

TELECOMMUNICATIONS REGULATORY COMMISSION STATEMENT
ON IMPLEMENTING ISSUES FOR CARRIER SELECTION AND
CARRIER PRE-SELECTION IN JORDAN

The Telecommunications Regulatory Commission of Jordan (TRC) has determined that Carrier Selection and Carrier Pre-Selection will be introduced in accordance with the Regulations issued on 24 March 2005. The TRC has recognized that there are commercial and technical considerations that must be taken into account with respect to the launch of Carrier Selection and Carrier Pre-Selection. In order to create a practical framework for the existing operators and new entrants to work together to implement Carrier Selection and Carrier Pre-Selection, the TRC has established an Industry Forum, to address Carrier (CS) Selection and Carrier Pre-Selection (CPS) implementation issues. In the 11th Industry Forum meeting dated 20th October 2005, the industry in general expressed different views and comments regarding certain CP&CPS implementation issues and requested clarifications and direction from the TRC. Having considered the views and comments expressed by the industry at the said 20 October meeting, this Statement will finalize and clarify these issues.

Issue 1: Types of calls and services to be included in CS&CPS

Comments received from interested parties are as follows:

- Jordan Telecom :
Jordan Telecom believes that the ASP is obliged not to distinguish between fax and voice calls as well. Jordan Telecom's justification for adopting this position is:
 1. From the technical point of view, JT cannot differentiate between voice & fax calls generated by its customers, either from within its network processing or for those calls passed to an opted alternative CS/CPS Carrier.
 2. SMS and MMS are not to be considered as part of the traffic origination for the purpose of CS & CPS services.

- Fastlink:
Fastlink believes that the services that should be included in CS/CPS Instructions are voice and fax (circuit switch only) and Fastlink confirms the non technical viability of SMS and MMS.

- MobileCom:
MobileCom confirms the non technical viability of SMS and MMS for the following reasons:
 1. SMS: The only way to allow the customer to use this service is to use the ASP SMSC through the customer's mobile; the issue is the billing, because one needs to charge per SMS center and per destination; the possible way is through the internet website., the billing is the main issue (consolidated billing is almost impossible, at least for the prepaid)
 2. MMS: This is even more difficult as the MMS service needs to be first authenticated on the network before one can access the service, In order to have, MMS service, it is necessary to have GPRS service. This will complicate matters for service provisioning (how can customers be allowed to use MMS

and not GPRS), to interconnect the national GPRS networks. The same issues are present for billing.

- **Umniah:**
Umniah believes that the CS&CPS services should cover only the International voice & fax calls. Umniah states that its network is unable to offer CS&CPS for services such as SMS and MMS because of the following:
To charge prepaid customer online for the SMS and MMS services, Umniah is currently using an online mechanism that depends on a special interface called EMPP which is the property of their vendor, Huawei, and if Umniah were to introduce such services for other SMSC (SMS Center) and MMSC (MMS Center), etc., then this will mean that Umniah has to reveal Huawei's internal protocols which is not in Umniah's power (and also a complex process because not all SMSC vendors have their systems ready to interface with non standard protocols such as ours), and will also make it very complex for our IN as a trigger for authentication request to each SMSC (as currently when a user sends an SMS he is authenticated by IN to SMSC) and the same applies for our MMSC. Also, the connection with a new SMSC will require changes in the following platforms: MSC, HLR, IN to adapt for the routing and connection rules.
- **XPress**
XPress believes that according to the TRC's Instructions for Implementing Carrier Selection and Carrier Pre -Selection in Jordan issued on the 24th of March, 2005, Article 8 "Types of Calls for Carrier Selection" states: "Carrier Selection and Carrier Pre-Selection are for international outbound calls only..." Therefore, XPress finds no reason to contradict the instructions; CS and CPS should be applied only for international outbound voice calls (this includes fax). XPress believes that data and SMS must be excluded, especially since SMS is carried over signaling links and not over the same links that carry the voice calls.
- **LaSilkee**
LaSilkee believes that the discussions concerning "calls" or "traffic" and what these constitute have focused primarily on legalistic, definition based arguments. In LaSilkee's view, the definition should be made as broad as possible, including voice, fax (G3 and G4), data, SMS, TDD, etc. LaSilkee believes, very simply, that if an operator is carrying a certain type of traffic or providing a certain type of service for its own retail customers, then it should support the ability for ASPs to offer a similar service using consolidated billing. Furthermore; the arguments by some that certain types of traffic should be excluded have the potential to lead to a situation in which customers who wish to use a certain service can purchase this only from one of the PSPs. For example, much of the discussion revolved around SMS service, and whether an SMS is properly defined as a "call" and what technical issues and obstacles exist to allowing ASPs to offer SMS service using consolidated billing. There were also discussions about whether consumers might want SMS using the fixed line, or whether operators could or would want to offer such a service. Many of these arguments had some validity, but it would be completely unacceptable, in LaSilkee's view, for an ASP to argue for the exclusion of SMS services (or any service) from the requirements at this stage (on the basis of technical or other arguments), have the TRC accept this exclusion and exempt the PSP from the requirement to support such a service, and then to have the PSP launch such a service

directly to its own customers a few months later, whilst still claiming no obligation to support the ASP's ability to offer a competing service on the basis of the TRC's decision.

- JomoTEL:
JomoTEL believes that everything is technically doable, but the following needs to be taken into consideration:
 1. The time requested to implement such a service to the end users
 2. The relationship between this service and the voice and fax services through the CS & CPS
 3. The international practices and the implementation
JomoTEL sees that it is better to concentrate on implementing CS & CPS for the calls (voice and fax) as it is clearly stated in the TRC instructions. Jomo Tel also sees the possibility of implementing SMS and MMS through CS & CPS service under different instructions so as to be cleared and dedicated for this service, in order to give an opportunity to the forum to concentrate on one direction in order to achieve its targets on time.

The TRC appreciates and has taken into consideration all of the comments on types of calls and services to be included in CS&CPS. The TRC has determined that, at this stage, the services that should be included in the CS/CPS are; voice and fax and shall be available to Post-Paid as well as for Pre-Paid customers using independent or consolidated billing. Also TRC has determined that, at this stage, in-bound and out-bound roaming services will not be included in the CS/CPS services. The TRC will review the scope of services provided as appropriate in the future.

The rationale for this decision is as follows:

- The TRC stated in the Regulations that it has defined the call types for Carrier Selection and Carrier Pre-Selection to be customer initiated international calls. Calls destined for any other fixed, mobile or virtual number within Jordan do not fall within the scope of the Instructions nor do other services such as call back from voice mail or from a busy or unanswered number. The TRC may consider other call types including calls to and from roamers subscriber at a later stage.
- Also, technical difficulties including billing complexity regarding SMS, MMS and roaming will make implementation of CS and CPS for those services more complex
- If other Data Services (SMS, MMS...) are supported, these services shall be provided only for international destinations. Therefore, the TRC does not interpret the CS&CPS order as including SMS or MMS at this time.

Issue 2: Is the ASP obliged to terminate calls to all international destinations? And if not, what will be the arrangement between ASPs and PSPs? And what are the suggestions regarding cost recovery?

Comments received from interested parties:

- Jordan Telecom :

Jordan Telecom believes that the ASP is obliged to route calls to all international destinations. This is because from Jordan telecom technical point of view Jordan Telecom has no choice but to assign one Pre-Selected carrier (CAC) in the customer data base for all International Calls generated by this customer. So all the CPS calls generated from the local switch serving the end-users will be routed to an outgoing route destined to ASP and all the International CS calls will be routed to an outgoing route destined to ASP. JT will route any call with dialed CAC 00 or with Pre-selected CAC for international call to the associated ASP .The ASP has to do something about further processing and progressing of the calls, failing which the service offered to end-users will be unduly restricted for international traffic.
- MobileCom

"MobileCom does not see the necessity for the ASP to terminate calls to all International destinations (it is even impossible). In all cases, pricing of call origination is to be constituted of two parts: call set up and per time increment charges"
- Fastlink

Fastlink believes that the ASPs have no obligation to terminate calls to all International destinations; therefore the ASPs shall provide the PSP with the Black and White list and a default tariff.
- Umniah

Umniah says that their CS with Independent Billing offer was constructed on the premise that the ASP is terminating the calls to all international destinations. If the ASP does not want to terminate calls to all international destinations (and the ASP is not required to do so by the TRC and its license obligations) then their offer would no longer stand. If the ASP does not terminate calls to all international destinations, then the PSP's network will be burdened with trials of calls that the ASP will not terminate, and the PSP will not be reimbursed for its incurred call setup costs. Therefore, if the ASP is allowed not to terminate all international destinations, then the PSP should be allowed to recover its call-setup costs (for both Consolidated & Independent Billing). As for the special case of CPS, it is obvious that the service replaces the default international gateway that the PSP currently provides for all destinations, and this is the perception in every customer's mind, so it is only fair for the PSP and the customer that the new pre-selected carrier terminates calls to all international destinations. Otherwise, the PSP should be allowed to recover its call-setup costs (for both Consolidated & Independent Billing)
- XPress

XPress notes that no operator in the world can reach 100% of all international destinations. However, even if a certain number of destinations were defined to mean "all", XPress sees no reason in obliging all ASPs to reach these destinations, as this should be achieved through competition between the ASPs. However, XPress believes that the ASPs should make available to the public the destinations they can reach, and it should be advertised sat certain requirements to be set by the TRC (e.g., two ads in the local newspapers, printed on prepaid cards, etc.) in order to protect the PSP's interests that are giving their subscribers access to CS & CPS services. An IVR

announcement indicating the unreachable destination must clearly indicate that the network of the ASP is not able to reach this destination. Moreover, in such a case, XPress has concerns regarding the related cost recovery issues: who will incur the irrecoverable costs as a result of numerous subscribers making unsuccessful call attempts? XPress believes that the ASPs should incur such costs, as the PSP will not be incurring such costs if the call was to be routed normally through its network and not through the ASP's. Another solution could be requiring the ASP to route the call back to the PSP for termination through its network. Again, it should be made clear to the customer which operator is conveying the call to the final destination to avoid related customer complaints (on prices or quality).

- LaSilkee

LaSilkee would like to remind the Industry Forum that no operator in the world reaches more than 99% of the world's telephones through IDD; so to impose a requirement that is impossible to meet is meaningless. If there are to be some minimum requirements, then a more precise and realistic definition of this minimum other than "all" destinations is required. Moreover, LaSilkee sees no reason to require ASPs to serve "all" destinations. There are numerous legitimate business reasons why an ASP might choose not to serve one or more destinations. The principle arguments presented by the PSPs for making such services mandatory are their concerns that they will incur irrecoverable costs as a result of numerous subscribers making unsuccessful call attempts. LaSilkee believes that these concerns are legitimate, but sees many other ways of addressing this issue other than making service to "all" destinations mandatory. One way would simply be to require the ASP to route the call back to the PSP for termination on its own network. Issues related to market communications and co-ordination of customer care and billing operations between the ASPs and PSPs can and should be addressed through the Code of Practice."

- JomoTEL

JomoTEL sees that all ASPs should provide services to all well known destinations, and this can be based on JT's current destinations as reference, for the following reasons:

1. Providing all destinations will not cost the ASP additional investment or efforts, and all international carriers provide what is so-called (A-Z rates) without exceptions.
2. The issue that the current class license does not ask the licensees to provide or terminate to all destinations is correct, but the case here is different because that will lead the PSP to ask for recovering the cost of the non completed calls generated by no destination available; they might lead to set what is so called call setup. The example of the prepaid operator is that they use 080099XXX where the prepaid operators pay the non-geographic call origination cost as soon as the user hits the system and, in this case, the PSP does not care whether all destinations are available or not.
3. There are difficulties in implementing this on CPS (Consolidated Billing) because the customer in this case has been chosen as the carrier for all his international calls, and the ASP might do repeated changes for the destinations available by adding or removing certain destinations
4. Will the ASP provide certain destinations forever or the ASP will effect changes from time to time?

JomoTEL do not see any feasibility in providing termination to specific destinations and using JT as a reference for the destinations that are currently provided because not implementing termination to all destinations will lead the Industry Forum to enter into many discussions as it clarified above.

- Commercial Working Group (CWG) & Technical Working Group (TWG) on their Nov 21st minutes of meeting:
 1. e All operators asked the TRC to define a finite list and call it “all destination reference list” and the CWG proposes the current JT international list as the initial all international destination reference list and any modification should be approved by TRC.
 1. f All operators agreed, the ASPs in the submitted rate plans shall provide the service and price to all listed destinations in the above international reference list.
- 2. All operators are still waiting the TRC response on the following:
 - a) What are the services that should be included in the CS/CPS services?
 - b) If the TRC approved the agreed above e and f points, so the debate regarding if the ASP shall provide the service to all international destination or not is closed.

The TRC appreciates and has taken into consideration all of the comments on the obligations of the ASP to terminate calls to international destinations. The TRC has determined that each ASP shall offer to the customer access to all international direct dialed destinations. Therefore the ASP’s destination matrix should be complete and up to date. It should contain at a minimum: the country name and terminating operator if appropriate; the time zones to be implemented; and the price to be billed to the customer by the PSP for use with consolidated billing. In providing access to all international direct dialed destinations it is incumbent on the ASP to enter into either direct correspondent arrangement with the distant end administrations or interconnection arrangement with another licensed operator to ensure successful routing of the call.

The rationale for this decision is as follows:

- ASP is licensed to provide telecommunications services, part of which is to be an international carrier and to provide international call services
- ASP has a choice to provide its services by means of its own billing and collection services or it can rely on PSP.
- Carrier Selection and Carrier Pre-Selection are expected to reduce the costs of reaching international destinations by giving customers a greater choice of products and services from alternative carriers.
- If the ASP is not supporting certain destinations, it can build its system to identify and route the call back to the PSP or to another ASP for termination through its network, accordingly any commercial and technical issues should be resolved.

End of Statement