



Independent Communications Authority of South Africa

Pinmill Farm, 164 Katherine Street, Sandton
Private Bag X10002, Sandton, 2146

GUIDELINE FOR COMPLETING WHOLESALE CALL TERMINATION SERVICES QUESTIONNAIRE

1 Purpose of the questionnaire

1.1 Section 67 of the Electronic Communications Act (ECA) (No. 36 of 2005) enjoins the Independent Communications Authority (ICASA, the Authority) to carry out market reviews which entail the examination of electronic communications markets through the process of market definition and market analysis.

1.2 The objective of this questionnaire is to enhance the Authority's knowledge about the fixed and mobile markets for wholesale call termination services. The information obtained will form a basis for the Authority's market assessments and decisions concerning the determination of significant market power (SMP) in the above-mentioned markets. The questionnaire is designed to enable the Authority to gather and update market information to assist it in:

- a) assessing the level of competitiveness in the relevant market;
- b) declaring those licensees with SMP, if justified

2 Format of questionnaire

2.1 This document seeks to assist the respondent to complete the questionnaire by providing definitions of the main indicators that are used. The questionnaire is divided into seven (7) sections and covers the following:

- Part A: General Licensee Information (to be completed by all)
- Part B: Information Relating to Mobile Services (to be completed by licensees providing mobile services)
- Part C: Information Relating to Fixed Services (to be completed by licensees providing fixed services)
- Part D: Information Relating to Community Service Telephone Services (to be completed by licensees providing CSTs)
- Part E: Information on Interconnection Agreements and Rates (to be completed by all)
- Part F: Comparative Interconnection Data (to be completed by all)
- Part G: Information Relating to Interconnection Negotiations (to be completed by all)

2.2 Each respondent is requested to complete only the Part/s of the questionnaire relevant to it. The Part/s that the respondent replies to must be completed in their entirety. As such, where a question within the Part is not applicable to a respondent, "N/A" should be inserted in the relevant space.

2.3 Respondents are required to provide the Authority with copies of certain financial information to enable the Authority to confirm the information provided.

2.3.1 Where a company is required by law to prepare audited financial statements, or has such available, audited statements for the last 5 (five) years must be submitted along with the questionnaire.

2.3.2 Where the company is not required to prepare audited financial statements in terms of company law, proof of revenue as submitted to the South African Revenue Services (SARS) must be submitted. If the revenue generated by a company is not equal to income derived from licensed activities, this should be set out in an accompanying explanatory note.

2.3.3 The respondent may request that ICASA accept another type of financial statement, and should motivate same should it be requested.

2.4 Licensees are welcome to submit additional “explanatory notes” with the questionnaire to clarify any submissions, or to provide detail on the approach used in responding to a question.

3 Provision of information

3.1 ICASA is empowered to request licensees to furnish information in terms of section 4(3)(g) the ICASA Act (No. 13 of 2000). Such information is required for ICASA to execute its functions in terms of section 67.

3.2 Furthermore, in terms of the regulations entitled “Standard Terms and Conditions for Individual/Class licences” (Government Gazette No. 30530 and 30512 respectively), the Authority may request information from Licensees that would enable it to, amongst others:

3.2.1 “monitor and enforce consumer protection, quality of service, competition and other requirements of Act and related legislation [and]

3.2.2 compile and aggregate information that would enable sectoral planning and reporting.”

4 Submission instructions

4.1 All Electronic Communications Services (ECS) and Electronic Communications Network Services (ECNS) licensees must complete and submit the questionnaire to the Authority within 30 days of receipt of this questionnaire. The closing date for submissions is 16 November 2009.

4.2 All queries regarding the questionnaire are to be submitted to:

Mr Pieter Grootes
Markets and Competition Analysis
ICASA
Private Bag X10002
Sandton
2146

OR ICASA
Block A
Pinmill Farm
164 Katherine Street
Sandton
2146

Fax: (011) 566 3642
Tel: (011) 566 3641

Email: pgrootes@icasa.org.za; cc: pcokie@icasa.org.za

4.3 Licensees must provide an electronic version of the submission (in Microsoft Excel format). Such submissions should be password protected, with the password being provided as a separate file

4.4 Licensees may submit hard copies if deemed necessary.

4.5 Submissions or sections of submissions are to be clearly marked CONFIDENTIAL, if such is requested.

4.6 The Authority requires Regulatory Executive and Chief Financial Officer sign off on the information submitted to ensure accuracy and quality assurance.

5 Confidentiality

5.1 Section 4D of the ICASA Act applies to all information submitted to the Authority. As such, where a licensee is of the view that information that is being submitted is confidential, the steps in section 4D apply.

5.2 The licensee must clearly mark the appropriate sections as confidential and must furthermore provide a written explanation in terms of section 4D(1)(b) explaining why the information is confidential. The Authority will respond within [14] days of receiving a request for confidentiality.

6 Terminology

6.1 In this questionnaire where dates are stated in rows information for the half year ending at that date (e.g. ending Jun- 02) must be provided.

6.2 In this questionnaire, any word or expression to which a meaning is assigned in the Electronic Communications Act, 2005 (Act No. 36 of 2005) or the Independent Communications Authority of South Africa Act, 2000 (Act No. 13 of 2000), as amended by the Independent Communications Authority of South Africa Amendment Act, 2006 (Act No. 3 of 2006), shall have the meaning assigned to it unless otherwise specified. In addition the following terms are defined hereunder-

Access Line	Refers to an active access line that has been used to make or receive a call, send an SMS or generate revenue for the licensee in any other manner at least once in the last 3 months.
ARPL	Revenue generated by a fixed line on a monthly basis.
ARPU	Revenue generated by a subscriber/customer on a monthly basis.
Call Termination Rate	Refers to the rate levied to other licensees for terminating calls on the respondents' network.
Churn Rate	Refers to the number of subscribers that have had their services disconnected within a particular period of time, which period of time is to be defined by the licensee in the enclosed questionnaire. The rate is to be calculated by expressing the sum of disconnections for the preceding 12 months as the percentage of the weighted average number of subscribers in the case of mobile, and active access lines in the case of fixed for the same period.
Estimate of "Call-back Minutes"	Refers to the estimated amount of minutes generated as a result of the "please call me SMS" service. Please specify the methodology used in arriving at the estimate and provide quantitative evidence. If the licensee has internal research on this issue, please submit it with your questionnaire response.
Fixed	Refers to any service, other than a Mobile service.
Interconnection out payments	Refers to the total costs for termination of voice traffic on other licensees' networks.
International	Refers to any communications originating in the Republic and terminating abroad.

Local fixed	Refers to fixed traffic exchanged within the local charging area in which the calling station is situated. This is the area within which one subscriber can call another on payment of the local charge.
Mobile	Refers to any service provided by MTN, Vodacom or Cell C, including CST.
National Long Distance	Refers to fixed national telephone traffic exchanged with a station outside the local charging area of the calling station.
Number of IX agreements.	Total number of operators, with which there is an interconnection agreement.
Off net	Refers to calls made by the licensee's mobile subscribers to other networks within the country.
On net	Refers to calls made by the licensee's subscribers to the same network.
Outgoing Call Back/"Please Call Me" SMS services	Mobile SMS sent to national destinations using the licensee's specialised "please call me" service or a service of a similar nature.
SMS	Refers to Short Message Service. SMS is used to send peer-to-peer messages to and between mobile and fixed phones, and excludes MMS and premium rated SMS.
Subscriber	Refers to an active subscriber, which means a subscriber who has made or received a call, sent an SMS or generated revenue for the licensee in any other manner at least once in the last 3 months.
Total (actual)	Refers to total actual on net and off net minutes.
Total (billed)	Refers to total invoiced on net and off net minutes.
Traffic	Refers to effective (completed) calls or SMS'.
Traffic and Calls	Refers to voice and SMS calls/minutes only.
Transit	Traffic originating on one electronic communications services network that is delivered to another licensee for termination on the network of a third licensee.