



National Telecommunications Regulatory Commission
St. Vincent and the Grenadines

Ref. No. COR/ECTEL

January 18, 2012

Mr. Embert Charles
Managing Director
ECTEL
Vide Boutielle
P. O. Box 1886
St. Lucia

Dear Mr. Charles,

Consultation on New Licence templates and a Revised Fee Schedule

The Commission, having reviewed the consultation document on New Licence Templates and a Revised Fee schedule, wishes to comment as follows:

1. In the introduction of the document ECTEL recognizes that the introduction of the new licences will cause necessary amendments to the Telecommunications (Fees) Regulations. However, the Commission wishes to note that the Telecommunications (Licence Classifications) Regulations will also need to be amended.
2. The Commission has noted that no Facilities or Infrastructure licence has been included in the new licence templates. Without such a licence a provider must also offer a service directly to the public such as a voice service and not be able to provide only the facilities or infrastructure over which another provider can provide a service such as the Mobile Virtual Network Operator (MVNO) service. Such an added licence would give maximum flexibility to our licensing regime since an operator will be free to offer only

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infrastructure to other operators and thus a lower cost should be available to other operators since the facilities licensee does not have to cover the additional costs of also offering a service.

3. The proposed amount for land mobile, maritime mobile and aeronautical mobile repeaters have increased by a multiple of 5 (that is from \$100.00 to \$500.00) and also the increase from \$200.00 to \$500.00 for aircraft station. What is the rationale for the increase in licence fees for these equipment?
4. The consultation document lists the discontinuation of certain licences of which the Ship Station radio operator licence is not one of them. Yet in the proposed fees regulations, the Ship Station radio operator licence is not listed. This licence is issued regularly in St. Vincent and the Grenadines.
5. The document does not include a mobile satellite equipment services licence despite the fact that early in January 2011 the Commission wrote to ECTEL requesting its inclusion such that persons with small satellite devices such as satellite phones can be licensed.
6. In the interpretation section of all the draft licences, the definition for "Regional Spectrum Management Plan" indicates a plan "to be" developed. Has the plan not already been developed?
7. In section 1.2 of licence conditions of the MVNO, Leased Circuits, Internet Exchange and VAS licences there is a typo in the second line. It reads "...shall be in breach of the Licence **in** the Licensee fails..." and not " ...shall be in breach of the Licence **if** the Licensee fails..."
8. Is the frequency section in the licence template for the Mobile Virtual Network Operator (MVNO) relevant to the operator since they will be using another licensee's facilities and spectrum?

9. In section 10.1 of the compliance section of the MVNO, Leased Circuits, Internet Exchange and VAS licences there is a typo stating in the first line that "The Licence shall comply..." as opposed to "The Licencee shall comply..."
10. In the interpretation section of the draft Internet Exchange Services licence, why specify the protocol currently used by the Internet? What happens if and when this protocol changes will the Internet also change?
11. The scope of the Resale of Leased Circuits Licence is not clear.
12. Why is there a line for the licensee to sign on page 10 of the MVNO licence? This is not present in the IP Telephony licence and also all licences that have been issued to date under our Telecommunications Act of 2001 in St. Vincent and the Grenadines.
13. What is the purpose or objective of the leased line licence? What is a leased line? What current regulatory issue exists or might exist in the near medium term that requires the creation this licence?
14. Are IXPs required to be licenced in any other country?
15. It will seem that almost every web site currently being accessed by our citizens may need a Value Added Services (VAS) licence based on the scope of the draft licence template. How would this work in practice. Will we block sites that do not get a VAS licence from our regulatory regime?
16. The definition for "Internet Protocol" seems outside of the industry standard definition.
17. What licence will be required for voice telephony services (other than fixed and mobile) that may not use IP technology? The Commission is not clear on the purpose of this licence and which existing or potential service providers may be interested in this type of licence. The Licence template as drafted seems to be not taking into account what is the current status of the market especially those entities that are offering telephony services to our citizens who possess Internet connection. In short this licence would be difficult to apply to entities such as Skype, Magic Jack, Vonage, etc, noting the manner

in which their business models operate.

New licences should be filling an existing need for such licences or a perceived need in our telecom markets across the region. This licence would have been relevant 5-10 years ago but would find it difficult to be relevant today.

18. From reviewing the revised fees regulations there seem to be now two types of Subscriber Television Licences compared to one that exists currently. If this is the case one can assume that both new licences will have differences and as such will require two new draft licence templates. However, no new Licence Templates for the two new Subscriber television licences are included in the consultation document.

19. The Commission will appreciate if ECTEL can review the policy of requiring Licences to apply to renew their licences 2 years before their expiration dates especially in the case of licences that are valid for 5 years.

Sincerely yours,



Apollo Knights
Secretary/Director
NTRC