

التاريخ : 1 /6/2020  
الرقم : REG-140-20

سعادة رئيس مجلس المفوضين / الرئيس التنفيذي المحترم  
هيئة تنظيم قطاع الاتصالات

الموضوع: القرار التنظيمي الخاص بنقاط الربط على  
الانترنت (IXP)

تحية طيبة وبعد،

إشارة إلى الموضوع أعلاه، وإستناداً للمادة رقم ( ١٧ أ ) من تعليمات القواعد الإجرائية لإصدار التعليمات وتعديلها فإن شركة زين نتقدم بطلب إعادة نظر بالقرار مدار البحث، ونرفق طيه المواد التي تطلب شركة زين إعادة النظر بها. راجين التكرم بأخذها بعين الاعتبار.

وتفضلوا بقبول فائق الاحترام،،،

الشركة الأردنية لخدمات الهواتف المتنقلة ("زين")  
المدير التنفيذي لدائرة الشؤون القانونية والتنظيمية

لما التميمي



مرفق: طلب إعادة النظر المذكور أعلاه



## ***Introduction***


After a normal consultation process, TRC has issued and published the final regulatory decision on the establishing an Internet Exchange Points (IXP) in Jordan, after reviewing this decision (the decision), Zain found out that it is generally similar to the draft put under consultation, many articles were approved as is in spite of the comments provided by the respondents.

Zain is in the view that IXP best worldwide practices are being commercially voluntary for anyone to interconnect, peer or transit. And shall not be regulated in such a manner which puts so many limitations even for the technical design which changes rapidly, also the behaviors and needs are changing frequently so it should be open and not mandated or controlled through regulation.

We emphasized previously that the TRC intervention is advised to be in a broad sense more than in commercial and technical details.

However, most of the comments and concerns communicated to the TRC in Zain's letter (REG-26-20) dated (21/1/2020) is valid, and in particular we need the draw the kind attention of the TRC to the following points in specific, hoping they will be taking into consideration and asking TRC to kindly review the Decision and amend it accordingly,

## ***Comments and Points in Concern***

1. Most of the comments in the responses were commented by the TRC as Noted, Updated, etc. and many were not taken into consideration within the final decision, although many comments were common among more than one response.
2. The business model is still not clear, in terms of: operating model, structure, ownership, shareholding, licensing (if license is required for the Host, and the CDNs), Host status (Neutral Authority or Organization) – noting that the Neutral Entity is not clearly defined, the redundant IXP sites, agreements (interconnection or bilateral), sharing the Capex and OpEx etc. 

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3. New terms and conditions were introduced to the interconnection, whereby the interconnection is a regulatory framework that is established and mandated long time ago and shouldn't be subject to such changes and amendments.
4. No impact assessment study is conducted to evaluate the necessity and/or the feasibility of establishing an IXP in Jordan, which necessitated that the decision is to be approved and published upon the outcome of such study.
5. The TRC intervention should be limited to guidance rather than regulating the establishment and running the IXP, no regulation or light touch regulation (guidance and promotion) can be the best approach in this stage.

Accordingly, the TRC requirement to approve the Bilateral and Multilateral Agreements (which are not interconnection agreements) is not advised and not accepted, we recommend all these processes be on commercial and voluntary basis.

Additionally, the TRC right to Terminate membership, and to approve the Withdrawal of a Member is not justified, and make the process under tight regulatory intervention in the time that it's recommended to keep this intervention as light as possible and keep the commercial feasibility control the process.

6. The current scope is to include CDN and possible cross-border connections, however; the initial scope was mainly for the purpose of national traffic peering.
7. Still no clear position in regard to the licensing of IXP, CDNs and other members requesting to join the IXP. CDN's are not referenced as licensees, noting that there might be CDNs hosted already on operator networks.
8. IXP selection process is a crucial process that should be required to go through public consultation prior to any action.

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