



A Consultative Document

Draft amendments to the Telecommunications (Interconnection) Regulations

Maintenance History		
Date	Change details	Version
June 13, 2005	Initial Draft completed	0.1
August 30, 2006	Final version Gazetted	1.0
May 23, 2013	Amendments proposed	1.01
August 2013	Amended draft published for consultation	1.1

1. Introduction

Pursuant to the proclamation of the Telecommunications Act, Chap 47:31 in 2004, and the subsequent liberalization of the telecommunications sector in 2006, the voice telephony market in Trinidad and Tobago has moved from a monopolistic environment to one that is much more competitive. To facilitate such evolution, at that time in 2006, it was necessary for the implementation of a framework to facilitate new entrants into the market for the provision of voice telephony services. As a result, the Telecommunications (Interconnection) Regulations were promulgated in 2006 to provide guidelines and obligations for both the interconnecting providers and the interconnecting concessionaires. Since the promulgation of the Regulations, These changes were not only evident in the number of concessionaires who now provide voice telephony, but also in the types of technologies that are being deployed in the provision of telephony services to the public and the emerging environment of more than one significant player in the marketplace.

Notwithstanding these advancements, there are some aspects of interconnection which have not been effected despite significant work by the Authority. Services such as “number portability” and “indirect access”, while envisioned in the Act and the Regulations, have yet to be provided in the market, with the concomitant effect that aspects of the competitive environment remain truncated. As a result, the Authority has seen it fit at this time to make minor changes to the aforementioned regulations to continue in its obligation of establishing conditions for an open market and promoting access to telecommunications services.

1.1 Relevant Legislation

The relevant Sections of the Telecommunications Act which were taken into consideration in the framing of the Interconnection Regulations are:

Section 25 of the Telecommunications Act 2001 which states:

“(1) In addition to the requirements of sections 22 and 24, a concession for a public telecommunications network or a public telecommunications service shall include conditions obliging the concessionaire to provide for -

- (a) direct interconnection with the public telecommunications network or public telecommunications service of another concessionaire;*
- (b) indirect interconnection with such network or service referred to in paragraph (a), through the public telecommunications networks or public telecommunication services of other concessionaires; and*

(c) the transmission and routing of the services of other concessionaires, at any technically feasible point in the concessionaire's network.

(2) In respect of a concessionaire's obligations pursuant to subsection (1), the Authority shall require a concessionaire to –

(a) comply with guidelines and standards established by the Authority to facilitate interconnection; ...”

1.2 Objectives

The primary objective of the Interconnection Regulations is to provide an effective framework for interconnection between concessionaires in order to:-

- ensure the effective liberalization of the telecommunications sector and the introduction of competition
- facilitate the provision of a wide range of telecommunications services for both public and private use
- ensure fair, non-discriminatory, any-to-any connectivity and equal access among users of all public telecommunications networks and services in the Republic of Trinidad and Tobago
- support the telecommunications policy of the Government of the Republic of Trinidad and Tobago
- honour the country's commitment to the World Trade Organization, CARIFOUM/ EU Economic Partnership Agreement and other Trade Agreements in respect of telecommunications services
- ensure that treaty obligations by the Government of the Republic of Trinidad and Tobago in respect of telecommunications are respected.

1.3 Review Cycle

This document will be modified as deemed necessary by the Authority, subject to the approval of the Minister and Parliament, in order to adapt to the needs of the telecommunications industry and to meet changing circumstances. When need for modification is identified, the Authority will announce its intention to review the document and any interested party or entity in the telecommunications sector or any appropriate industry forum may suggest changes to the document.

Questions or concerns regarding the maintenance of this document may be directed to the Authority via email at legal@tatt.org.tt.

1.4 The Consultation Process

The Authority will seek the views and opinions of the general public and other stakeholders regarding the proposals made in this document, in accordance with the Authority's *Procedures for Consultations in the Telecommunications Sector of Trinidad and Tobago*.

This draft policy will be made available for public comments for a period of four (4) weeks, as prescribed by the Authority.

Following consultation the Interconnection Regulations will be submitted to the Minister for approval, and promulgation through negative resolution of Parliament in accordance with section 78 of the Act.

1.5 Other Relevant Documentation

The Interconnections Regulations are prescribed alongside other policies, plans and regulations prepared by the Authority including the following:-

- Policy on the Authorization of Telecommunications Networks and Services and Broadcasting Services in Trinidad and Tobago
- Interconnection and Access to Policy
- Access to Facilities Regulations
- Quality of Service Policy
- Consumer Rights and Obligations
- Concession and Licensing Fee Regulations

2. Rationale for modification

The Interconnection Regulations have provided the general overarching framework that has facilitated the development of the sector such that there is little instance of the combative market entry that characterised the entry of the first competitive mobile operator in 2006.

Notwithstanding this substantial success, the Regulatory framework has not facilitated the implementation of particular interconnection services identified in the Act, which the Authority believes would strengthen the competition in the sector. Noting the level of development and maturity in the sector, the Authority believes that it is currently the appropriate time to modify the framework so that it can be more effective in achieving key policy aims geared to deepening the competitive environment.

In summary, the modifications proposed are geared to:

- (i) strengthen the framework associated with the Reference Interconnect Offer (RIO), already provided for in the Regulations;
- (ii) strengthen the provisions in the Regulations related to the implementation of Indirect Access (via either Carrier Selection or Carrier Pre-Selection) and Number Portability through the identification of the Authority's Standards and Guidelines for Interconnection; a framework established to support the establishment of technical considerations to support these Regulations, which is to be established in accordance with Section 25 (2)(a) of the Act.
- (iii) Clarify the distinction between network preparation for interconnection and the provision of interconnection services, and obligation of concessionaires, and modification of networks to support specific requests for interconnection outside of the standard preparations of the concessionaire. In making this distinction, the amendments seek also clarify the responsibilities for bearing the cost of these distinct activities and functions.

An overview of the proposed amendments, clause by clause is provided below, followed by the proposed revised Regulations for ready consideration of interested parties.

2.1 Overview of amendments to the Regulations

1. **Regulation 2 “Interpretation”** is amended to include Carrier selection ,Carrier Selection, Code, Data, Dialing parity and Indirect Access.
 - “*Carrier Selection*” and “*Carrier Selection code*” are introduced to facilitate ready appreciation and understanding of the method that would be used by market participants so that consumers may make a phone call using a network to which they are not directly connected. The proposal is in accordance with the Authority’s Policy Framework for Indirect Access.
 - To give concessionaires a clear understanding of the services that are to be switched, routed and transmitted on their network, via interconnection, the word “*data*” is introduced to ensure that interconnection service providers configure their networks to accommodate *data-centric* transmission as well.
 - As the Authority seeks to promote access to telecommunications services as mandated in the Act, in Section 3 (c) (i) and recognizing that interconnection plays a vital role in the achievement of same, the Authority would require that concessionaires provide equal and indirect access via *Dialing Parity* and *Indirect Access* respectively as outlined in *Regulation 8A* and *8B*.
 - Include definition for carrier pre-selection
2. **Regulation 5** was amended to include a new sub-regulation (5) 3 to provide for the Authority defining some reasonable timeframe within which the Concessionaire shall endeavour to be in compliance with Regulation 5(1). This is necessary to ensure that Concessionaires ultimately fulfil their obligation of providing interconnection in a non-discriminatory manner, not only in relation to other interconnecting parties, but also in relation to its own subsidiaries or related business units.
3. **New Regulations 8(A) Facilitation of Dialing Parity** and **(B) Facilitation of Indirect Access** respectively have been inserted to replace the prior Regulation 8. This was though necessary as these are considered to be key interconnection services which will facilitate end users

gaining access to telecommunication services in a manner that reduces barriers to competitive market entry. The prior Regulation 8 was deemed to be unclear in delineating responsibilities associated with either dialing parity or indirect access. It is anticipated that the separation of the Regulation as proposed will rectify this ambiguity. Further, in accordance with new Regulation 26A (1), these provisions reaffirm that preparation of one's network in this regard at one's own cost is an affirmative obligation of these Regulations in accordance with the Standards and Guidelines established by the Authority pursuant to Section 25 of the Act.

4. Regulation 9 has been modified as Sub-Regulation 9(1), so as to (i) create a requirement for administrative and technical procedures for number portability, and (ii) empower regulatory instrument in the form of a determination which would formalise the means by which the Authority directs concessionaires to facilitate number portability. A Sub-Regulation 9(2) is further inserted to set out the scope of any determination made by the Authority in respect of number portability directions.

5. A sub **Regulation 15 (1)** is modified and sub-regulation **(1A)** is inserted to clarify the distinction between the costing methodology and the cost model, and to reaffirm the priority of the former in the determination of the approach to establishing and setting interconnection rates. As such, the proposed construction is geared to clarify that once the costing methodology is set, where there is no model established by the Authority, concessionaires are still obliged to determine interconnection charges in accordance with that established costing methodology. Where the costing model has been established by the Authority, concessionaires may use such model as a means of implementing the methodology. This state of priority is thereafter applicable to formulae etc. that are to be determined by the Authority as outlined in regulation 15 (1).

6. To ensure that these agreements are fair and are non-discriminatory the Authority mandates, a new **Regulation 19B** is inserted identifying the mandatory elements that should be included in the RIO of a concessionaire identified in Regulation 19.

7. Regulation 23 has been inserted to reaffirm the principle and thus ensure that the content of the Interconnection Agreements are consistent with that of the of the interconnection service provider's RIO. The Authority acknowledges that some content such as the commercial details in

these two may vary as concessionaires negotiate between each other. However, it is expected that, as the RIO is to be developed and approved in accordance with the Authority's Standards and Guidelines for Interconnection, that the Agreement would not vary materially from key matters within the RIO such that the Agreement is not in compliance with such established standards and guidelines.

8. A new **Regulation 26A** is included to clarify to concessionaires the Authority's interpretation of Section 25 (2) (b) of the Act. The Authority notes that "*points of interconnection in addition to those offered generally to other Concessionaires*" suggests that the interconnecting service provider has a responsibility to established points of interconnection that are offered generally. The interconnection service provider has the additional responsibility of bearing the cost to prepare its network for the provision of interconnection services at such "points of interconnection." The technical and operational parameters within which these points should be established will be in accordance with the Standards and Guidelines established by the Authority.

9. **Regulation 27** was reworded to, in conjunction with the addition of Regulation 26A, give clarity on the costs that are to be borne by the interconnecting concessionaire for modifications of the interconnection provider's network or equipment. These may include costs associated with:

- (i) establishing capacity on start up outside of that identified in the Standards and Guidelines for Interconnection,
- (ii) the establishment of points of interconnection other than that specified in the same standards, or
- (iii) other required modifications to the interconnection service provider's network or points of interconnection other than that specific in Regulation 26A or the Standards and Guidelines for Interconnection.

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3. Proposed Amended Interconnection Regulations

REPUBLIC OF TRINIDAD AND TOBAGO
THE TELECOMMUNICATIONS ACT (ACT NO: 4 OF 2001)
REGULATIONS
Made by the Minister under section 78 (1) of the Telecommunications Act
THE TELECOMMUNICATIONS (INTERCONNECTION) REGULATIONS,
200[6]

PART I	
PRELIMINARY	
Citation	1. These Regulations may be cited as the Telecommunications (Interconnection) Regulations, 2006.
Interpretation	2. (1) In these Regulations: “the Act” means the Telecommunications Act; “the Authority” has the meaning assigned to it in the Act; “Carrier pre-selection” means a method whereby the customer selects a default telecommunications carrier for international calls which may or may not be the customer’s carrier for domestic calls; “Carrier selection” means a method whereby the user dials a Carrier Selection Code prior to dialing the called party’s number without which the pre-selected public international telecommunications carrier will be used by default to complete the call. “Carrier Selection Code” means the numbers dialed by a user before or after the called party’s number in an international call to select the carrier which will carry the call which is made up of the carrier access code and the carrier identification code.

	“concessionaire” means the holder of a concession issued under section 21 of the Act but does not include the holder of a concession to provide a broadcasting service; “data” means any document, book, plans, map, drawing, diagram, pictorial or graphic work, photograph, audio or video recording, or machine-readable symbols. “Dialing parity” means the ability of a user to complete a call accessing the services of a third party concessionaire by dialing the same number of digits as if using the equivalent services of the user’s primary serving telecommunications concessionaire. “equal access” means the ability of a customer to choose in a transparent and equal manner between two or more competing service providers; “essential interconnection resource” means an interconnection resource for which no practical and viable alternative exists; “indirect access” means the mechanism by which an end user utilizes the services of an international telecommunications concessionaire, to which he is not directly connected, to carry his international calls. “interconnection agreement” means a legally binding agreement between concessionaires made in accordance with section 25 (2) (e) of the Act, respecting the linking of their networks in order to provide telecommunications services; “interconnecting concessionaire” means a concessionaire who seeks interconnection from another concessionaire; “interconnection provider” means a concessionaire who provides interconnection to an interconnecting concessionaire; “interconnection request” means a request for interconnection made in accordance with regulation 11; “interconnection resource” means a component of a network or a combination of such components that is required for the provision of an interconnection service; “interconnection service” means a service provided by an interconnection provider to an interconnecting concessionaire linking the public telecommunications networks or public telecommunications services of both concessionaires to—
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First Schedule

(a) allow the users of the public telecommunications services of either concessionaire to communicate with the users of the public telecommunications services of the other; and

(b) to access the services provided by the other concessionaire;

“interconnection link” means a transmission path connecting the point of interconnection with the network of an interconnecting concessionaire;

“network termination point” means the point at the customer’s premises where the physical connection to the interconnection provider’s network is effected;

“Non-disclosure Agreement” means an agreement substantially in the form set out in the First Schedule, that seeks to protect the confidentiality of information provided by one concessionaire to another for the purpose of interconnection;

“number portability” means the ability of a customer to retain the same telephone number on changing telephone service providers;

“point of interconnection” means a point on the interconnection provider’s network where physical connection is allowed to any interconnecting concessionaire to act as a gateway between networks and enable the exchange of telecommunications services between or among networks so interconnected;

“Reference Interconnection Offer” or “RIO” means a document setting out the terms on which an interconnection provider proposes to offer interconnection to an interconnecting concessionaire;

“traffic origination” means an interconnection service providing connectivity from a network termination point on a customer’s premises to the point of interconnection;

“traffic termination” means an interconnection service providing connectivity from a point of interconnection to a network termination point on a customer’s premises;

“transit services” means the transmission and routing of the services of other concessionaires over the network of an interconnection provider.

PART II

OBLIGATION OF CONCESSIONAIRES

General obligation of concessionaire to interconnect	3. A concessionaire shall— (a) provide direct and indirect interconnection of the networks and services of other concessionaires to its own networks and services; (b) provide transit services to other concessionaires at any technically feasible point in the concessionaire's network; (c) neither withdraw nor impair interconnection or transit services once already granted unless so authorised by the Authority under a dispute resolution process pursuant to section 82 or by an order made by a Court; (d) on request from any concessionaire, disaggregate its network and offer to other concessionaires, interconnection to the individual network elements; (e) grant access to technical interfaces, protocols or other key technologies that are indispensable for the inter-operability of public network services for the purposes of interconnection; and (f) provide interconnection link capacity within its network and between its network and that of the interconnecting concessionaire to enable— (i) transmission; and (ii) switching or routing, of voice and data over their networks.
Access to facilities for the purpose of interconnection	4. Where access to any facilities is required to effect interconnection such access shall be provided, in accordance with the Act and any regulations made thereunder, together with the interconnection.
Nondiscrimination	5. (1) A concessionaire shall provide interconnection under the same terms and conditions and of the same quality as it provides for its own networks and services, the networks and services of its subsidiaries and partners, or the networks and services of any other concessionaire to which it provides interconnection. (2) Where a concessionaire fails to comply with sub regulation(1), it

	shall upon request from the Authority prove to the satisfaction of the Authority that it is not technically feasible to replicate the level of quality of the interconnection or to provide interconnection under the same terms and conditions as it provides for its own use. (3) The Authority shall, with respect to a concessionaire that demonstrates that it is not in compliance in accordance (2), in notifying its satisfaction to the concessionaire specify a reasonable timeframe within which the concessionaire shall endeavor to be in compliance with (1).
Evidence of feasibility	6. (1) Previous interconnection at a particular point of interconnection is evidence of technically feasible interconnection at that point of interconnection, or at similar points on the network where similar resources are used or equivalent functionality is achieved. (2) Adherence to the same interfaces or protocol standards at other points of interconnection shall constitute evidence of similar resources.
Facilitating equal access	7. An interconnection provider shall, upon request by an interconnecting concessionaire, supply details of number ranges that are hosted on each of its local exchanges to enable an interconnecting concessionaire using the service to route calls to those number ranges directly on the interconnection link to the local exchange.
Facilitation of dialing parity	8A. In accordance with Regulation 26A, a concessionaire shall configure its network to facilitate dialing parity.
Facilitation of Indirect Access	8B. In accordance with Regulation 26A, and the Standards and Guidelines established by the Authority, a concessionaire shall— (a) programme its switches or routers to enable Carrier Pre-selection; and (b) programme its switches or routers to enable Carrier Selection. where applicable, for access to international telecommunications services.
Facilitation of number portability	9. (1) A concessionaire shall configure its network and implement all necessary administrative and technical procedures necessary to facilitate number portability between similar networks in accordance with any Determination made by the Authority.

	regulation shall, prior to receipt of the information, execute a Nondisclosure Agreement for the benefit of the concessionaire disclosing the information. (8) Every concessionaire shall implement internal procedures to ensure that information provided to the concessionaire in respect of interconnection is not utilized by the concessionaire for any purpose other than the interconnection, and in particular for commercial or other gain by the concessionaire. (9) Every concessionaire shall limit access to any traffic forecasting and commercially sensitive information, only to such persons within the concessionaire's organization or employ who are required to have such access for the performance of their duties relating to interconnection and ensure that such persons are not engaged in the ordinary day-to-day commercial operations of the concessionaire.
PART III NEGOTIATING INTERCONNECTION AGREEMENTS	
Interconnection request	11. (1) A concessionaire may make an interconnection request at any time. (2) For the purpose of processing an interconnection request, a concessionaire shall— (a) provide the Authority with a designated contact; and (b) ensure that requests for interconnection are dealt with promptly. (3) An interconnection request shall— (a) be forwarded to the designated contact except that where no contact has been designated, the request shall be forwarded to the registered address of the interconnection provider; (b) at the time of the request be copied to the Authority by the interconnecting concessionaires; and (c) unless otherwise agreed between the interconnection provider and the interconnecting concessionaire, include—

	(i) the reference number of the interconnecting concessionaire's concession or proof of a submitted application for a concession; (ii) reference to the points of interconnection at which interconnection is required; (iii) details of the interconnection required; (iv) the date by which interconnection is required; (v) the period for which interconnection is required; (vi) details of any equipment to be installed or additional equipment required at the points of inter-connection or to be interconnected, together with details of the security, safety, environmental, and spatial requirements of the equipment; (vii) the extent to which access to the facilities or premises of the interconnection provider is required by the interconnecting concessionaire to install or maintain any equipment; (viii) traffic forecasts and other related information for no less than three years with sufficient detail tenable the interconnection provider to assess the impact of the interconnection on its networks and services, and to enable the interconnection provider to effectively dimension its network during the period forecasted; and (ix) any other particular which the Authority may from time to time specify. (4) The interconnection provider shall acknowledge receipt of the interconnection request within seven days of the receipt of the request. (5) The interconnection provider may upon its receipt of the interconnection request, request any further information that it may reasonably require in order to process the interconnection request. (6) A request made under sub regulation (5) shall be copied to the Authority and satisfied by the interconnecting concessionaire within seven days of its receipt of the request. (7) Where the request made under sub regulation (5) is not satisfied in accordance with sub regulation (6), the period specified in regulation 13 for negotiating an interconnection agreement shall be
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	increased by a period corresponding to the delay.
Interconnection request pending approval of concession application	12. (1) Nothing in regulation 11 shall be construed as preventing any person who has applied to the Authority for a concession under section 21 of the Act, but whose application is still pending, from making an interconnection request and concluding an interconnection agreement. (2) The effecting of interconnection in accordance with a request made under this regulation shall be conditional upon the grant of concession to the applicant. (3) The applicant shall provide to the interconnection provider at the time of the interconnection request, such security as the interconnection provider may reasonably require to indemnify the interconnection provider against any loss that it may suffer in the event that the application referred to in sub regulation (1) is unsuccessful.
Time for conclusion of interconnection agreement	13. (1) A concessionaire shall use its best endeavours to conclude an interconnection agreement as soon as possible following its receipt of an interconnection request, but in any event shall conclude the agreement no later than— (a) six weeks after its receipt of the request from an interconnecting concessionaire, where either the interconnection provider or interconnecting concessionaire has published a RIO pursuant to regulation 19; or (b) ten weeks after its receipt of the interconnection request in all other circumstances, except that where the request was made under regulation 12, the request shall be deemed to have been received by the interconnection provider on the date of the grant of the concession. (2) Failure by a concessionaire to comply with this regulation shall constitute a dispute referable to the Authority under regulation 32.
Content of interconnection agreement	14. (1) Every interconnection agreement shall include prices for interconnection services and interconnection resources as well as the technical, operational, billing and planning conditions for interconnection.
Interconnection charges	15. (1) A concessionaire shall set interconnection rates based on costs determined in accordance with such costing models or formulae determined by the Authority which implement an established costing methodology as the Authority may from time to time, determine.

	(1A) Where the relevant data for the establishment of models or formulae are unavailable within a reasonable time, the concessionaire may set interconnection rates in accordance with the established costing methodology. (2) Where the relevant data for the establishment of costing methodologies, models or formulae are unavailable within a reasonable time, the concessionaire may set interconnection rates with reference to such costing benchmarks, as determined by the Authority, that comport with internationally accepted standards for such benchmarks. (3) A concessionaire shall within twenty-eight days of a written request from the Authority, unless this period is expressly extended by the Authority in writing, supply to the Authority such data as the Authority may require, for the purpose of determining that its interconnection rates are in accordance with this regulation.
Interconnection agreements available	16. (1) The terms and conditions for interconnection contained in the most recent interconnection agreement under which the concessionaire is the interconnection provider shall be made available to any other concessionaire requesting interconnection. (2) Each interconnection agreement shall provide for amendment or modification to permit incorporation of the terms and conditions referred to in sub regulation (1) and such amendment or modification shall be effected within fourteen days of a request from an interconnecting concessionaire. (3) Failure by an interconnection provider to comply with sub regulation (2) shall constitute a dispute referable to the Authority under regulation 32. (4) For the purposes of this regulation, “interconnection agreement” includes amendments and modifications to such agreement.
Attendance by Authority at meetings	17. (1) Every interconnection provider and interconnecting concessionaire shall notify the Authority in a timely manner of every meeting scheduled for the purpose of negotiating interconnection. (2) The Authority may, upon the giving of twenty-four hours prior written notice to the relevant concessionaires, attend any meeting referred to in sub regulation (1) in the capacity of observer only.
Submission of interconnection	18. (1) Every interconnection agreement or modification thereto shall be submitted to the Authority in such format as the Authority shall

agreements	reasonably require, within fourteen days of signature by the parties. (2) The Authority shall— (a) publish every interconnection agreement by posting on its website within fourteen days of its receipt by the Authority; and (b) provide copies of interconnection agreements to any concessionaire upon request, except that such publication and provision shall not disclose commercially sensitive information.
PART IV REFERENCE INTERCONNECTION OFFER	
Requirement to provide a Reference Interconnection Offer	19. (1) Upon a request by the Authority, a concessionaire operating a public telecommunications network shall prepare, publish and maintain a RIO substantially in the form published by the Authority on its website or in such other manner as the Authority may determine. (2) The basis for a request by the Authority shall be— (a) the extent to which the concessionaire will be required by other concessionaires to provide interconnection; (b) the concessionaire’s control over essential interconnection resources; and (c) the extent to which the concessionaire has failed to promptly negotiate interconnection or has unjustifiably denied interconnection in the past.
Contents of a RIO	19B. A RIO shall contain the following information— (a) the technically feasible points at which interconnection is permitted at no additional charge and the means by which interconnection will be achieved; (b) the additional charges to the requesting party for interconnection at points other than those set out in (a). (c) the elements of the interconnection service and its constituent elements, including signaling, transport, the transfer of calling line identification information and

	switching between the point of interconnection and end users. (d) rates or pricing formulae for each feature, function or facility that the interconnection service provider required to offer pursuant to the Act, the Regulations, or the Standards and Guidelines established by the Authority from time to time. (e) other commercial terms and conditions applicable to the offering of the elements of the interconnection service.
Submission of a RIO	20. (1) A concessionaire who is required to prepare a RIO under regulation 19 shall within sixty days of notice to that effect by the Authority and annually thereafter until such time as the requirement is withdrawn by the Authority, submit its RIO to the Authority for approval. (2) The Authority may with reasons, require the concessionaire to effect changes to the RIO prior to the Authority's grant of approval, except that the changes shall not be in respect of any matter which the concessionaire is entitled to negotiate or determine under section 25 of the Act. (3) Changes shall be effected by the concessionaire and the RIO resubmitted to the Authority for approval within twenty-one days of the concessionaire's receipt of the Authority's request under sub regulation (2).
Amendment of RIO	21 Where a decision arising from a dispute resolution process modifies the terms and conditions on which interconnection shall be offered, a concessionaire required to provide a RIO under regulation 19 shall within twenty-one days of notice from the Authority, amend its RIO to comply with the decision and submit the amended RIO to the Authority for approval.
Publication of RIO	22. Within fourteen days of approval by the Authority a concessionaire shall publish its RIO by— (a) posting the RIO on its website; and (b) making printed and electronic copies of the RIO available to any concessionaire or applicant for a concession, upon request.

Interconnection agreement to be consistent with RIO	23. The contents, terms and conditions of the interconnection agreement should not be materially different from that which is contained of the RIO of the interconnection service provider approved in accordance with Regulation 20.
PART V IMPLEMENTATION OF INTERCONNECTION AGREEMENTS	
Interconnection agreement to stipulate time for interconnection	24. (1) Every interconnection agreement shall stipulate a period not exceeding twenty-eight days within which interconnection shall be effected. (2) Notwithstanding sub regulation (1), the Authority may, upon written application of a concessionaire, extend the period referred to in sub regulation (1).
Effecting operational interconnection	25. A concessionaire shall use all reasonable endeavours to effect operational interconnection within twenty-eight days of concluding a relevant interconnection agreement or such longer period as may be approved by the Authority in accordance with regulation 24.
No deprivation of interconnection	26. An interconnection provider shall not deprive an interconnecting concessionaire of any benefit granted under their interconnection agreement unless in accordance with the agreement or with the prior written consent of the Authority.
Elements to be established at the concessionaire's own cost	26A (1) A concessionaire providing interconnection services is responsible for the preparation of its network, at its own cost, for the provision of interconnection services in accordance with the Standards and Guidelines established by the Authority (2) Notwithstanding the generality of (a) above, these interconnection services shall include the provision of: (a) points of interconnection at which interconnection is permitted at no additional establishment charge; (b) voice service termination; (c) SMS and MMS termination; (d) switch configuration to support carrier selection and pre-selection; (e) switch and systems configuration to support number

	portability; and (f) Data carriage.
Costs of modification recoverable	27. Where interconnection requires modification of the network or equipment of an interconnection provider, other than that necessary in accordance with the Standards and Guidelines established by the Authority, the cost of the modification shall be recoverable from the interconnecting concessionaire, such costs to be determined in the manner prescribed by the Authority.
PART VI DENIAL OF INTERCONNECTION REQUEST	
Denial of interconnection	28. (1) Every concessionaire who denies an interconnection request shall forthwith notify the Authority of the denial and reasons for denial. (2) Upon request by the Authority the concessionaire shall provide in writing within seven days of the request, justification for the denial. (3) The Authority may request of the concessionaire, the production of any records or documents to determine the justification for the denial of interconnection. (4) The Authority may at all reasonable times and with the permission of the concessionaire, enter the premises of the concessionaire and inspect equipment and facilities to determine the justification of any denial of interconnection.
Interconnection ordered by Authority	29. Where in the opinion of the Authority the denial of interconnection is not justified, the Authority may order the concessionaire who denied interconnection to grant the interconnection in a time and on such conditions as the Authority may specify.
Order for network adjustment	30. (1) Where the Authority considers it appropriate, whether the denial is determined to have been justified or not, the Authority may require an interconnection provider to, within such reasonable period as the Authority may stipulate, make network adjustments or construct additional facilities as the Authority deems necessary to provide interconnection. (2) In acting under sub regulation (1), the Authority may take into account any relevant factors which may include the need for interconnection, the presence of essential interconnection resources, the availability and cost of alternatives, or the cost of network adjustment

	or additional facilities. (3) The reasonably incurred costs of an adjustment or additional facilities shall be— (a) recoverable from the interconnecting concessionaire; and (b) determined in accordance with such methodology as the Authority may prescribe.
PART VII DISPUTE RESOLUTION	
Request for consultation and guidance	31. Where a dispute arises between concessionaires with respect to interconnection, the matter may be referred to the Authority for consultation and guidance, on the agreement of both parties, prior to either party submitting the matter to the Authority as a dispute.
Referral of dispute in accordance with dispute resolution procedures	32. Save as provided in regulation 31, every dispute regarding interconnection shall be submitted to the Authority for resolution in accordance with the dispute resolution process established by the Authority under section 82 of the Act.
Interim arrangements	33. (1) The Authority may, in relation to any dispute referred to under these Regulations, direct that the parties implement such interim arrangement for interconnection as the Authority considers appropriate having regard to the nature of the dispute. (2) An interim arrangement may speak to prices and include any other terms or conditions for interconnection, whether or not the Authority considers submissions made by the parties, subject to such times for submissions as the Authority shall, in its sole discretion determine. (3) An interim arrangement shall be instituted by the parties within a period determined by the Authority and shall remain in force until the dispute has been resolved.
Effective date of interim arrangement	34. The final resolution of a dispute in respect of which an interim arrangement was implemented shall— (a) be effective on the date on which the interim arrangement was effected; and (b) include provisions for compensation to any party that has

	suffered any loss and damage as a result of the arrangement.
PART VIII	
GENERAL	
Penalty for breach of regulations	35. A concessionaire who contravenes any provision of these Regulations commits an offence and is liable on summary conviction to a fine of fifty thousand dollars.