



# **Fee Schedule**

**1 January to 31 December 2018**

**URCA 01/2018**

Revised: 30 January 2018

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## 1. Introduction

- 1.1 Under Part XVI of the Communications Act, 2009 (“Comms Act”), which came into force on 1 September 2009, URCA has the power and duty to collect certain fees from licensees in the Electronic Communications Sector (ECS) for itself and on behalf of the Government of The Bahamas.
- 1.2 Pursuant to the enactment of the Electricity Act 2015 (EA) on 31 December 2015, and its coming into force on 28 January 2016, URCA was empowered as the regulator for the Electricity Sector (ES) in The Bahamas. URCA’s ES regulatory remit includes all persons who generate, transmit, distribute or supply electricity within, into, from or through The Bahamas. Under Part X of the EA, URCA has the power to collect fees from licensees in the ES.
- 1.3 This document therefore sets out the **fees applicable from 1 January 2018 to 31 December 2018** in the following categories:
- i. Under Section 92 of the Comms Act, URCA has determined to levy the fees and charges set out in Tables 1 and 2 respectively. (See URCA’s Final Determination on Class Licences, Exemptions and Types of Fees ECS – 24/2009)<sup>1</sup>.
  - ii. Under Section 54 of the EA, URCA has determined to levy the fees and charges set out in Table 3, 4, and 5, respectively. (See URCA’s Statement of Results and Final Decision on Fees for the Electricity Sector (ES 03/2017)<sup>2</sup>.
  - iii. Under Section 76 of the Comms Act URCA can, by regulation, require the payment of a fee for processing merger control applications, making adjudications and if applicable, an order, in the exercise of its merger control functions. A regulation on merger control fees has been published on the URCA website at [www.urcabahamas.bs](http://www.urcabahamas.bs).
  - iv. Under Section 54(2)(e) of the EA URCA may impose fees or charges upon ES licensees for the processing of merger applications under section 57 and

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<sup>1</sup> <http://www.urcabahamas.bs/wp-content/uploads/2017/02/ECS-24-2009-Final-Determination-Class-Licences-Exemptions-and-Types-of-Fees-1.pdf>

<sup>2</sup> <http://www.urcabahamas.bs/wp-content/uploads/2017/07/ES-012017-Final-Decision-on-Fees-in-the-Electricity-Sector.pdf>

related adjudications and orders under section 65 of the EA. These fees are set out in Table 6.

- v. Under section 92(1)(b) of the Comms Act and section 54(2)(c) of the EA, URCA may levy charges for the supply or making copies of documents. The fee to be payable for the supply or making copies of documents is set out in Table 7.
  - vi. Under Section 91 of the Comms Act, licensees in the ECS are required to pay a Communications Licence fee to the Government but collected by URCA. The Communications Licence fee is set out in Table 8.
  - vii. Under Schedule 3 of the Utilities Tribunal Act, 2009 (UAT Act), all Licensees in a regulated sector are required to pay the Tribunal Fee. Once determined by the Registrar of the Tribunal, URCA will publish in its Fee Schedule the level of Tribunal Fee payable by Licensees. As soon as reasonably practicable and in any event within three (3) months after the publication of the Registrar's estimate in accordance with the Utilities Appeal Tribunal Act, 2009, URCA will invoice and collect the Tribunal Fee from all Licensees in a regulated sector at the end of each calendar year. The Tribunal Fee will be set out Table 9 of a Revised Fee Schedule published by URCA.
  - viii. Under Section 93 of the Comms Act, URCA will impose charges for radio spectrum. The Spectrum Fees are set out in Tables 10A, 10B.
- 1.4 This Fee Schedule will be kept under review and may be revised from time to time, consistent with the provisions of the relevant legislation.

## **2. The Annual URCA Fee and other URCA Fees**

- 2.1 Under Section 92(2) of the Comms Act and Section 54(2)(a) of the EA, fees levied by URCA must, amongst other things, be proportionate and be published in an appropriate and sufficiently detailed manner, so as to be readily accessible; and be set to cover URCA's annual budgeted costs of performing URCA's functions and exercising its powers under the Comms Act, the URCA Act and the EA and to recover any deficit from previous years.
- 2.2 The annual URCA Fee funds the operations of URCA and is charged annually in respect of the forthcoming financial year. URCA's financial year extends from January 1 to December 31 of each year. URCA publishes its Annual Plan that includes its objectives and targeted activities for the financial year and sets out URCA's budget based upon its activities and budgeted costs for the year. This is a requirement under Section 41 of the URCA Act and Section 54(3) of the EA.
- 2.3 The annual URCA Fee is calculated based on a Licensee's relevant turnover. Existing Licensees will be invoiced at the end of each calendar year for the annual URCA Fee and Licensees must make full payment within thirty (30) days of being invoiced. Late payment of the URCA Fee will attract statutory interest under Section 94 of the Comms Act and Section 54(5) of the EA daily at the lower of a rate of four per centum (4%) over the prime lending rate as published by the Central Bank of The Bahamas; and any maximum applicable rate specified in the Rate of Interest Act.
- 2.4 URCA may exercise its discretion to permit payment arrangements by Licensees in respect of the annual URCA Fee. However, payments by a Licensee made outside the required 30 day period for full payment, as invoiced by URCA, will attract interest at the level stated above. URCA encourages all Licensees to make full payment of the annual URCA Fee as prescribed in the URCA invoice. URCA emphasizes that it must bill and collect the annual URCA Fee in a manner that ensures it will have the necessary funding to be able to effectively and efficiently achieve its projected targets and activities for the year, and does not discriminate between similarly situated Licensees.
- 2.5 The annual URCA Fee becomes payable before a Licensee commences activities within a regulated sector. This is particularly applicable to a new Licensee that has been issued an Individual Operating Licence or a Class Operating Licence Requiring Registration by URCA under the Comms Act or a Supplier Licence under the EA.

Where URCA issues a new licence, the Licensee will be invoiced for the annual URCA Fee in accordance with this Fee Schedule and will be required to pay the fee within the period as prescribed in the invoice.

- 2.6 URCA may also levy other URCA fees and charges under Section 92(1)(a) and (b) of the Comms Act and Section 54(2)(b), (c), (e) and (f) of the EA for particular services rendered by URCA in the performance of its functions and the exercise of its powers. The URCA fees are payable each time an application is submitted or for the supply or making of copies of documents. All applicants are required to pay the application fee under the applicable Fee Schedule upon submission of an application form in order for URCA to commence processing of their application. Where an applicant fails to pay the requisite application fee, any statutory application processing time stipulated by the relevant Act will not start until such payment has been made.
- 2.7 Where an applicant intends to provide multiple services under a Licence, the application fee will be charged based on the highest fee amount of the services being applied for. For example, URCA will only charge a single application fee of \$5,000 where the applicant has submitted an application for a licence to provide Pay Television, Fixed Voice and Internet Services.
- 2.8 The fees detailed in Tables 1 and 4 below are set to cover URCA's application processing and administrative costs, respectively. The costs for the supply or making copies of URCA documents are set out in Table 7.<sup>3</sup>
- 2.9 The fees detailed in Tables 2 and 3 below are the annual URCA Fees for the financial year 1 January 2018 to 31 December 2018 applicable to licensees in the ECS and ES respectively, and have been set to cover URCA's annual budgeted costs for performing its functions under the Comms Act, the URCA Act (applicable to the ECS) and the Electricity Act (applicable to the ES) for this period, as set out in URCA's draft Annual Plan 2018 (URCA 07/2017) published on December 21 December 2017.
- 2.10 The assessed URCA fees for the 2018 financial year for the ECS and ES have reduced by 24% and 4% respectively compared to the fees charged in 2017, due

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<sup>3</sup> Please refer to the Licensing Guidelines, available on the URCA website ([www.urbahamas.bs](http://www.urbahamas.bs)), the Communications Act 2009 and the Electricity Act 2015 for further information relating to application / administrative fees.

to economies of scale and concerted efforts embarked upon by URCA to reduce expenditure levels and therefore its costs to the regulated sectors.

**Table 1 – Application / Administrative Fees -ECS<sup>4</sup>**

Type of electronic communications service for which application form is submitted	Application/ Administrative Fees
Amateur Radio (Local/Reciprocal)	\$10
Broadband Wireless	\$100
Broadcasting (AM/FM Radio)	\$100
Broadcasting (Studio to transmitter link [STL])	\$100
Broadcasting (Television)	\$100
Backhaul	\$100
Cellular/Mobile Networks	\$5,000
Fixed Voice	\$5,000
Fixed Wireless Access	\$1,000
Fixed Wireless Service	\$1,000
Internet Service Provider	\$100
Numbering resources	\$100
Pay Television (Pay TV)/Cable TV	\$5,000
Prepaid Calling Card Services (Own Branding)	\$1,000
Private Landbase (simplex/duplex/narrow band transmission)	\$100
Private Paging	\$10
Private Trunking	\$10
Public Fixed Network (Voice/Data/Video)	\$5,000

<sup>4</sup> Please refer to the Licensing Guidelines, available on the URCA website ([www.urcabahamas.bs](http://www.urcabahamas.bs)) and the Communications Act 2009 for further information relating to application / administrative fees.

Type of electronic communications service for which application form is submitted	Application/ Administrative Fees
Public Paging	\$100
Public Trunking	\$100
Request for additional/reduction of spectrum	\$100
Resale services (Voice/Data)	\$1,000
Ship Radiocommunications (vessels with GMDSS)	\$10
Studio Transmitter Link (STL)	\$100
Submarine Cable Networks	\$1,000
Type Approval	\$100
Wi-Fi Networks (Public)	\$1,000
Very Small Aperture Terminal (VSAT)	\$100
Wireless Local Loop	\$1,000

**Table 2 – URCA Annual Fee – Operating Licence<sup>5</sup>**

Licence Type	URCA Fee <sup>6</sup> (per annum)
<b>Individual Operating Licence</b>	
Less than \$0.5m annual relevant turnover	\$3,000
Greater than or equal to \$0.5m annual relevant turnover.	0.945% of annual relevant turnover
<b>Class Operating Licence Requiring Registration</b>	
Less than \$0.5m annual relevant turnover	\$3,000

<sup>5</sup> See the Final Determination on Class Licences, Exemptions and Types of Fees ECS – 24/2009 which is available at [www.urcabahamas.bs](http://www.urcabahamas.bs)

<sup>6</sup> Payable under s. 92(1)(c) of the Communications Act 2009



Licence Type	URCA Fee <sup>6</sup> (per annum)
Greater than or equal to \$0.5m annual relevant turnover.	0.945% of annual relevant turnover

**Table 3 – URCA Annual Fee – Electricity Sector Licences**

Licence Type	URCA Fee <sup>7</sup> (per annum)
Public Electricity Supplier Licence	0.4059% of annual relevant turnover

**Table 4– Application Fees -ES<sup>7</sup>**

Type of electricity service for which application form is submitted	Application fee
Public Electricity Supplier Licence	\$5,000
Transmission and Distribution Licence	\$3,500
Subsidiary Licence	\$3,500
Large Self-Generation Licence (more than 25kW)	\$3,000
Independent Power Producer Licence (more than 25kW)	\$2,000
Temporary Generation Licence	\$1,000

**Table 5 – Renewal Application Fees -ES**

Type of electricity service for which application form is submitted	Renewal Application fee
Public Electricity Supplier Licence	\$1,670
Transmission and Distribution Licence	\$1,170

<sup>7</sup> Payable under s. 54(2)(d) of the Electricity Act 2015

Type of electricity service for which application form is submitted	Renewal Application fee
Subsidiary Licence	\$1,170
Large Self-Generation Licence (more than 25kW)	\$1,000
Independent Power Producer Licence (more than 25kW)	\$670
Temporary Generation Licence	\$330

**Table 6 – Fees for Review of Change in Control-ES**

Combined relevant turnover of acquiring parties and target Licensee	Fee <sup>6</sup>
Less than or equal to \$5 million	\$5,000
Greater than \$5 million and less than or equal to \$10 million	\$10,000
Greater than \$10 million and less than or equal to \$50 million	\$15,000
Greater than \$50 million and less than or equal to \$100 million	\$25,000
Greater than \$100 million	\$35,000

**Table 7 - URCA Publications**

Service	Fee
Copy of URCA Publications	\$5

<sup>6</sup>Charges associated with specifics under s. 57of the Electricity Act 2015

### 3. The Communications Licence Fees

- 3.1 A Licensee pursuant to the Comms Act, which is required to pay the URCA Annual Fee, must also pay the Communications Licence Fee (“Comms Fee”). This fee becomes payable before a Licensee commences its licensed activities under the Comms Act. The Comms Fee is a statutory fee set in Schedule 8 of the Comms Act at 3% of the Licensee’s relevant turnover. This amount may only be changed by an amendment to the Comms Act.
- 3.2 In each subsequent year, the Comms Fee must be paid to URCA by a Licensee on or before April 30 of each year. Under the Comms Act, URCA acts on behalf of the Government to administer the billing and collection of the Comms Fee and must account to the Treasury of The Bahamas on or before June 30 of each year for all Comms Fees it collects. URCA will invoice a Licensee for the Comms Fee at the end of each calendar year. The Licensee is encouraged to pay the Comms Fee as soon as possible after receiving an invoice from URCA, but must make full payment no later than April 30 of each year.
- 3.3 Late payment of the Comms Fee will attract statutory interest under Section 94 of the Comms Act daily at the lower of a rate of four per centum (4%) over the prime lending rate as published by the Central Bank of The Bahamas; and any maximum applicable rate specified in the Rate of Interest Act.
- 3.4 As the Comms Fee is a “pass through” fee payable to the Government of The Bahamas and only billed and collected by URCA, **URCA has no discretion to permit payment arrangements of this fee** by a Licensee.
- 3.5 The fee detailed in Table 8 below is the Comms Fee for which URCA will invoice a Licensee annually until the prescribed level of fee has been changed by an amendment to the Comms Act.

**Table 8 - Communications Licence Fee**

	Communications Licence Fee (per annum)
Every person required to pay an annual URCA fee pursuant to section 92(1)(c) of the Communications Act	3% of annual relevant turnover

#### 4. The Tribunal Fee

- 4.1 Licensees in a regulated sector will be required to pay the Tribunal Fee. Once the Tribunal has determined its annual budget, the Registrar is required by Schedule 3 of the UAT Act, to publish and certify as reasonable its anticipated relevant expenditure. Pursuant to As soon as reasonably practicable and in any event within three (3) months after the publication of the Registrar’s estimate in accordance with the UAT Act, URCA is required to invoice and collect the Tribunal Fee from Licensees or regulated persons in the regulated sectors. URCA has no authority to determine the Tribunal fee because the determination of the UAT’s budget falls under the authority of the Utility Appeals Tribunal.
- 4.2 Upon publication of the UAT’s Budget, URCA will apportion the budget between the ECS and the ES, using the same proportions applied by URCA in apportioning its own budget, and to that end will bill and collect from ECS and ES licensees the sum of published budget. The fees will be charged to licensees liable to pay the URCA Annual Fee, using the same methodology used to devise the URCA Annual Fee that is, based on the relevant turnover of those licensees.
- 4.3 The fees detailed in Table 9 below are the annual Tribunal Fees for the financial year January 1, 2017 to December 31, 2017 applicable to licensees in the ECS, and have been set to cover the UAT’s annual budgeted costs for performing its functions (applicable to the ECS) for this period, as set out in UAT’s budgetary estimates published on 16 December 2016.

**Table 9 - Tribunal Fee**

Every person required to pay an URCA fee pursuant to section 92(1)(c) of the Communications Act	Tribunal Fee (per annum)
<b>Individual Operating Licence</b>	
Less than \$0.5m annual relevant turnover	TBD
Greater than or equal to \$0.5m annual relevant turnover.	TBD
<b>Class Operating Licence Requiring Registration</b>	
Less than \$0.5m annual relevant turnover	TBD
Greater than or equal to \$0.5m annual relevant turnover.	TBD

Every person required to pay an URCA fee pursuant to section 92(1)(c) of the Communications Act	Tribunal Fee (per annum)
Every person required to pay an URCA fee pursuant to section 54(2)(d) of the Electricity Act	
Public Electricity Supplier	TBD
Independent Power Producer	TBD

## 5. Spectrum Fee

- 5.1 All Licensees that have been allocated or use radio spectrum under a spectrum licence issued by URCA are required to pay the Spectrum Fee. The Spectrum Fee must be paid to URCA on behalf of the Government before the Licensee commences activities under its licence and in each subsequent year. URCA acts on behalf of the Government to administer the billing and collection of the Spectrum Fee and will invoice Licensees for the Spectrum Fee in accordance with this Fee Schedule, as revised from time to time, at the end of each calendar year.
- 5.2 Under the Comms Act, the Minister with responsibility for the Electronic Communications Sector (the Minister) may set the level of spectrum fees in the Premium Spectrum bands and URCA will impose charges for spectrum in the Standard Spectrum bands.
- 5.3 The level of spectrum fees is set out in Tables 10A and 10B below. The fees detailed are with the exception of spectrum listed for Cellular Mobile Services, calculated and charged on a “per island” basis until revised by URCA. The Minister has determined the spectrum listed for Cellular Mobile Services to be Premium Spectrum and has set the level of such Spectrum Fee to be charged on a national basis. As Spectrum Fees are a “pass through” fee payable to the Government of The Bahamas and only billed and collected by URCA, **URCA has no discretion to permit payment arrangements of this fee** by a Licensee. It should also be noted that any previously existing arrangements for spectrum fees (whether by way of waiver, reduction or payment plan) must be supported by a direction to URCA in writing from the current Minister. Any arrangements that are not supported by such a direction will not be applied to Spectrum Fees in the current period.
- 5.4 In order to assist licensees in estimating their fees, URCA has also included in the Annex, a table of the bandwidth related spectrum fees, applied to common licensed allocations. It should be noted that the amounts indicated in the Annex are indicative only, for the ease of reference, and shall be superseded by the actual calculation of the relevant fee based on the formulae set out in Table 10B upon processing of an application for spectrum.

**Table 10-A – Annual Premium Spectrum Fees**

Spectrum Allocation	Spectrum Fee (per annum)
<u>Broadband Wireless Access (Fixed Services)</u>	
1.7/2.1 GHz Bands (5 MHz bandwidth blocks)	\$3,000
2.3 GHz Band (5 MHz bandwidth blocks)	\$3,000
<u>Cellular Mobile Services</u>	
850 MHz A & B Bands (per 30 kHz channels)	\$300
1900 MHz Band (10 MHz bandwidth)	\$50,000
700 MHz Spectrum Band:	
Blocks B, B', G and G'	\$8,000 per MHz
All other blocks	\$6,000 per MHz

**Table 10-B – Annual Standard Spectrum Fees****Station fees<sup>8</sup>**

Service	Description	Spectrum fee (per annum)
Aeronautical	Fixed Ground Station	\$300
Amateur	Radio Station	\$25
Experimental	Radio Station	\$100
Maritime	Ship Radio Station equipped with GMDSS	\$150
Satellite	Satellite terminals with dish size $\geq$ 3 metres	\$4,500

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<sup>8</sup> Notes: For aeronautical, amateur, experimental, maritime and broadcast TV services, fees are charged per station. For satellite services where terminals have dish sizes of 3 metres or more, fees are charged per station. For satellite services where terminals have dish sizes smaller than 3 metres (i.e. VSAT), fees are charged per system.

Service	Description	Spectrum fee (per annum)
	Satellite terminals with dish size < 3 metres	\$500
Broadcast TV	Public Service TV station	\$3,000

### **Bandwidth-related fees (annual fee in \$/MHz)**

#### Annual Fee Per MHz<sup>9</sup>

Frequency Range	All services (Cellular Mobile Prohibited)		
	National/New Providence	Grand Bahama	Any other island
Up to 960 MHz	8,500	1,700	850
960 - 2200 MHz	4,250	850	425
2200 – 6700 MHz	425	85	42.5
6700 – 30,000 MHz	85	17	8.5
Above 30,000 MHz	42.5	8.5	4.25

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<sup>9</sup> Notes: The values in this table are calculated using the bandwidth-related fee formula  $Fee = C * FBF * IF * TF * BW$ , based on a Constant (C) of 8500, Island Factor (IF) of 1 for National/New Providence, 0.2 for Grand Bahama and 0.1 any other island, Frequency Band factor of 1 for frequencies up to 960 MHz, 0.5 for frequencies between 960-2200 MHz, 0.05 for frequencies between 2200-6700 MHz, 0.01 for frequencies between 6700- 30000 MHz, 0.005 for frequencies above 30,000 MHz, Time Factor (TF) of 1 for 1 year and Bandwidth (BW) of 1 MHz. There is a minimum fee of \$100.

How to derive the annual fee payable:

- i. Look up the corresponding fee/MHz value based on the relevant Frequency Band Factor (row) and Island Factor (column) for the assigned spectrum.
- ii. Multiply this value by the Bandwidth assigned in MHz (e.g. if 2x25 kHz is assigned then the Bandwidth is 0.05MHz ) and the Time Factor (if licence period is 1 calendar year, then  $TF = 1$ ; if licence period is less than 1 calendar year, the  $TF$  will be scaled pro-rata to licence duration, rounded up to the nearest month, i.e. if the licence period is 10 weeks, the fee will be calculated on the basis of 3 months, i.e.  $TF = 0.25$ ).



## ANNEX

### Applied bandwidth-related fees (Common services/bandwidths)

Service and bandwidth assumed	Revised fee (National/New Providence)	Revised fee (Grand Bahama)	Revised fee (any other island)
AM radio – 30 kHz (national)	255	NA	NA
FM radio – 200 kHz	1,700	340	170
Land mobile – 25 kHz (below 470 MHz)	212.50	100*	100*
Private paging – 25 kHz	212.5	100*	100*
Private trunking – 250kHz	2,125	425	212.50
Public paging – 25 kHz	212.50	100*	100*
Public trunking – 250 kHz	2,125	425	212.50
STL – 100 kHz	425	100*	100*
TV – 6 MHz (commercial)	5,100	1,020	510
<b>Point to multi-point</b>			
At 2.5 GHz – 6 MHz	2,550	510	255
At 3.5 GHz – 2 MHz (first)	850	170	100*
At 3.5 GHz – 2 MHz (others)	850	170	100*
<b>Point to point links 2.2-6.7 GHz with bandwidth of:</b>			
2x 50 kHz	100*	100*	100*
2x3.5 MHz	1,487.50	297.50	148.75
2x14 MHz	5950	1190	595
2x30 MHz	12,750	255	1275
<b>Point to point links 11 GHz with bandwidth of:</b>			
2x 50 kHz	100*	100*	100*
2x3.5 MHz	297.50	100*	100*
2x14 MHz	1190	238	119
2x30 MHz	2550	510	255