunications Authority (ECTEL¹²)), Isle of Man,¹³ Kosovo,¹⁴ Gibraltar, Maldives,¹⁵ Samoa,¹⁶ Vanuatu,¹⁷ Solomon Islands,¹⁸ and Seychelles.¹⁹ URCA particularly notes that, in general, the communications landscape in these countries is not dissimilar to The Bahamas. In common with The Bahamas, there are two mobile networks and in some cases two or more providers of fixed phone services in these markets. CBL's equivalents in these jurisdictions compete in other market segments by bundling pay TV services with fixed broadband, fixed phone

¹¹ <http://www.itu.int/en/ITU-D/Statistics/Pages/default.aspx>

¹² St. Kitts and Nevis, St. Vincent and the Grenadines, St. Lucia, Grenada and Dominica.

¹³ <https://www.iomcc.im/telecoms/>

¹⁴ <http://www.arkep-rks.org/>

¹⁵ <http://www.cam.gov.mv/>

¹⁶ <https://www.regulator.gov.ws/index.php/telecommunications-regulation/telecommunications/licensing>

¹⁷ https://www.trr.vu/attachments/article/629/2016_annual_report_2016_english.pdf

¹⁸ <http://www.tcsi.org.sb/downloads>

¹⁹ http://www.ict.gov.sc/Documents/2014_Telecommunications_Market_Data_and_Statistics.pdf

services and/or mobile phones. Furthermore, independent ISPs rely on the infrastructure of major broadband networks to compete in downstream (retail) markets.

URCA finds that regulators in the two-company markets identified publish monthly, quarterly and/or annual market data covering revenue, fixed and mobile phone subscriptions (including split between post-paid/prepaid²⁰), fixed broadband,²¹ pay TV subscriptions by technology, capital investment, and international voice traffic.²² It is useful to note that most of the published data relate to key retail markets and services with very limited publication of information on wholesale markets. Importantly, URCA did not find any available evidence on adverse impact on market participants resulting from the publication of market information (and the respondents have not provided any evidence on this within their submissions).

URCA is surprised by CBL's comments on the handsets and CPE markets in The Bahamas being competitive. This is in view of CBL's historic objection to subscribers sourcing set-top boxes and modems from third party suppliers.²³ In addition, post-paid subscribers must buy their handsets from BTC and Aliv in order to access services on their respective mobile platforms. Taking the foregoing into account and the need for market transparency, URCA considers it reasonable to collect information on handsets and CPE markets on an ongoing basis.²⁴

URCA assures CBL that the requested pay TV data is intended to support URCA's regulatory and reporting activities. The format and requirements will assist in closing the asymmetry and or information gap which presently exists due to the limited information URCA currently retrieves from licensees. Moreover, the requested pay TV data is reflective of the convergence between broadcasting and telecommunications and the increasing importance of bundled arrangements as a tool for competition between CBL and BTC. As a result, some of the requested pay TV data will overlap with the data requirements for other communications markets (especially fixed broadband services).

Comments by respondents about ITU and pay TV services have been noted. URCA confirms that the ITU long questionnaire requires both the number of pay TV subscribers

²⁰ Example Maldives, Seychelles, Isle of Man

²¹ Example Isle of Man

²² ECTEL publishes separate information schedules for Grenada, Dominica, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines.

²³ See Section 3.6 of ECS 02/2013 available at <http://www.urbahamas.bs/wp-content/uploads/2017/02/ECS-02-2013-Statement-of-Results-and-Final-Decision-Cable-Bahamas-Limited-Application-for-Permanent-Price-Change-for-SuperBasic-Cable-TV.pdf>.

²⁴ The data URCA is seeking to collect is at a high level and URCA surmises that more granular information might be needed in certain situation.

and a breakdown of this information by technology (cable, IPTV, satellite, pay DTT,²⁵ and MMDS²⁶).²⁷ Historically, most communications regulators did not collect and/or publish data on pay TV services. However, because of convergence of broadcasting and telecommunications more and more regulators are collecting and/or publishing data on this market segment and the items for publication usually vary from country to country.²⁸ URCA also notes that for various reasons which have been explored extensively in prior regulatory measures the treatment of Pay TV in The Bahamas' regulatory framework is unique in many respects. Accordingly, it is not surprising that the regulator's information requirements in The Bahamas would in various aspects exceed that experienced in some other jurisdictions.

URCA's addendum to the Consultation Document, made it clear "*that there were metrics that needed to be added to the document for an inclusive and comprehensive consultation process*" on collection of market statistics for regulatory and reporting purposes. As such, amendments were made to Table 5 of the Consultation Document to align ITU long questionnaire for market statistics with URCA's data collection practice. This change will improve accuracy and timeliness in the data collected, minimise duplication and response burden, allows for greater efficiency in the use of resources and improve coordination and coherence in data collection practice by URCA and the affected operators.

URCA accepts that some countries do not provide the full range of market data requested by ITU. It is URCA's policy to cooperate and engage with ITU and other bodies on matters relating to the communications industry. URCA operates in a fast changing and dynamic international environment which requires harmonised approaches to regulation and policy that promote competitiveness. Further, the information collected by the ITU is used by the ITU itself, as well as several other international entities to assess the business environment in The Bahamas, and to produce international comparative country rankings. URCA is aware, for example, that the World Bank references ITU data in compiling its *Ease of Doing Business* report, performance in which can have a significant impact on the economic attractiveness of a country. The availability and submission of comprehensive, up to date information is critical to The Bahamas' performance in those rankings. Accordingly, URCA considers it important to provide as much accurate and timely information as possible to ITU.

²⁵ Digital Terrestrial Television

²⁶ Microwave Multipoint Distribution System

²⁷ An overview of the questionnaire is available at <http://www.itu.int/en/ITU-D/Statistics/Pages/datacollection/default.aspx#questionnaires>

²⁸ Including CRTC, Ofcom, Swedish Post and Telecom Authority, Malta Communications Authority, Belgian Institute for Postal Services and Telecommunications, and Bermuda Regulatory Authority.

- *The market in The Bahamas is changing*: URCA submits that the innovations taking place in the market are due in large measure to pro-competition regulations that URCA has introduced over the years. The suggestion that URCA should not collect data about the mobile and other markets unless a specific problem is recognised would undermine URCA's responsibilities under the Comms Act. The Comms Act confers on URCA the power to conduct investigations on its own motion, without receiving a complaint or referral from another party. It is URCA's intent to continue to take a proactive approach to regulation and competition in the sector in accordance with section 5(b)(i) of the Comms Act, and where appropriate to be even more proactive in its approach. The market data URCA is seeking to collect should give it an advanced insight into practices that are potentially harmful to customers and competitors and to take the appropriate steps to mitigate their impacts in a timely manner.

The changing market realities in The Bahamas require URCA to closely monitor the evolution of competition with a view to ensure that market regulation remains effective, efficient and proportionate. It is not URCA's position that communications markets in The Bahamas are effectively competitive. Given the foregoing, URCA is unclear regarding CBL's thinking that changing market dynamics in The Bahamas should automatically diminish URCA's need for market data on an ongoing basis. However, URCA restates for emphasis that national regulatory bodies in mature markets (e.g., USA, UK, and Canada) still collect market information from licensees on an ongoing basis.

As it relates to the other comments:

- URCA's review and final position on matters relating to *commercial confidentiality and publication of market data* are set out in its assessment of consultation submissions on question 4; and
- URCA, in its review of comments on question 3 will consider the reasonableness of BTC's suggested glide path for the *production of quarterly market data*.

URCA's final decision

URCA affirms that, the new reporting format and requirements, as specified in Tables 1 to 5 of the consultation are appropriate and reasonable.

URCA will assess and respond to the comments about commercial confidentiality/publication of market data and production of quarterly market data in its evaluation of the consultation submissions on questions 3 and 4.

**Question 2: Do you agree with URCA’s new reporting format for the collection of market data?
If not please state why not?**

CBL’s comments

CBL disagreed with the reporting format and requirements proposed by URCA. CBL suggested that each request be justified on a “line by line” basis by URCA identifying the specific use that it will make of the data and the date when it will be used. Specifically, CBL invited URCA to justify the following:

- separation of pay TV customers into business and residential segments;
- duplication of volume and revenue data for bundled services in fixed, internet and Pay TV data sheets;
- data on CPE equipment;
- data on calls to the United States, United Kingdom, Canada, Haiti and Jamaica;
- calls to CLASS features and ancillary services;
- data on calling card services; and
- data on wholesale broadband access services, given that many of these are not available in The Bahamas.

Lastly, CBL questioned the requirements to report tax payments (i.e., item 2 of Table 5) in the annual reporting exercise and ask which of URCA’s statutory duties does this relates to.

Aliv’s comments

Aliv also disagreed with URCA’s proposed reporting format stating that the request is over and above the data on subscriber numbers and revenues currently provided. To demonstrate this point, Aliv referenced URCA’s proposed request to submit specific volume and financial data on international calls noting that these are competitive markets and seeing no need for URCA to intervene. Aliv also stated that it is unable to report on the following segments in Table 1 of the consultation as they do not conform to Aliv’s revenue format:

- *15 Total Revenues (calls and SMS only)* - The majority of Aliv’s revenue is generated from Freedom and Liberty plans which also include data. However, some customers are top-up only, which can then be reported on in this distinct category.
- *16 Total Revenues from Domestic Calls*-This is bundled under the Freedom and Liberty plans, and therefore cannot be separated out to be reported on.

- *17 Total Revenues from Calls to Networks Abroad*- United States and Canada are included as regular calls so these cannot be reported on.
- *18 Total Revenues from Domestic SMS*-This is bundled under the Freedom and Liberty plans, and therefore cannot be reported on.
- *19 Total Revenues from SMS to Networks Abroad*- United States and Canada are included as regular SMS's therefore these are included in the bundling of the Freedom and Liberty plans.
- *20 Total Data Revenues from Mobile Phone Subscribers*- Data is only available if a subscriber has a plan (the Freedom and Liberty plans) which also includes voice and SMS. Therefore, this cannot be reported on.
- *22 Total Revenues from Outbound International Mobile Roaming*- Aliv reiterates its invitation for URCA to provide justification for this request.

Aliv commented that taxation is not in its ledgers as a separate item. The ledger system entry contains only what is paid to the customs brokers, who also serve as the freight forwarder, which is inclusive of the entire amount paid: shipping costs, customs/import duty, brokerage fees, cost of delivery to Aliv warehouse, VAT, etc. Again, Aliv invited URCA to provide justification for this request.

BTC's comments

BTC argues that the publication of disaggregated data for both retail and wholesale services may give rise to competition concerns. In BTC's view, the publication of disaggregated data in the format set out in Tables 1 to 5 of the consultation would be of very little use to international organizations and the general public. BTC sees value in the level of granularity of data, particularly on the wholesale side to assist in anti-competitive investigations. However, it disagrees with the data being readily available to "all and sundry" by way of published reports.

URCA's response to comments received

In Section 3.1 of the Consultation Document, URCA set forth its reasons for its proposals. Broadly, the new format is designed to achieve five broad objectives:

- to meet URCA's current and future information needs for regulatory and reporting purposes;
- to ensure uniformity in the requested data to enable comparison of the data;
- to integrate ITU long questionnaire into URCA's data collection exercise;

- enhance URCA’s understanding of the size of, and developments in, those market segments it regulates; and
- to enhance URCA’s understanding of the specific performance of its licensees, including information in areas such as investment, revenue, market shares and the impact of the sector on the national economy.

In light of the above, URCA considers it unnecessary to justify each data request on a “line by line” basis, as recommended by CBL.

With regards to the other points raised by CBL:

- URCA requires the affected operators to report the total volume and associated revenue for outbound international calls to overseas destinations. The affected operators are not required to submit disaggregated data on calls to US, Canada, UK, Jamaica, and Haiti on an ongoing basis. URCA will request this information when a specific problem is identified.
- URCA requires the affected licensees’ reports to cover retail and wholesale services that are offered during the reporting period and new services must be reported when they become available.
- URCA requires the affected operators to report tax payments annually. This request is in tandem with the substantive provisions in section 8(1)(k) of the Comms Act and the stated licence conditions whereby URCA may “... *require any licensee or licensees to furnish such information (added for emphasis) ...*” in relation to its operations for the purposes of publishing regular information and reports. This data is one of five metrics URCA intends to publish on the contribution of the communications sector to the Bahamian economy. URCA presently collects this information from broadcasters and under the principle of non-discrimination will also collect this information from telecom operators.²⁹

URCA is not disputing Aliv’s finding that the revised data requirements are “over and above” what is currently provided annually by the industry. URCA mentioned above (Section 3.1) and in Section 3.1 of the Consultation Document its reasons for updating and expanding the current data collection practice and requirements. Given this, URCA will not repeat those arguments here.

URCA notes and accepts that some of the requested data might not conform to Aliv’s revenue format. However, this concern would apply to any operator that offers products to fixed and

²⁹Regulators in Jersey and Guernsey publish this information

wireless customers through bundled arrangements. Examples are BTC’s mobile only bundles and multi-product bundles offered by BTC and CBL. To ensure uniformity and consistency in the requested information, URCA invites the affected licensees to submit their proposals for allocating retail revenues from mobile only bundles and multi-product bundles to each service component of a bundle. This submission is due no later than **31 January 2018**. Upon review of all submissions, URCA will decide on the most appropriate approach.

URCA is unclear regarding Aliv’s comment in relation to item 27 (Table 1). However, for clarity URCA’s intent is for the operators to report any payment received from a foreign counterpart due to Aliv and BTC customers roaming on networks abroad.

The comment that import duty (customs duty) does not exist as a separate item in Aliv’s ledgers has been noted. However, URCA’s experience indicates that it is standard practice for customs brokers/freight forwarders to provide a breakdown of the total payment being requested. In view of this, URCA considers that the request is not unreasonable or burdensome for the affected licensees.

Responding specifically to BTC:

- URCA advises that the new reporting format applies to retail and wholesale services and is consistent with URCA’s information needs for regulatory and other purposes;
- URCA recognises that some of the information to be collected includes commercially sensitive information. URCA, however, assures the industry that it is not URCA’s intent to publish any commercially sensitive data. In this regard, URCA refers to Section 3.4 of the consultation;
- It is not URCA’s proposal to publish data in the format set out in Tables 1 to 5 of the consultation document; and
- The items for publication are set out below (question 4).

URCA's final decision

Following its assessment of the consultation submissions:

- URCA requires the affected operators to provide data on retail and wholesale services that are offered during the reporting period in question. The reports should cover new services when they become available;
- URCA requires operators to report total traffic and associated revenue for outbound international voice calls to overseas destinations. This change has been made to Tables 1 and 2;

- URCA requires the affected operators (inc. Aliv) to submit to URCA their proposals for allocating revenues from:
 - mobile only bundles to access, domestic calls, international calls, domestic SMS, international SMS, data services, etc as required by URCA; and
 - multi-product bundles to broadband access, domestic calls, international calls, pay TV services, etc as required by URCA.

The affected operators should submit their proposals to URCA no later than 31 January 2018. Following its review of these proposals, URCA will decide on the most appropriate approach, taking into consideration the need for consistency in the market data to be collected. URCA, in principle, would not object to SMP operators proposing approaches that are consistent with their accounting separation methodology; and

- URCA is not persuaded that the data request should be justified on a “line by line” basis, as recommended by CBL.

Question 3: Do you agree with URCA’s proposal to receive quarterly and annual market data? If not, please state why not?

CBL’s comments

CBL noted that URCA is requesting operators to collect and submit monthly data on a quarterly basis. To limit the burden of this obligation on operators, CBL recommends URCA ask operators to submit data on an annual basis based on the operator’s financial year.

Aliv’s comments

Aliv’s comments were similar to CBL’s submissions on the question in addition to their opposition to the annual reporting schedule which does not correspond with Aliv’s fiscal year. Also, Aliv disagreed with the submission of monthly subscription data on a quarterly basis. Aliv further states that in order to calculate a monthly average the operators would be required to collect data on a daily basis, noting that this requirement is disproportionate and imposes significant cost on the operators without any improvement in the value or accuracy of information.

BTC’s comments

BTC emphasized the need for a glide path to the production of quarterly data, recommending that in the first instance, the collection of data should be done semi-annually and then move towards quarterly reporting in the first quarter of 2019 therefore allowing the affected licensees “...to put in place the appropriate systems, inclusive of people to generate the requested reports on a quarterly basis.” BTC reiterated many of the points previously raised in its comments on other consultation questions.

URCA's response to comments received

After careful consideration URCA is sympathetic to BTC's proposal for a glide path for the production of market data on a quarterly basis. URCA considers that the proposal is reasonable and consistent with achieving the legitimate objectives of the exercise, in the context of URCA's obligation to ensure implementation of the new measures is efficient and proportionate.

In terms of the other points raised above, URCA notes that these have been addressed elsewhere in this document.

URCA's final decision

Having regard to section 5(c) of the Comms Act, URCA requires the affected operators to submit to URCA:

- annual data for the 12-month period ending 31 December 2017; and
- semi-annual data for the 6-month period ending 30 June, and 31 December 2018 along with annual data for the 12-month period ending 31 December 2018.

From 2019 onwards, the affected operators are required to report quarterly data for the 3-month period ending 31 March, 30 June, 30 September and 31 December, of each year. Also, the affected operators shall submit annual data for the 12-month period ending 31 December of each year.

Further details on URCA's reporting timelines are set out in its review of the consultation submissions on question 5.

URCA reserves the right to amend the above as it sees fit without any further public consultation.

Question 4: Do you agree with URCA's proposal to publicise aggregated market data? If not, please state why not?

CBL's comments

CBL opposed the publication of aggregated data, especially financial data. CBL reiterates its argument that URCA has failed to outline which data it intends to publish in its previous and current consultations. CBL contended that in a two-operator market a simple calculation will allow one operator to know the detailed performance of its competitor on a quarterly basis and to measure the impact of a specific marketing campaign on the other. CBL referenced the pay TV market and noted that not all published data would be CBL's and disclosure of commercially sensitive information may contravene rules of the US stock exchange (NASDAQ) and The Bahamas International Securities Exchange (BISX).

ALiv's comments

Given that Aliv's comments are similar to CBL's, URCA sees no need to repeat those comments here.

BTC's comments

BTC is not opposed to the aggregation of data for reporting purposes. However, BTC made clear its opposition to disaggregated data by customer types (prepaid/post-paid in the case of mobile, residential/business in the case of fixed) and network termination points in the case of wholesale traffic. It is BTC's contention that this level of disaggregation offers little value to customers and international organizations. BTC highlights other jurisdictions that have a number of operators and considers the aggregation of such data would be ambiguous to other operators but in the Bahamian context it would be easy for one operator to gather commercially sensitive data on the other.

URCA's response to comments received

Comments about commercial confidentiality and publication of market data have been noted. URCA considers that it may have been useful for CBL and Aliv to provide the specific NASDAQ and BISX rules that may be contravened by disclosure the requested data. URCA invites CBL to produce the specific rule, and the specific data that would be subject to this non-disclosure requirement for URCA's further consideration. URCA would expect that, as in most cases, a legally enforceable requirement to disclose the information to a regulatory or government entity would be exempted from any stock exchange restriction. Effectively, as a national sector regulator, URCA considers that its requirements would legally rank above the requirements of any stock exchange.

URCA however notes that it is keen to safeguard any commercial or market sensitive data it receives from the affected licensees. URCA assures the affected companies that it is not the intent of URCA to publish the data collected in its entirety. Tables 1 to 5 of the consultation set out the format of the reports that the operators are expected to submit to URCA. In keeping with URCA's proposal the disaggregated market data for individual operators will remain confidential and will not be made available to the public. Instead, URCA proposes to publish an aggregated depiction of some of the information collected. URCA remains committed to this approach. URCA also highlights that publication of information by URCA would naturally lag in time by at least six months from the period to which the information relates. As such, particularly in a dynamic competitive environment, URCA considers the commercial sensitivity of the information would be significantly reduced by the time that it is published.

In coming to a firm position on the items to be publish, URCA has given consideration to the need to balance respondents' concerns about commercial confidentiality with the need to enhance public access to useful facts and figures and enable customers to make informed choices. Relative

to these reasons, URCA envisages that, at a minimum, items for publication will include but not limited to:

- total number of sector employees;
- total sector revenue generated by TV, radio and telecoms;
- access to key communications services;
- total contribution to National Insurance by TV, radio and telecoms;
- total contribution to public finance (inc. tax payments by TV, radio and telecoms);
- total capital investment by pay TV and telecoms; and
- total outgoing voice traffic to networks abroad.

This is in line with information published by communications regulators in two-company operated markets and elsewhere.

URCA emphasizes that the items for publication include information URCA currently publishes in its Annual Report and company specific information available on major operators' web pages. Also, the data on pay TV and mobile subscriptions will include subscriptions to BTC's IPTV services and Aliv's mobile services. Similarly, the data on outbound international voice traffic will include calls from other networks (inc. Aliv). Further, as some of the published data (e.g., revenue/contribution to National Insurance, etc.) will include information collected from the broadcasting sector, this should obscure the data provided on individual operators and markets.

URCA's final decision

URCA's final position is that, at a minimum, items for publication should include but not be limited to:

- Access to key communications services:
 - number of fixed phone subscribers;
 - number of mobile phone subscribers (inc. voice/SMS/data);
 - number of mobile data only subscribers;
 - number of pay TV subscribers (inc. Cable and IPTV);
 - number of fixed broadband connections; and
 - number of narrowband connections.
- Total outgoing voice traffic to networks abroad

- Contribution of ECS to national economy:
 - total number of employees;
 - total sector revenues (exc. Taxes);
 - total contribution to national insurance by radio, TV and telecoms;
 - total contribution to public finance (inc. tax payments by radio, TV and telecoms);
 - total capital investment by telecoms and TV (inc. Cable/IPTV).

URCA reserves the right to publish such other market statistics as it considers appropriate without further consultation, but always having due regard to the criteria discussed above.

URCA will continue to publish market statistics in its annual report and elsewhere, as necessary.

Question 5: Do you agree with URCA’s implementation timelines for the new measures? If not, please state why not?

CBL’s comments

CBL rejected URCA’s proposed reporting timelines, noting that quarterly reporting is onerous and unnecessary. CBL recommended that URCA undertake a serious rethink of the practicality and proportionality of its proposals. To reduce duplication, CBL also recommended that URCA collect financial data on a calendar year basis instead of on the basis of financial years.

Aliv’s comments

As Aliv’s comments on the question are materially identical to CBL’s URCA sees no need to replicate those comments here.

BTC’s comments

BTC held firm to its view that there should be a transition to quarterly reporting starting from the first quarter of 2019. During this time BTC hopes to put in place the appropriate systems, inclusive of people to generate the reports. BTC requested that URCA would take into account other reporting obligations and the additional cost associated with this request.

URCA’s response to comments received

Comments about the practicality and proportionality of URCA’s proposals were addressed at Section 3.1 above.

As noted above (question 3), URCA believes that BTC’s glide path for the production of quarterly reports is reasonable and consistent with section 5(c) of the Comms Act.

URCA’s final decision

URCA requires the affected operators to submit their reports of market information, as follows:

- For the 12-month period ending 31 December 2017, the affected operators shall submit annual reports of market information to URCA using Tables 1-5 (Annex 1 of ECS 28/2017). These reports are due no later than sixty (60) calendar days from 31 December 2017 of each year.
- For the 12-month period ending 31 December 2018, the affected operators shall submit semi-annual reports of market information to URCA for the 6-month period ending 30 June and 31 December, respectively, of each year. The affected operators shall also submit annual reports for the 12-month period ending 31 December 2018. The affected operators shall submit their semi-annual and annual reports using Tables 1-5 (Annex 2 of ECS 28/2017)

The above reports are due no later than forty-five (45) calendar days after that last day in June and December of each year.

- From 2019 onwards, the affected operators shall submit quarterly reports of market information to URCA for the 3-month period ending 31 March, 30 June, 30 September and 31 December, respectively, of each year. The affected operators shall also submit annual reports of market information for the 12-month period ending 31 December of each year. The affected operators shall submit quarterly reports to URCA using Tables 1-4 and annual reports using Tables 1-5 (Annex 3 of ECS 28/2017).

The above reports are due no later than forty-five (45) after the last day in March, June, September, and December of each year.

Question 6: Do you agree with URCA’s assessment of the regulatory options considered? If not, please state why not?

CBL’s comments

It was CBL’s view that URCA’s assessment of the regulatory options is “...*cursory and entirely inadequate*”, noting that:

- URCA has made no effort to involve the affected operators so that it can understand the cost associated with the planned implementation;
- URCA has presented no benefits of its preferred option over its current practice; and
- URCA has failed to consider the option set out in its 2016 Consultation Paper and should analyse the costs and benefits of this option compared to the others.

CBL then recommended that URCA evaluate the following options:

- collection of information on an “as needed basis”; and
- collection of a reduced set of market data (for example, as proposed by URCA in 2016).

CBL reiterated that URCA carefully consider the impact of its proposals on operators more carefully as their cost base is under constant pressure in a competitive market.

Aliv's comments

Aliv's comments on the question are materially identical to CBL's, therefore URCA does not see any benefit in repeating those comments here.

BTC's comments

BTC held the view that implementation of new regulatory measures should be proportionate, efficient, with purpose and taking consideration of the underlying cost accompanying this action. Again, BTC expressed the view that as there are only two operators within the cellular mobile market, one operator can easily derive commercially sensitive. BTC was concerned with the publication of data by customer type and suggested that the data be reported on an aggregate basis.

URCA's response to comments received

Responding specifically to CBL and Aliv:

- URCA's engagement with the affected licensees is consistent with its obligation in section 11(1) of the Comms Act to consult with interested parties on regulatory or other measures of public significance;
- the benefits of URCA's preferred option over its current practice are noted in Section 3.1 of the consultation document;
- URCA restates for emphasis that the 2016 consultation was limited in scope and did not take into account URCA's need for disaggregated information for regulatory and other purposes. Further assessment of this option would be an inefficient use of resources;
- as noted in its responses to comments on question 1, the collection of market data on an “as needed basis” or “*decision by decision basis*” would not support URCA's monitoring and enforcement activities on a timely basis and as required under the Comms; and
- URCA, at Section 3.6 of the Consultation Document, assessed the ‘Do Nothing’ approach (i.e., maintain current data collection practice). URCA considers that its current data collection practice is not fit for purpose and is inadequate in light of experience, best regulatory practices and changing market realities in The Bahamas.

As noted in the final decision on question 3, URCA agrees with BTC that implementation of the new measures must be proportionate and efficient. URCA is confident that the items for publication will not give rise to commercial confidentiality concerns.

URCA's final decision

URCA is satisfied that its revised approach to the collection of market statistics is efficient and proportionate to its purpose and would not impose significant cost on the affected operators. URCA has decided to implement the approach with the adjustments noted above.

4 Conclusion and Next Steps

URCA thanks the respondents for their involvement in the proposed implementation for the collection of market data from specified licensees in the ECS. The commentaries received were valuable to this Statement of Results and Final Decision on the issues presented.

Concurrently with the publication of this Statement of Results and Final Decision, URCA also publishes its *“Market Information Reporting Requirements for Specified Licensees in the Electronic Communications Sector”* (ECS 28/2017) which sets out the requirements regarding provision of information to URCA and relevant timelines.

Further, URCA has decided that the items for publication should include but not be limited to:

- Access to key communications services:
 - number of fixed phone subscribers;
 - number of mobile phone subscribers (inc. voice/SMS/data);
 - number of mobile data only subscribers;
 - number of pay TV subscribers (inc. Cable/IPTV);
 - number of fixed broadband connections; and
 - number of narrowband connections.
- Total outgoing voice traffic to networks abroad
- Contribution of the ECS to national economy:
 - total number of sector employees;
 - total sector revenue (exc. taxes);
 - total contribution to national insurance by radio, TV and telecoms;
 - total contribution to public finance tax payments by radio, TV and telecoms; and
 - total capital investment by telecoms and TV (inc. Cable/IPTV).

URCA reserves the right to publish such other market statistics as it considers appropriate without further consultation, but always having due regard to the criteria discussed above.

URCA will continue to publish market statistics in its annual report and elsewhere, as necessary.

