Appendix 1: Decisions on Recommendations on Report on the *Interconnection Benchmarking Study for the Telecommunications Sector of Trinidad and Tobago 2024–2029*

The following summarises interested parties' comments on the *Report on the Interconnection Benchmarking Study for the Telecommunications Sector of Trinidad and Tobago 2024–2029* (the 2024 IBS Report), issued for the first round of public consultation by the Telecommunications Authority of Trinidad and Tobago (the Authority) on 3rd February 2025, and provides the Authority's decisions, which have been incorporated, where applicable, in the revised 2024 IBS Report issued on 5th February 2026.

The 2024 IBS Report is the fourth in a series of interconnection benchmarking studies (IBS) conducted by Sepulveda Consulting Inc. (SCI) for the Authority. The first IBS report was issued by the Authority on 28th March 2017 (the 2017 IBS Report). A second, revised IBS report was issued on 4th June 2019 (the 2019 IBS Report). This report was accompanied by the Authority's round one DORs which addressed the feedback received and provided the Authority's decisions on stakeholders' comments on the 2017 IBS Report. The third IBS report was issued on 16th March 2021 (the 2021 IBS Report), which was accompanied by the Authority's round 2 DORs that presented the public's feedback and the Authority's decisions on the 2019 IBS Report.

The Authority wishes to express its appreciation to CCTL, TSTT and Digicel (Trinidad & Tobago) Limited for responding to this consultation.

The Authority notes that some comments on the 2024 IBS Report are repeated across stakeholders' feedback or within a stakeholder submission in the context of introductory or concluding comments and comments to specific sections. To prevent possible ambiguity due to the use of different terms in repeating the similar argument, the matrix below uses cross-references where appropriate. To facilitate this, a first column of the matrix includes numbering of each row.

Lastly, since there is repeated reference to the DORs of previous IBS Reports (2017 IBS Report and 2021 IBS Report) in what follows, for ease of reference, they are attached as Appendices 2 and 3, respectively.

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1	General (Introduction)	CCTL	CCTL considers that the following adjustments would improve the accuracy and robustness of the Benchmarks: i. Treat the four French West Indian (FWI) islands as four rather than a group of two observations. ii. Limit the sample to jurisdictions with cost based rates. Notwithstanding, as a starting point to get to cost based rates, we support TATT's decision that the cost benchmarks estimated from the study be used as maximum rates for the various interconnection services. The cost benchmarks are being implemented in one stage, instead of using the glidepath approach, CCTL supports this approach.		The Authority acknowledges CCTL's specific and general comments. The Authority addresses CCTL's comment with respect to the number of French West Indies (FWI) observations in greater detail under Item 16. In summary, the FWI National Regulatory Authority (NRA) (Autorité de la concurrence), affiliate of French Telecommunications and Posts Regulator (Arcep), had initially established separate interconnection rates for each operator in Guadeloupe, Martinique, St. Barts and St. Martin. However, these rates have converged over time and are amongst the lowest in the sample, which mitigates underestimating benchmarked interconnection rates. The Authority maintains that including each of these four jurisdictions separately in the sample would place a disproportionate weight on the FWI jurisdictions in the benchmarking study. Conversely, applying a single rate would remove all heterogeneity among them. Therefore, the Authority continues to be of the view that the treatment of the FWI as two rather than four observations is appropriate, reasonable and proportionate for domestic application during the period of this study. Item 15 provides the Authority's detailed response to CCTL's comment on the inclusion of only cost-based rates. In summary, CCTL's suggestion to exclude jurisdictions without cost-based rates is reflected in the 2024 IBS Report's *Cost-Based Average* computation, which only includes those jurisdictions that have used cost methodologies. However, the 2024 IBS Report also makes use of the all-sample average, which includes those cost-based jurisdictions as well as

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					those that use other methodologies for the purpose of analysis. In section 3.1 of the 2024 IBS Report, the Authority takes into account both the all-sample and cost-based sample averages as follows: "The cost-based sample average is treated as a "lower bound" and the all-sample average as an "upper bound" for the end-point MTR and FTR benchmarked rates. This ensures the resulting benchmarked rates are reasonably cost oriented, i.e., close to, but still above, cost-based sample average benchmark rate levels, while also closely tracking the all-sample average benchmark rate levels." The Authority acknowledges CCTL's support for the approach to setting interconnection rates based on the recommended costing benchmarked rates included in the 2024 IBS Report. The Authority also appreciates CCTL's support for its proposed approach to not having a glide path to move to the recommended costing benchmarked rates.
2	General (Conclusions)	CCTL	In order to promote robust and sustained competition in the market, CCTL Supports the conclusion that the results of this cost benchmark study be used as maximum rates for the various services. <u>Support for the Benchmarking Study Approach</u> **Diverse Jurisdictions with Recent Adjustments**: The jurisdictions included in the study offer a broad representation of Caribbean countries, many of which have undergone recent adjustments to their interconnection rates. This makes the sample relatively fair and robust despite the limited inclusion of jurisdictions outside the region. The		The Authority acknowledges CCTL's support for the approach to setting interconnection rates based on the recommended costing benchmarked rates included in the 2024 IBS Report. In addition, the Authority will continue to work with stakeholders for the establishment of the optimal cost model for developing representative interconnection rates for Trinidad and Tobago, in keeping with international standards and domestic factors (A Model for Calculating Interconnection Costs in Telecommunications, World Bank 2004). The Authority recognises the fundamental role of interconnection cost models in establishing fair and efficient interconnection rates that foster equitable market conditions and promote competitive dynamics. In situations where such models are absent or still under

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			recent adjustments in these countries offer valuable insights into how changes to interconnection rates have impacted the market, making this approach suitable for the current landscape. **Cost-Effectiveness and Timeliness**: Compared to a traditional Long Run Incremental Cost (LRIC) study, the benchmarking approach will provide results in a more timely and cost-effective manner. Conducting an LRIC study would be resource-intensive and time-consuming, whereas the benchmarking approach allows for a quicker analysis and can be executed at a fraction of the cost.		development, benchmarks may be applied in line with ICT guidelines, namely "Economic policies and methods of determining the costs of services related to national telecommunication/ICT networks" (ITU 2021) and "A practical guide on benchmarking telecommunication prices" (ITU 2014).
3	General (1.1. Background)	Digicel	Digicel is concerned that the basis for the Authority undertaking this benchmarking exercise is fundamentally flawed and fails to take into account the substantial shifts in technologies, services and markets since the *Telecommunications Act, Chap. 47:31* ("Act") was brought into force on 5th July 2001. While interconnection remains an important enabler of "any to any at row #10connectivity", the rapid growth of "over the top" ("OTT") services means that it is now unlikely that any concessionaire can be said to have market power over the termination of calls and messages on its network. It is also the case that commercial arrangements around interconnection are now also well established with standard form agreements and approaches to technical and operational issues being the norm. This means that new entrants are unlikely to face any material difficulty in being able to		The Authority acknowledges Digicel's comments but does not agree that the benchmarking process is flawed. Digicel's comments on the objectives for issuing the 2024 IBS Report in the context of commercial arrangements is addressed in detail under Item 9. Digicel suggests that the Authority compromises its ability to establish a dispute resolution process by issuing the 2024 IBS Report which contains the recommended costing benchmarked rates. However, this claim by Digicel has no legal or practical basis as demonstrated in previous dispute resolution experiences relating to international call termination rates. Digicel may recall the resulting Arbitration Panel Decision was issued in December 2019 following the publication of the Authority's 2017 IBS Report which recommended costing benchmarked rates. In the same manner, the issuance of the 2024 IBS Report does not compromise the Authority's ability to establish a dispute resolution process in the future.

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			interconnect on reasonable terms with existing concessionaires. Rather than reflect these modern day realities, Digicel is concerned that the Authority has founded this market intervention on and precedents and authorities from well over a decade ago and, in many cases more than two decades ago (e.g. World Bank, 2000 and OECD, 2001). In doing so, the Authority may be inadvertently interfering in the development of interconnection arrangements as they naturally evolve to take into account changes in technologies, services and economic markets. This may have the unintended consequence of creating or encouraging disputes where they would not otherwise exist and inappropriately influencing or predetermining outcomes relating to interconnection. Moreover, the Authority's focus on benchmarking is flawed, meaning it is not in conformity with the Act which requires that, in the first instance, the Authority must rely on cost modelling as a mechanism to address instances where there are disputes between parties or the circumstances described in section 29(2) of the Act apply. This is made clear by section 15 of the Telecommunications (Interconnection) Regulations, 2006 ("Regulations") which provides that the Authority may only determine costing benchmarks "*where the relevant data for the establishment of the costing methodologies, models or formulae are unavailable within a reasonable time*".		Digicel's comments regarding the legal and policy rationale for the recommended costing benchmarked rates approach relative to the cost modelling approach are addressed in detail in Item 10. In brief, the Authority has provided extensive background and comments on the chronology of the development of a long-run average incremental cost (LRAIC) model (see round two DORs, pages 29–34), to contextualise the current use of costing benchmarked rates. The Authority will continue to build its cost modelling capacity, which will be consulted upon in due course. For ease of reference, the Authority notes the historical challenges which were unresolved during its initial cost modelling exercise, including data paucity caused by limited cooperation and unresponsive stakeholders as denoted in previous consultations on the Interconnection Benchmarking Study (2021). The Authority anticipates that such issues will be avoided in future exercises. The following summary of challenges encountered are reiterated: The Authority did not receive any data from operators to complete its testing and finalisation of the model, despite informing the operators there were data deficiencies in the initial model run, and made requests for the data from them. The Authority noted that it had last received data from the concessionaires for the financial year ending 2009 and, as such, required same for the financial years 2011 and 2012, to avoid developing gaps in the data periods and in the interest of improving the quality of LRAIC results for all stakeholders, through trend and sensibility tests over the corresponding time periods.

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			However, that necessary precondition, i.e. unavailability of relevant data, has not been met in this case and so there can be no legitimate basis for the current benchmarking to be used as a mechanism to set interconnection rates in Trinidad and Tobago. This raises legitimate questions around whether the current benchmarking exercise can be considered to be the best use of the Authority's resources and a legitimate step given section 15 of the Regulations. The question also arises whether there is a need for this intervention at all.		In 2015, the Authority continued to be denied the requisite data from the parties concerned (which would have enabled it to proceed with beta testing), even though all issues raised during the alpha testing stage had been addressed. For example, one party refused to conclude alpha testing and provide any data until a version of the model that was acceptable to all concessionaires had been produced. That operator also refused to conclude alpha testing until other steps identified in the collaborative process, such as consultation on the costing documents, were concluded. The Authority was thus unable to receive operator data to move on to the beta testing phase of the interconnection cost modelling exercise. Notwithstanding the above, the Authority commits to working with industry to develop and implement a robust cost model for adoption in due course. Furthermore, all operators are asked to recall that neither the Telecommunications Act, Chap. 47:31 (the Act) nor the Interconnection Regulations imposes a time limit or specific expiration period on the use of costing benchmarked rates. Thus, the Authority reserves the right to continue to use the costing benchmarked rates as appropriate, pending the completion and adoption of the Authority's interconnection cost model.
4	General (Executive Summary)	TSTT	The Authority states that "*Lower domestic interconnection rates might lead to reduced average retail call prices, especially for operators with net outpayment positions, such*	The Authority should refrain from implementing benchmarking measures aimed	The Authority acknowledges TSTT's comments but is not in agreement that the benchmarking process aims at lowering domestic interconnection rates below cost.

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			as those with minority market shares, new market entrants, and virtual network operators." TSTT disagrees with the implementation of this measure to lower domestic interconnection rates solely for the purpose of reducing the average retail call prices of net-out payment operators. Lowering interconnection rates below cost to improve margins for net-out paying organisations is neither an appropriate nor a fair business model. The risk that benchmarking will result in rates below cost has increased, particularly in light of rising post-COVID costs for equipment, towers, fibre, and other infrastructure. As stated in our previous correspondence to the Authority, during our last round of negotiations with concessionaires, we generally received positive feedback on TSTT's proposed domestic and international rates (November 2021). We maintain that in the absence of the 2021 IBS and now the 2024–2029 IBS, the industry would have been well-positioned to successfully conclude interconnection negotiations through established commercial processes. Continued reliance on externally imposed benchmarks risks undermining the collaborative framework envisioned by the interconnection framework. The Authority is therefore encouraged to support operator-led negotiations and allow the market to arrive at consensus-based outcomes.	at lowering domestic interconnection rates below cost and instead support commercially negotiated outcomes among operators, in line with the intent of the interconnection framework.	The use of benchmarks for the purpose of determining interconnection rates is internationally established. The Authority's use of benchmarked interconnection rates pursuant to the IBS Reports is intended to serve three purposes. The first is to provide independent benchmarking results to improve data and information symmetry amongst parties in the domestic wholesale fixed and mobile telephony markets that take these rates into account in their commercial negotiations. Second, these IBS Reports present the Authority's technical input for consideration by an arbitration panel, which can be convened under section 82 of the Act should a legal dispute arise between current or new service providers (for example, virtual network operators). Third, these IBS Reports provide potential interconnection rates that could be implemented subject to any future determinations by the Authority related to dominance, cross- subsidisation or acts of unfair competition, including anti-competitive pricing, pursuant to section 29(2) of the Act. Therefore TSTT's comments on the rationale for issuing the 2024 IBS Report as an "intervention" in the context of commercial arrangements is without legal or practical basis. Rather, the publication of the 2024 IBS Report supports service providers' negotiations to arrive at reasonable, just and fair commercial agreements on interconnection service tariffs, by reducing information asymmetries within the wholesale market. The Authority addressed TSTT's comments on the risk that the recommended costing benchmark rates may be below costs in previous consultations (see round two DORs pages 3–5, pages 20–22 and page 28). In summary, the Authority considers that current interconnection rates in Trinidad and Tobago are above

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					costs. The recommended costing benchmarked rates developed in the 2024 IBS Report are intended as target maximum rate levels to ensure interconnection rates move closer to costs. Based on the results of the benchmarking study, the Authority is confident that the target rates recommended are not below costs. The Authority also reminds TSTT that section 5.4 of the 2024 IBS Report includes a risk assessment of the recommendations resulting from the benchmarking exercise, and summarises its conclusions as follows: "The Authority is of the view that there is a very high risk that not reducing the relevant interconnection rates to the level of the costing benchmarked rates would serve to sustain existing interconnection pricing inefficiencies, harm consumers through higher-than-necessary retail prices, and distort market competition."
5	General (Executive Summary)	TSTT	The Authority states that "*This could enhance competition both within the same mode (intra-modal) and between different modes (inter-modal), particularly due to the substitutability of fixed-to-mobile services and the impact of over-the-top (OTT) services on mobile telephony competition.*" TSTT maintains that reduced interconnection rates are unlikely to influence consumer behaviour, as demand for voice services is driven by broader market trends, including the widespread use of OTT substitutes like WhatsApp. TSTT requests that the Authority provide supporting evidence or data demonstrating that lower interconnection rates would result in meaningful shifts in usage patterns. If the goal is to	TSTT recommends that the Authority reassess the rationale for lowering interconnection rates as a means to influence consumer behaviour and instead consider targeted regulatory measures addressing OTT service providers, where the root cause of market disruption lies.	The Authority acknowledges TSTT's comments and refers to its response under item 4. Primarily, the Authority considers the material risks of not reducing the relevant interconnection rates to the level of the costing benchmarked rates. Such risks include maintaining interconnection pricing inefficiencies, consumer harm through higher-than-necessary retail prices, and market distortion. It should be noted that lower interconnection rates are considerably more likely from operators with net outpayment positions and subsequently from their rival providers' competitive price response. This process is likely to increase demand for both fixed and mobile services from fixed and mobile

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			address the impact of OTT services, regulatory focus should be directed at OTT providers, where more effective intervention may be achieved.		telephony users, to the benefit of the service providers in markets where consumers are price elastic.
6	1.3. Objectives	Digicel	The Authority has stated that there are 5 Objectives for the Report as follows: "*1. review the benchmarking methodology used for selecting sample jurisdictions comparable to Trinidad and Tobago for the 2024–2029 period.* *2. review the rates for interconnection services in the sample jurisdictions for the period January 2016 to October 2024, to establish historical levels and trends for the six benchmarked interconnection services.* *3. review the historical costing benchmarked rates from the 2021 IBS Report for the six interconnection services during the last financial year of recommendations (April 2023 to March 2024).* *4. compute costing benchmarked rates for the six interconnection services for the period April 2024 to March 2029.* *5. develop benchmarked rates for the interconnection period April 2024 to March 2029, to be implemented in the event of a dispute where a concessionaire has a dominant position in the relevant market, or the Authority detects cross-subsidization or acts of unfair competition, including anti-competitive pricing.*" On the face of it, reviewing historical rates for interconnection services in the sample jurisdictions for the period January 2016 to October 2024 seems to be counterintuitive and a flawed mechanism for developing	Digicel recommends that the current process be terminated as the necessary prerequisites for a benchmarking have not been met. In the alternative and subject to Digicel's recommendation above, Digicel suggests that the current proceeding be more limited in its objectives so that its sole purpose is to review any changes to that may have occurred in the benchmarked jurisdictions that were identified in the 2021 IBS Report.	The Authority acknowledges Digicel's comments but disagrees with its suggestion that the current benchmarking process be terminated. Digicel has two broad sets of comments in this regard. The first set of comments relates to the fundamental idea of using past benchmarking data to establish forward-looking recommended costing benchmarked rates. Indeed, this has been the approach that the Authority and other recognized regulatory agencies have used for benchmarking exercises. The Authority is well aware that, for the benchmarking data to be useful, it should be reasonably current. It is for this reason that the Authority has implemented a "vintage" threshold for the data, including a "vintage of regulatory decision" criterion in the 2024 IBS Report. Digicel is asked to note that the vintage criterion disbars jurisdictions from the sample set where the relevant NRA has not revised or approved interconnection rates since January 2016. Furthermore, considering the historical trend of downward glide paths, the use of historical interconnection rates may imply that the results of the benchmarking exercise are not rigid or restrictive but rather, flexible and reasonable. The Authority also notes that Digicel has not included a specific proposal, either to eliminate the vintage criterion or to amend it. Rather, it has taken a maximalist approach by proposing that the process be terminated.

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			"benchmark rates for the period April 2024 to March 2029 to be used in the event of a dispute *develop benchmarked rates for the interconnection period April 2024 to March 2029, to be implemented in the event of a dispute where a concessionaire has a dominant position in the relevant market, or the Authority detects cross-subsidization or acts of unfair competition, including anti-competitive pricing.* The reasons for this are that: 1. the benchmarks intended to be relied upon by the Commission are from a period that precedes the 2021 IBS Report; section 2.1 of the Report states that "*approved interconnection rates since 2016 are included in the benchmarking*"; 2. the benchmarks selected may already be 9 years old and have been developed using costing methodologies and data from a period that preceded that by a number of years; and 3. The Authority proposes to then rely on information that is already out of date to make decisions on future prices for interconnection for a further period of five years. This is akin to trying to drive a car solely by looking through the rear-view mirror. Moreover, the approach that has been adopted by the Authority fails to recognise that the necessary pre-requisite for establishing interconnection benchmarks no longer exists.		The Authority further notes that Digicel's position on this matter appears to have evolved from its comments in response to the 2017 IBS Report, in which it stated that: "Vintage of a country rate is not a reason for excluding the country: it is a valid benchmark estimate, and it is arbitrary to choose countries which have only changed the rate within an arbitrary choice of 'recent time'." Based on this assessment, Digicel recommended that "TATT should consider all rates rather than artificially and arbitrarily excluding those older than a certain age." Consequently, Digicel's current and previous comments on the vintage criterion for benchmarking sample selection purposes are contradictory. In any case, the Authority remains of the view that this criterion continues to be reasonable and appropriate in the context of the other benchmarking sample selection criteria included in the 2024 IBS Report. The roughly eight-year historical database for forecasting interconnection rates is considered standard practice as applied consistently in the previous reports. The 2017 and 2019 IBS Reports used a vintage cut-off date of January 2012. The 2021 IBS Report updated the vintage cut-off, adopting a cut-off of January 2014 and, in the same manner, this 2024 IBS Report updates its vintage cut-off date to January 2016. Under Item 10, the Authority addresses Digicel's comments with respect to the legal and policy rationale for the recommended costing benchmarked rates approach relative to the cost modelling approach and disagrees with Digicel's assertion that the current process constitutes an abuse of process.

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			While it may have been the case that the conditions described in section 15(2) of the Regulations did exist at the time the Authority undertook its first interconnection benchmarking study and prepared the 2017 IBS Report, that is no longer the case. That is because there are no current disputes on foot and, even if there were, the Authority has not made any recent attempt to undertake actual interconnection cost modelling studies or to determine any *"methodologies, models or formulae*" that might be used as their basis. Nor has the Authority made any written request to Digicel for any "*data … for the purpose of determining that its interconnection rates are in accordance with this regulation.*" pursuant to its powers under section 15(3) of the Regulations. In the absence of any such data request Digicel respectfully considers it to be an abuse of process for the Authority to persist with a benchmarking approach at this time. Instead, Digicel suggests that the Authority should focus its attention on gaining a better understanding of current market dynamics including: 1. changes to network topology and requirement for additional investment in both the core and access parts of networks that have arisen as a result of changes to technology and to cater for the impact of OTT services; and		Finally, with respect to Digicel's suggestion that the Authority gain a "better understanding of current market dynamics", the Authority assures Digicel that, via its monthly and annual reports monitoring activity, and the qualitative and quantitative data gathered during the development of the 2024 IBS Report, it has the requisite understanding to prepare the 2024 IBS Report and make the necessary recommendations. Digicel is asked to consider the challenges in implementing the interconnection cost model, which included substantial paucity of data due to limited cooperation and responsiveness from key stakeholders, as denoted in previous consultations on the 2021 IBS Report. For ease of reference, these challenges are summarised as follows: non-submission of data from operators to complete its testing and finalisation of the model; limited submission of data during the first phase (that is, in financial year ending 2009) for trending and sensibility tests; and persistent refusal by operators to submit the requisite data, in order for the Authority to be able to proceed with beta testing, despite having addressed all issues raised during the alpha testing stage. In view of these challenges, the Authority, in accordance with international best practices and the domestic legal framework (that is, section 15(2) of the Interconnection Regulation et al) computes benchmarked interconnection rates as an interim solution or measure to support efficient wholesale and retail market outcomes. Regarding current market dynamics, including over-the-top (OTT) services and shifting consumer demand, Digicel is asked to recall and join in the Authority's efforts to proportionately

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			2. changes to consumer demand that have resulted in material reductions in volumes of traditional calling and messaging services that rely on interconnection between domestic networks. With the benefit of such an understanding, the Authority would then be in a better position to consider whether any intervention is actually warranted and, if so, the potential cost modelling approaches that might be best suited under Trinidad and Tobago's regulatory framework.		factor in, and measure, OTT services' impact on domestic telecommunications and broadcasting markets. The Authority continues to pioneer assessing OTTs impact on telecommunications regulation, through diverse policy frameworks and assessments, including the Framework on OTT services, Domestic Retail Mobile Telephony Market Definition, TATT-KCL Customer Surveys, Digital Inclusion Survey and international research on OTTs in partnership with the International Telecommunication Union (ITU) (ITU-T Work Programme). The Authority remains open to receiving additional evidence or data held by Digicel on OTT services/traffic in Trinidad and Tobago.
7	1.4. Scope	Digicel	Digicel appreciates the Authority's advice that "*the 2024 IBS Report does not propose a specific a price regulation regime, including rate minima, nor a range within which interconnection rates should be set*". However, it is difficult to reconcile this with the 5th objective included in section 1.3 of the Report which states that an objective of the Report is to: "*develop benchmarked rates for the interconnection period April 2024 to March 2029, **to be implemented** in the event of a dispute where a concessionaire has a dominant position in the relevant market, or the Authority detects cross-subsidization or acts of unfair competition, including anti-competitive pricing.*" [Emphasis added] This seems to be a clear statement that the Authority does intend to use the Report results for a price regulation regime	Digicel recommends that the Authority reconcile the Report's Objectives and Scope and clarify that the sole purpose of the Report is to understand international developments in interconnection pricing in order to inform the Authority in its conduct of any relevant future regulatory proceeding.	The Authority acknowledges Digicel's comments and agrees with one aspect of these comments, while maintaining a different perspective on other points. The Authority agrees with Digicel's comment that the last sentence of section 1.4 of the 2024 IBS Report (beginning with "However") was not consistent with other aspects of the report. The Authority has deleted this sentence in the Report. Having reviewed other passages referred to by Digicel, the Authority is of the opinion that these could be considered as ambiguous regarding the objectives/purposes of publishing the 2024 IBS. For clarification purposes, the Authority has revised a number of passages. For consistency with the Executive Summary, Section 1.5 of the 2024 IBS Report has been reworded in the revised version of the report:

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			and to rely upon it to establish "a range within which interconnection rates should be set. The Authority's apparent intention to rely upon the Report results is further confirmed in Report's Executive summary which states: "*The Authority may also establish these benchmarked rates in accordance with sections 29 (2) and 82 of the Act. This can occur when the formal dispute resolution process is initiated or when market distortions such as dominance, cross-subsidization, or unfair competition, including anti-competitive pricing, are determined. In these situations, the Authority is empowered to "establish price regulation regimes, which may include setting, reviewing, and approving prices"*. The Authority then includes in the Executive Summary a "Table 1", which sets out its proposed rates for the six benchmarked interconnection services. In Digicel's submission it would be highly inappropriate for the Authority to rely upon the Report's findings, which are based on an historical analysis of pricing benchmarks in other jurisdictions, in any subsequent regulatory proceeding to determine forward looking pricing. Moreover, for the reasons provided below, Digicel does not consider the Authority to have any basis to signal an intention to establish a price regulation regime under section 29(2) of the Act.		"These IBS Reports are intended to serve three purposes. The first is to provide independent benchmarking results, with the objective of improving data and information symmetry amongst parties in the domestic wholesale fixed and mobile telephony markets, who may take these rates into account in their commercial negotiations. Having now recommended costing benchmarked rates, the Authority strongly encourages operators to use them in current and future commercial interconnection negotiations. Without prejudice to such processes, the Authority suggests that these recommended costing benchmarked rates serve as recommended rates, so that operators would be free to negotiate interconnection rates referencing same. Second, the recommended costing benchmarked rates included in this version of the 2024 IBS Report provide the Authority's current technical input into the decision-making process by an arbitration panel that could be established pursuant to section 82 of the Act, if a legal dispute were to be declared between existing or new service providers. Third, section 29 (2) of the Act allows the Authority to establish "price regulation regimes, which may include setting, reviewing and approving prices", where the Authority has made a determination that a "concessionaire has a dominant position in the relevant market", and "cross-subsidises another telecommunications service provided by such concessionaire", or the Authority has made a determination with respect to "anti-competitive pricing or acts of unfair competition". The recommended costing benchmarked rates included in the revised 2024 IBS Report provide potential interconnection rates that

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					could be implemented by the Authority, subject to any such future determination by the Authority." Also, for consistency, the third paragraph of section 6 of the 2024 IBS Report has been revised as follows: "The Authority therefore strongly encourages operators to use these recommended costing benchmarked rates in current and future commercial interconnection negotiations. These recommended costing benchmarked rates also provide the Authority's current technical input into the decision-making process by an arbitration panel that could be established pursuant to section 82 of the Act if a legal dispute were to be declared between existing or new service providers. These recommended costing benchmarked rates also provide the potential interconnection rates that could be implemented by the Authority subject to any future determinations by the Authority pursuant to section 29 (2) of the Act."
8	1.5. Legal and Regulatory Framework	CCTL	The Telecommunications (Interconnection) Regulations, 2006 provides in Section 15(1) that, *"A concessionaire shall set interconnection rates based on costs determined in accordance with such costing methodologies, models or formulae as the Authority may, from time to time, establish."* Section 15(2) further provides that, "*Where the relevant data for the establishment of the costing methodologies, models or formulae are unavailable within a reasonable time, the concessionaire may set interconnection*	Consistent with the provision of Section 15(2) of the Telecommunications (Interconnection) Regulations, 2006, CCTL supports the use of the results of the benchmark study to inform the setting of interconnection rates in the absence of an industry cost model which is approved by TATT.	The Authority acknowledges CCTL's support for the approach to setting interconnection rates based on the recommended costing benchmarked rates included in the 2024 IBS Report.

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			rates with reference to such costing benchmarks, as determined by the Authority, that comport with internationally accepted standards for such benchmarks." Since there is no industry cost model that is established and approved by TATT, and relying on the provisions of Section 15(2), CCTL supports using the output from "Report on the Interconnection Benchmark Study for the Telecommunications Sector of Trinidad and Tobago 2024 - 2029" to inform the setting of interconnection rates.		
9	1.5. Legal and Regulatory Framework	Digicel	Digicel is concerned that the Authority has signaled its intention to intervene on interconnection pricing and disturb existing commercial arrangements even in circumstances where there is no dispute currently on foot. Digicel does not agree that the Authority has the legal power to do so. This is because an intervention under section 29(2) of the Act requires the Authority to have established the existence of: 1. a monopoly or dominance in a relevant market; 2. cross subsidization; or 3. anti-competitive pricing or acts of unfair competition. However, as it stands there is no evidence before Digicel nor the Authority to demonstrate that any of these conditions exist, in order to trigger intervention, especially given the continuing rise of OTT voice and messaging services (which		The Authority acknowledges Digicel's comments on the use of the 2024 IBS Report and refers Digicel to item 7 for a detailed response concerning the objectives/purposes of publishing the 2024 IBS Report as an "intervention" by the Authority. Digicel is reminded that these IBS Reports are intended to serve three purposes. The first is to provide independent benchmarking results, with the objective of improving data and information symmetry amongst parties in the domestic wholesale fixed and mobile telephony markets who may take these rates into account in their commercial negotiations. Second, these IBS Reports provide the Authority's current technical input into the decision-making process by an arbitration panel that could be established, pursuant to section 82 of the Act, if a legal dispute were to be declared between existing or new service providers (for example, virtual network operators). Third, these IBS Reports provide potential interconnection rates that could be implemented by the Authority subject to any future determinations by the Authority related to dominance, cross-subsidisation or acts of unfair competition, including anti-competitive pricing, pursuant to section 29(2) of the Act.

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		do not rely on the existence of "interconnection") as substitutes for traditional voice calls. The Authority has failed to set out a cogent case for intervention or established any compelling theory of harm by which competition or consumers are disadvantaged by the status quo as it applies to the provision of interconnection services. In particular, Digicel is concerned that the Authority's proposed need and basis for intervention is predicated on a range of assumptions and conjecture in respect of the outcomes that it believes will arise from intervention. Importantly, the Authority's current intervention and any subsequent "guidance" or determination that arises from it will inevitably establish a bias and interfere in the commercial negotiating processes that are expected to occur under the Act. This means that the Authority may cause disputes between parties to occur when they would not otherwise. Moreover, the Authority's ability to establish and operate a dispute resolution process in accordance with its duties under section 82 of the Act would be severely compromised. That is because the Authority would have established itself as an interested party in the dispute resolution process and already have predetermined the outcome.		Digicel's second set of comments relate to section 82 of the Act, which deals with dispute resolution. Section 82 (2) of the Act stipulates that "the Authority shall not be a party to any dispute resolution process." Digicel suggests that the Authority compromises its ability to establish a dispute resolution process by issuing the 2024 IBS Report which includes the recommended costing benchmarked rates. This claim, however, by Digicel has no legal or practical basis, as demonstrated by previous dispute resolution experience relating to a dispute over international call termination rates. The resulting Arbitration Panel Decision was issued in December 2019 following the issuance of the Authority's 2017 IBS Report, which also included recommended costing benchmarked rates. The existence of the 2017 IBS Report did not compromise the Authority's ability to establish a dispute resolution process or the Arbitration Panel's ability to reach a decision on the dispute. In the same manner, the issuance of the current 2024 IBS Report does not compromise the Authority's ability to establish a dispute resolution process in the future, if one were required. Rather, it enables the adoption of cost-based interconnection rates with greater efficiency than would likely occur in the absence of credible, pre-existing, cost-based market rates.

	Section Title	Stakeholder	Stakeholder Comments	Recommendations	TATT's Decision
10	1.5. Legal and Regulatory Framework (originally 1. Introduction from TSTT)	TSTT	The Authority continues to suggest that the IBSs constitute or reflect costing benchmarks as specified under Regulation 15(2) of the Telecommunications (Interconnection) Regulations ("the Regulations"). They do not. They constitute comparisons of rates in jurisdictions that the Authority asserts had cost-based rates. Regulation 15(2) of the Regulations states that cost benchmarking may be used by concessionaires where the relevant data for the establishment of costing methodologies, models or formulae are unavailable within a reasonable time. Despite the claims made in the document, the rate-benchmarking approach adopted in the IBS does not comport with best international practices. In most jurisdictions where benchmarking for setting interconnection rates is used, it is done so as a temporary measure, pending the development of a proper cost model that reflects local conditions and follows a methodology agreed upon after consultation with licensees. This approach aligns with the intent of Regulation 15(2). However, in Trinidad, the use of the term "temporary" is no longer credible. Eighteen years into interconnection regulation, the Authority has yet to implement its own cost model. As such, there is no indication that the current benchmarking regime is truly temporary. It is true there are some jurisdictions that have effectively used benchmarking as a long-term substitute for cost models. However, these are cases in which the underlying regulatory framework explicitly anticipates the long-term use of benchmarking (which is not the case in Trinidad & Tobago).	In light of the foregoing, it is recommended that the Authority discontinue reliance on the current benchmarking approach as the primary basis for setting interconnection rates. The continued use of benchmarking—especially one incorporating diverse and incompatible costing methodologies—falls short of regulatory intent, international best practices, and commercial prudence. Instead, the Authority should prioritise the expedited development and implementation of the top-down LRIC+ cost model, in full consultation with concessionaires. This would not only bring Trinidad and Tobago into alignment with Regulation 15(1) and 15(2), but also establish a stable, transparent, and defensible framework for interconnection rate-setting, thereby reducing regulatory uncertainty and	The Authority acknowledges TSTT's comments and advises that the Authority has previously addressed its rationale and legal basis for the use of costing benchmarked rates in past consulttaions (see round one DORs, pages 1–11 and round two DORs, pages 5–10). To recap, the 2024 IBS Report was prepared pursuant to regulation 15 (2) of the Interconnection Regulations, which states: "Where the relevant data for the establishment of the 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." The Authority has provided extensive background and comments on the chronology of the development of a LRAIC model (see round two DORs, pages 29–34) to provide context for the current use of costing benchmarked rates. The Authority will continue to pursue avenues to advance a cost model, which shall be issued for consultation in due course. The Authority highlights, however, that neither the Act nor the Regulations impose a time limit on the use of costing benchmarked rates and the Authority reserves the right to continue to use them as appropriate. Furthermore, the Authority previously addressed TSTT's comments on the matter of the composition of the benchmarking sample (see round two DORs, pages 5 and 6 and page 12). To be clear, for benchmarking purposes, and pursuant to regulation 15

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			Furthermore, in best practice regimes that use benchmarking as a longer-term solution—such as New Zealand or some EU member states—only included are benchmark countries with a specific costing methodology, not the "grab bag" of methodologies that the Authority sample contains. The only jurisdictions that appear to apply a benchmarking of *any* type of cost-basis—LRIC plus, pure LRIC or others—are Turks and Caicos, Namibia and two or three EU accession states. These three EU accession countries, who are not yet members of the EU, are not compliant with EU recommendations and will have to change their benchmarking approach, when and if they accede. With respect, this limited sample of countries can hardly be described as constituting "best practice". The Authority's approach to benchmarking not only falls short of best practice but also introduces significant commercial risk. Although the Authority has stated its intention to implement a cost model based on its approved top-down LRIC+ methodology, its benchmarking sample for the IBSs includes bottom-up pure LRIC cases—accounting for 30% of the sample. Pure LRIC estimates can be significantly lower—by an order of magnitude—than those produced under LRIC+. By incorporating benchmarks based on pure LRIC, the Authority risks setting interconnection rates that are lower than what would be justified under its own LRIC+ methodology. When the LRIC+ regime is eventually introduced, the Authority may be forced to raise rates and could face legal claims for cost recovery from affected parties.	commercial risk for all stakeholders.	(2), the Authority considers that it can take into account costing benchmarked rates that are based on reasonable costing methodologies, including variations of LRIC+ and pure LRIC. Lastly, TSTT is also asked to recall the Authority's efforts to ensure that the most representative jurisdictions were benchmarked, including numerous sensitivities conducted throughout historical iterations of the benchmarking exercise, which had either minimal useful impact on the result or affirmed the efficacy of the sample used.

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			The Authority benchmarking study goes beyond "snapshot" benchmarking by incorporating a highly speculative and overly simplistic forecasting element. According to the IBS 2024, the benchmark results were projected out more than three years to capture anticipated reductions in interconnection rates. However, historical trends cannot reliably predict future outcomes—especially in light of recent developments in cost-based interconnection rates. In fact, there is evidence suggesting that such reductions may not occur at all. Some recent cost studies have shown unit costs increasing over time, largely due to declining traffic volumes. It is time for the Authority to cease producing the benchmarking study every four years and to focus on implementing the approach to interconnection rate-setting prescribed by the Regulations—namely, the development of a proper cost model.		
11	1.5. Legal and Regulatory Framework (originally 1. Introduction from TSTT)	TSTT	The Authority is reminded of Regulation 15 (1) which mandates that *"a concessionaire shall set interconnection rates based on costs determined in accordance with such costing methodologies, models or formulae as the Authority may, from time to time, establish.*" In keeping with *The Costing Methodology for the Telecommunications Sector*, the Authority is also reminded that dominant operators should use their "*… own cost model to determine cost-based rates for telecommunications and broadcasting services.*" Additionally, whilst the Authority continues to develop the industry top-down LRAIC model, operators should be "*… guided by the second arbitration*	The Authority should promptly implement its cost model as required under Regulation 15(1). In the interim, rate-setting should rely on operators' own cost models and adhere to the second arbitration panel decision to ensure compliance and reduce regulatory uncertainty.	The Authority acknowledges TSTT's recommendation. However, as explained under Item 10, the Authority has fully taken into account regulation 15 (1) as well as regulation 15 (2) in preparing the 2024 IBS Report. The Authority has previously addressed its rationale and legal basis for the use of costing benchmarked rates in past consultations (see round one DORs, pages 1–11 and round two DORs, pages 5–10), including with respect to Regulation 15 (1). Collectively, these indicate the Authority's intention to deploy cost models with cooperation from domestic operators and, as an interim measure, adopt internationally accepted processes for deriving benchmarked interconnection rates.

	Section Title	Stakeholder	Stakeholder Comments	Recommendations	TATT's Decision
			panel decision when negotiating interconnection rates during the interim period."		As also noted under item 10, the Authority has provided extensive background and comments on the chronology of the development of a cost model (see round two DORs, pages 29–34) to provide context for the current use of costing benchmarked rates. The Authority will continue to pursue avenues to advance a cost model which shall be consulted upon in due course.
12	1.5. Legal and Regulatory Framework	Digicel	Digicel submits that it is inappropriate for the international mobile termination rate ("IMTR") or the international fixed termination rate ("IFTR") to be included in the Report. This is because, in Digicel's submission, neither of those services are "interconnection" services for the purposes of the Act. Relevantly, the Act defines "interconnection" to mean: "*the linking of public telecommunications networks and public telecommunications services, to allow* ***the users of one provider of a public telecommunications service to communicate with the users of another provider of a public telecommunications service****, and to access the services provided by such other provider*". [Emphasis added] Further, the obligation under section 25 of the Act for a concessionaire to interconnect (either "directly" or "indirectly") only applies to interconnection with other concessionaires. In Digicel's submission, this definition and obligation to provide interconnection is clearly focused on the ability of the	Digicel recommends that consideration of and references to IMTR and IFTR should be removed from the Report.	The Authority notes Digicel's legal position that the IMTR and IFTR should not be included in the 2024 IBS Report, on the basis of Digicel's view that these do not constitute "interconnection" services under the Act. The Authority highlights that this is a novel legal argument since neither Digicel nor any other party raised this argument in any of the previous consultations following the issuance of the 2017, 2019 and 2021 IBS Reports. The 2019 Arbitration Panel decision dealt with this very issue. In that case, TSTT (the respondent in the case) asserted that international termination services are not interconnection services subject to section 25 of the Act, as claimed by CCTL (the complainant in the case). On page 39 of the Arbitration Panel decision, the Panel determined that international termination access services, including international fixed and mobile termination, are indeed "subject to Section 25 of the Act". Further, on page 41, the Panel reiterated that international termination access service "is an interconnection service". The Authority is of the same view that the IMTR and IFTR are indeed interconnection services for the purposes of the Act. The Authority responds to Digicel's second comment that benchmarking should take into account existing commercially

	Section Title	Stakeholder	Stakeholder Comments	Recommendations	TATT's Decision
			end users of one network in Trinidad and Tobago to communicate with the end users of another network in Trinidad and Tobago. It is not intended to either directly or indirectly regulate arrangements between concessionaires and overseas networks. Given this, Digicel considers that the pricing for the termination of incoming international calls is outside of the scope of the current proceeding. Notwithstanding this view, if the Authority is to consider benchmarking of costs of incoming international calls, then it must necessarily take into account the existing commercially negotiated rates between concessionaires and international carrier networks and not seek to undermine those arrangements through the imposition of regulated rates in Trinidad and Tobago. This is discussed in further detail below.		negotiated rates, under Item 7. Primarily, these recommended costing benchmarked rates can provide interconnection rates that could be implemented by the Authority, subject to any disputes and future determinations by the Authority pursuant to section 29 (2) of the Act.
13	2.1. Benchmark Sample Selection Criteria	CCTL	We believe that the seven sample criteria represent reasonable starting point for benchmarks for interconnection rates in Trinidad and Tobago. The selected criteria resulted in a sample of twenty jurisdictions. We believe the cross-section of 20 countries selected for this sample is appropriate.	CCTL has no issues with the sample criteria.	The Authority acknowledges CCTL's support for the proposed benchmark sample selection criteria.
14	2.1 Benchmarking Sample Selection Criteria	Digicel	The Authority has based its benchmarking analysis on a limited range of jurisdictions in the Caribbean region that it considers to be similar to Trinidad and Tobago. In reaching its conclusions around comparability, the Authority has focused on 7 criteria (Regional Geography,	Digicel recommends that the Authority: 1. expands the list of benchmark jurisdictions to	The Authority acknowledges Digicel's comments on the proposed benchmark sample selection criteria, including that criterion 1 – regional geography – should be expanded beyond the Caribbean region to include other small island developing states (SIDS) outside of the Caribbean.

	Section Title	Stakeholder	Stakeholder Comments	Recommendations	TATT's Decision
			Physical geography, CPP vs RPP regimes, Number of Operators, Availability of interconnection rates, Confidentiality of Interconnection rates and Vintage of regulatory decision). In doing so, the Authority has only included jurisdictions in the Caribbean region based on the reasoning that "*operators are providing services in relatively similar geographic conditions*". However, Digicel considers the Authority to have erred by adopting such a narrow view and discounting the balance of the thirty-nine Small Island Developing States ("SIDS") and eighteen Associate Members that have been identified by the United Nations on the basis that they face similar social, economic and environmental challenges. By doing so, Digicel is concerned the Authority has, in effect, forced itself to consider such a small set of data that any analysis or conclusions that may not be statistically reliable. In Digicel's submission there is no good reason to focus solely on the Caribbean when other SIDS match the other Benchmarking Sample Selection Criteria that have been specified by the Authority. Digicel also submits that the Authority should have given consideration to the cost modelling methodologies and assumptions that underpin the benchmarks themselves or	include SIDS outside of the Caribbean region; and 2. gives further consideration of the suitability of benchmarks based costing approaches and methodologies adopted in the relevant jurisdictions.	The Authority has previously addressed its rationale for only including Caribbean region jurisdictions as part of its regional geography (see round one DORs, pages 31–32). The Authority continues to be of the view that jurisdictions from the same region, the Caribbean, are more likely to face comparable geographic and environmental conditions than other regions of the world. The Authority also considers that the group of Caribbean jurisdictions that stemmed from the application of the proposed benchmark sample selection criteria is sufficiently large to provide a valid basis to establish its recommended costing benchmarks based on the respective averages. The Authority, therefore, does not consider it necessary to expand its regional geography to include other designated SIDs or associate member jurisdictions. Such an expansion could potentially add too many heterogenous jurisdictions given very different geographic, demographic, economic and operating conditions relative to Trinidad and Tobago. For instance, Singapore—though classified as a SID—illustrates this divergence. The Authority further notes that Belize, Guinea-Bissau, Guyana, and Suriname, while categorized as SIDs, are not island states. Excluding these five jurisdictions mentioned above leaves 52 SIDs and Associate Members, of which 26[1], or 50%, are Caribbean region island states and included in the universe of jurisdictions that meet criterion 1 and, move on to be assessed

[1] Antigua and Barbuda, Haiti, St. Kitts and Nevis, Bahamas, Jamaica, St. Lucia, Barbados, St. Vincent and the Grenadines, Cuba, Dominica Trinidad and Tobago, Dominican Republic, Grenada, Anguilla, Aruba, Bermuda, British Virgin Islands, Cayman Islands, Curacao, Guadeloupe, Martinique, Montserrat, Puerto Rico, Sint Maarten, Turks and Caicos Islands, U.S. Virgin Islands.

	Section Title	Stakeholder	Stakeholder Comments	Recommendations	TATT's Decision
			whether those methodologies and assumptions are relevant or proper in the context of the regulatory framework that currently exists in Trinidad and Tobago. As the Authority will be aware, the results of any cost modelling exercise are highly dependent on the methodologies that have been adopted. For example, key determinants of the outcome will be the nature of the network that is being modelled (whether it is based on existing technologies, services and infrastructure deployment or a hypothetical efficient operator) and decisions around how fixed and common costs are allocated between services that are provided by concessionaires such as "pure LRIC" or "LRIC +". However, the Report does not appear to address these important issues sufficiently or at all. As a result, the benchmarks that have been relied upon may not be relevant or appropriate as a basis for setting interconnection prices in Trinidad and Tobago in accordance with the requirements of the Act. For example, it is Digicel's view that a "pure LRIC" approach to cost modelling, which excludes fixed and common costs from the cost calculation, is inappropriate in the context of the Trinidad and Tobago regulatory framework. Yet three out of ten of the benchmarks are based on a pure LRIC costing approach. This has the effect of skewing the results downwards.		under the other criteria. All 26 Caribbean jurisdictions were screened through the full set of seven selection criteria, which resulted in our present benchmarking sample. On Digicel's second comment, he Authority notes that similar arguments regarding the composition of the benchmarking sample have already been addressed in the round two DORs (see round two DORs, pages 5–6 and page 12). To be clear, for benchmarking purposes and pursuant to regulation 15(2), the Authority considers that it can and should take into account costing benchmarked rates that are based on reasonable costing methodologies, including variations of LRIC+ and pure LRIC. Similarly, Digicel is asked to recall the process to derive the most representative jurisdictions for the purpose of benchmarking interconnection rates. This process included numerous sensitivities throughout historical iterations of the benchmarking exercise, and which had either minimal useful impact on the final result or served to validate the results of the regionally stratified sample size used. Digicel is also reminded in 2019, 17 jurisdictions were assessed, of which 9 were deemed appropriate for the purposes of benchmarking interconnection rates, whereas in 2021, 12 territories were reviewed, 8 of which were deemed suitable. Hence, Digicel is asked to note that a larger sample size (if skewed, given data paucity) may not necessarily result in more representative outcomes.

	Section Title	Stakeholder	Stakeholder Comments	Recommendations	TATT's Decision
15	2.2. Benchmarking Sample Jurisdictions	CCTL	We note that twenty countries met the criteria for the full sample. In refining the sample to be more consistent with the regulatory requirements to "*set interconnection rates with reference to such costing benchmarks, as determined by the Authority that comport with internationally accepted standards for such benchmarks,"* we note that TATT did not limit the sample to jurisdictions with cost-based interconnection rates only. We do note that most of the countries are cost based. We are of the considered view, that the sample should be limited to jurisdictions with cost-based rates.	CCTL takes no issue with the full benchmarking sample selected based on the criteria established. Recommendations to further refine the sample such as excluding jurisdictions without cost based rates are addressed below.	The Authority acknowledges CCTL's support for the proposed benchmark sample selection criteria. With respect to CCTL's suggestion of excluding jurisdictions without cost-based rates, this is indeed undertaken in the 2024 IBS Report via the cost-based average, which only includes those jurisdictions that have used cost methodologies. However, the 2024 IBS Report also makes use of the all-sample average, which includes those cost-based jurisdictions as well as all as those that use other methodologies. As set out in section 3.1 of the 2024 IBS Report, the Authority takes into account both the all sample and cost-based sample averages, as follows: "The cost-based sample average is treated as a "lower bound" and the all-sample average as an "upper bound" for the end-point MTR and FTR benchmarked rates. This ensures the resulting benchmarked rates are reasonably cost oriented, i.e., close to, but still above, cost-based sample average benchmark rate levels, while also closely tracking the all-sample average benchmark rate levels."
16	2.2. Benchmarking Sample Jurisdictions	CCTL	On the issue of grouping of jurisdictions in the sample, CCTL still objects like it did in the previous consultation for 2019 to the grouping of the French West Indian (FWI) territories Guadeloupe and Martinique as one observation and St. Martin and St. Bartholomew as one observation. Our objection is based on the fact that given the sample size, combining observations, would impact the weighting of the samples and impact the outcome.	TATT should treat the FWI islands as four rather than two observations. This would improve the accuracy and robustness of the cost benchmarks.	The Authority acknowledges CCTL's comments on the treatment of the FWI jurisdictions as two rather than four observations, and reiterates that that the Authority has previously addressed this matter (see round one DORs, pages 50–51 and 63–66 and round two DORs, pages 15–16 and 19). The Authority continues to be of the view that the treatment of the FWI as two rather than four observations is appropriate.

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			What is clear, is that the benchmark results based on treating the FWI as two rather than four observations would tend to bias the rates upwards, rather than downwards. With the objective of reducing interconnection costs in Trinidad and Tobago in line with cost trends, TATT should treat the FWI islands as four rather than two observations. This would improve the accuracy and robustness of the cost benchmarks.		To recap, traditionally, the NRA in FWI had established separate interconnection rates for each operator in Guadeloupe, Martinique, St. Barts and St. Martin. These separate rates, however, have converged over time. The Authority continues to consider that including each of these four jurisdictions separately in the sample would place a disproportionate weight on the FWI jurisdictions in the benchmarking study. Furthermore, CCTL is asked to recall the process the Authority used in the past to derive the most representative jurisdictions for the purpose of benchmarking interconnection rates, which included numerous sensitivities throughout historical iterations of the benchmarking exercise, and which either had minimal useful impact on the final result or affirmed the results of the regionally stratified sample size used. CCTL is also reminded that, in 2019, 17 jurisdictions were assessed, of which 9 were deemed appropriate for the purposes of benchmarking interconnection rates, whereas in 2021, 12 territories were reviewed, 8 of which were deemed suitable. Hence, CCTL is asked to note that a larger sample size (if skewed, given data paucity) may not necessarily result in more representative outcomes.
#17	2.2. Benchmarking Sample Jurisdictions	Digicel	As noted above, Digicel is concerned that only 10 benchmark jurisdictions have been used in the sample. Two of these jurisdictions use benchmarking themselves so their results cannot be considered to be "cost based" and three use a pure LRIC cost modelling approach which Digicel considers to be inappropriate in the Trinidad and Tobago context.	Digicel recommends the Authority consider a wider range of benchmark jurisdictions to avoid systemic bias in the benchmarking analysis.	The Authority acknowledges Digicel's comments on the composition of the benchmarking sample but reiterates that the Authority has previously addressed similar arguments (see round two DORs, pages 5–6 and page 12). To recap, the Authority considers that jurisdictions from the Caribbean region are more likely to face geographic and environmental conditions comparable to those in Trinidad and Tobago and therefore, remains of the view that regional

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			The remaining five jurisdictions are all ECTEL member states and have adopted the same approach to cost modelling which means that, although the results differ for each jurisdiction, the cost modelling process for each of those jurisdictions is essentially the same. In Digicel's submission, this has resulted in an inappropriate systemic bias towards the ECTEL modelling approach.		geography – sample selection criterion 1 – together with the other 6 criteria included in the 2024 IBS Report, continue to be appropriate. Digicel is correct in noting that two of the jurisdictions use benchmarking to establish their interconnection rates. For this reason, and consistent with its previous analyses, the Authority draws a clear distinction between the cost-based sample average—comprising only jurisdictions that apply a costing methodology—and the all-sample average, which encompasses all jurisdictions, including those that rely on methodologies other than cost modelling. As highlighted in comments 10 and 14, the Authority has already addressed Digicel's comments on the composition of the benchmarking sample, including the use of costing benchmarked rates derived from reasonable costing methodologies, such as variations of LRIC+ and pure LRIC (also see round two DORs, pages 5–6 and page 12).
18	2.5. Supplementary Benchmarking Data	Digicel	Digicel notes the use of cost modelling data from European ("EU") Member States as a cross-check of analysis undertaken in the Report. However, that cost analysis is also undertaken based on a "pure LRIC" modelling approach. In Digicel's view, this also has the effect of skewing the benchmarking results downwards and results in compounding the methodological error in the approach that has been taken in the Report.	Digicel recommends that the Authority does not place any reliance on cost modelling information that has been obtained from EU Member States.	The Authority acknowledges Digicel's comments on the use of the EU Member State average in the 2024 IBS Report and reiterates that the Authority has previously addressed this matter (see round two DORs, page 12). To recap, the Authority does not use the EU interconnection rates for benchmark cost determination purposes but rather, for sensitivity and cross-check purposes. At the same time, it is not surprising that the benchmark cost recommendations are close to EU rate averages since, globally, interconnection rates have been dropping dramatically over the last decade.

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19	3.4 Summary of MTR and FTR Costing Benchmarked Rates	TSTT	TSTT has observed discrepancies between the rates listed for the TATT IBS 2021–2023 on the Authority's website and in its published documents—as referenced in our August 2024 correspondence—and the rates shown in Table 3, labelled as TATT IBS 2021, in the current document. This may be an error, and TSTT recommends that the document be reviewed and corrected accordingly.	TSTT recommends that the Authority review and correct the discrepancies identified between the rates published for the TATT IBS 2021–2023 and those presented in the current consultation document to ensure accuracy and consistency across all official sources.	The Authority acknowledges TSTT's comments on possible discrepancies in the reporting of certain proposed recommended costing benchmark rates between the 2021 IBS Report and the 2024 IBS Report. However, in the absence of more specific identification by TSTT of these possible alleged discrepancies, it is not possible for the Authority to fully respond to this comment. In reviewing TSTT's August 2024 response to the request for information process, the Authority presumes that TSTT is referring to the small differences in Trinidad and Tobago dollar (TT$)-denominated rates presented in Table 1 in both the 2021 and 2024 IBS Reports. If this is indeed the basis of TSTT's comments, TSTT is asked to recall the discussions on exchange rates, as identified in Table 1 of the IBS Report and, specifically, the note at the bottom of Table 1 which, for the 2024 IBS Report, states: "The recommended costing benchmarks were calculated and determined in US dollars. The TT dollar equivalent values in this table are provided for "illustrative purposes" only and are based on the historical weighted average US dollar to TT dollar exchange rate used for benchmarking analysis (0.1482), as described in section 3.4." The exchange rate was 0.1497 in Table 1 of the 2021 IBS Report, and therefore the source of the modest differences in the TT dollar-denominated rates.

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<tr><th></th><th>Section Title</th><th>Stakeholder</th><th>Stakeholder Comments</th><th>Recommendations</th><th>TATT's Decision</th></tr>
<tr><td>20</td><td>3.4 Summary of MTR and FTR Costing Benchmarked Rates</td><td>TSTT</td><td>It is noted that the TATT IBS 2025–2029 rates reflect an even more severe decline than in previous periods. As stated in TSTT's August 2024 correspondence, and summarised here:

As a major interconnect provider and inbound traffic receiver, TSTT has experienced significant and undue reductions in inbound rates. These reductions have had a damaging impact. TSTT maintains that if the Authority were to support more measured and reasonable rates in the market, all concessionaires would benefit. Notably, the proposed TATT IBS 2025 represents a 21%–24% reduction relative to the TATT IBS 2021.

<table>
<tr><th>TATT IBS Apr 2021</th><th>TATT IBS Apr 2025</th><th>IBS Var $</th><th>IBS Var</th></tr>
<tr><td>0.0180</td><td>0.0142</td><td>0.0038</td><td>21%</td></tr>
<tr><td>0.0630</td><td>0.0472</td><td>0.0158</td><td>25%</td></tr>
<tr><td>0.0610</td><td>0.0479</td><td>0.0131</td><td>21%</td></tr>
<tr><td>0.1060</td><td>0.0810</td><td>0.0250</td><td>24%</td></tr>
</table>

Furthermore, rates show an even sharper decline when compared to the current 2018 rates, as outlined below:

<table>
<tr><th>Apr 2024</th><th>TATT IBS Apr 2025</th><th>IBS Var $</th><th>IBS Var</th></tr>
<tr><td>0.0900</td><td>0.0142</td><td>0.0758</td><td>84%</td></tr>
<tr><td>0.2000</td><td>0.0472</td><td>0.1528</td><td>76%</td></tr>
<tr><td>0.1700</td><td>0.0479</td><td>0.1221</td><td>72%</td></tr>
<tr><td>0.7600</td><td>0.0810</td><td>0.6790</td><td>89%</td></tr>
</table>
</td><td>TSTT recommends that the Authority reconsider the implementation of the proposed TATT IBS 2024–2029 and instead adopt a framework that empowers local concessionaires to negotiate fair and sustainable FTR and MTR rates. Concessionaires should be given the opportunity to reach consensus through industry dialogue, thereby strengthening their position in both domestic and international negotiations.</td><td>The Authority acknowledges TSTT's comments on the proposed recommended costing benchmarked rates included in the 2024 IBS Report and the impact that these rates may have.

Firstly, as pointed out under Item 7, the Authority recognises that the objectives/purposes aspect of the 2024 IBS Report was, at times, ambiguous with respect to its "implementation" or "intervention" by the Authority. As a consequence, the Authority has revised those passages for clarification in the IBS 2025 Report. The Authority strongly encourages operators to use the recommended benchmarked rates in their commercial negotiations.

These recommended costing benchmarked rates also provide interconnection rates that could be implemented by the Authority, subject to any dispute or future determinations pursuant to section 29 (2) of the Act.

The Authority disagrees with TSTT's claims regarding the possible impact of the recommended costing benchmarked rates. As in previous IBS reports, the Authority assessed the potential impact of reducing interconnection rates to more cost-based levels, consistent with the recommended costing benchmarked rates. As noted in section 5.3 of the 2024 IBS Report, the Authority determined that such reductions would improve economic efficiency, promote greater competition between operators and bring benefits to voice consumers.</td></tr>
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			TSTT previously objected to the implementation of the TATT IBS 2021 and reiterates its disagreement with the proposed TATT IBS 2024–2029. We are concerned that the projected rates will adversely affect the international financial standing of most licensees. We once again urge the Authority to adopt a framework that strengthens the negotiating position of local concessionaires with foreign partners. Concessionaires should be allowed to reach a consensus on the implementation of fair FTR and MTR rates, both domestically and internationally.		
21	4. International IMTR and IFTR Benchmarked Rates	CCTL	The current rates for incoming international to fixed and mobile in Trinidad and Tobago are not based on cost. It is therefore not surprising that the derived MICC and FICC are high in comparison to the sample countries. As TATT is aware, these rates are currently the subject of a dispute being considered under the "Procedures for the Resolution of Disputes in the Telecommunications and Broadcasting Sectors of Trinidad and Tobago (Revised), 2010." In general, CCTL considers that its views on the benchmarking of the primary services domestic fixed and domestic mobile termination rates are applicable to the MICC and FICC as well. That is, benchmark rates are based on backward looking rates, so will tend to be biased upwards, especially in the context declining.	In the absence of an industry cost model, CCTL supports the use of the results of the benchmark study as a useful basis for setting interconnection rates, including MICC and FICC.	The Authority acknowledges CCTL's support for the use of costing benchmarked rates for the MICC and FICC. In addition, the Authority asks that CCTL clarify its comment in reference to the dispute being considered under the "Procedures for the Resolution of Disputes in the Telecommunications and Broadcasting Sectors of Trinidad and Tobago (Revised), 2010 ".

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22	4. International IMTR and IFTR Benchmarked Rates	Digicel	As discussed above, Digicel does not consider it appropriate for the Authority to consider regulation of IMTR and IFTR. Even if the Authority did have jurisdiction over IMTR and IFTR prices, Digicel notes that the Authority's benchmarking approach is flawed and fails to properly take in to account the Authority's own *Pricing Rules and Principles for the Termination of International Incoming Traffic on Domestic Networks in Trinidad and Tobago, as set out in Determination 2010/01 and amended pursuant to Notice 2013/01* ("Pricing Rules and Principles"). Importantly, the Pricing Rules and Principles, permit an operator to recover "*any relevant cost incurred in terminating the international traffic*". In Digicel's submission such relevant costs should include the loss of revenue that would otherwise be received from an international carrier under a commercial agreement between the operator and that international carrier. However, this important cost has not been considered at all in the benchmarking analysis conducted by the Authority. Along with these legitimate questions around the Authority's legal mandate to intervene and the benchmarking approach that should be adopted, Digicel further notes that any regulation that results in the reduction of IMTR and IFTR prices is unlikely to result in any consumer or competitive benefits.		The Authority acknowledges Digicel's comments on the inclusion of the IMTR and IFTR as part of the Authority's cost benchmarking exercise. As noted under item 12, the Authority has already addressed the legal and regulatory status of the IMTR and IFTR and confirmed that they are indeed "interconnection services" for purposes of the Act and the Interconnection Regulations. The Authority also disagrees with Digicel's assertion regarding the pricing of international call termination services under the *Pricing Rules and Principles for the Termination of International Incoming Traffic on Domestic Networks in Trinidad and Tobago as set out in Determination 2010/01 and amended pursuant to Notice 2013/01* (Pricing Rules). The Pricing Rules states that the prices of international call termination services should be cost-based and include two cost components: (a) the cost of termination of the international traffic on the relevant domestic network (herein referred to as the domestic termination rate); and (b) any relevant costs incurred in terminating international traffic. Digicel suggests that that "loss of revenue" should be treated as relevant costs covered by component (b). However, the relevant costs included under component (b) are explicitly listed under paragraph 2 of the Pricing Rules, which states that such costs shall include: "a. the efficient port charges or its equivalent (if applicable) at the relevant international Network Access Point (NAP); b. the efficient backhaul cost from the relevant international NAP to the relevant international Cable Head;

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			On the contrary, Digicel expects that material financial harm would be caused to concessionaires with any "savings" from regulated lower prices simply ending up in the back pockets of international operators who would have little if any commercial incentive to lower retail prices for international calls made by overseas end users. On the contrary, it is likely that any regulatory intervention to reduce IMTR and IFTR prices will have an unintended consequence of driving higher domestic retail prices for services in Trinidad and Tobago through what is known as the "waterbed effect" where pushing prices down for one service will result in prices going up for related services.		c. the efficient international connectivity cost from the international Cable Head to the Cable Head in Trinidad and Tobago; d. the efficient backhaul cost from the Cable Head in Trinidad and Tobago, to the point of interconnection on the relevant domestic network in Trinidad and Tobago; e. the efficient domestic switching and aggregation cost; f. the relevant interconnect facilities cost to access the domestic networks; g. the relevant Administrative costs to operate an efficient international telecommunications network." There is no mention of "loss of revenue" under this provision. Consequently, Digicel's assertion in this respect is unfounded and the Authority does not accept it as a "relevant cost" to be considered in determining the cost of international call termination services. Under item 25, the Authority addresses the matter of the potential impact of reducing interconnection rates to the recommended costing benchmark levels. In particular, the Authority is of the view that moving from the current interconnection rates to the recommended costing benchmarked rates would improve economic efficiency, promote greater competition between operators and bring benefits to voice consumers.
23	5.1. Normalisation Analysis	CCTL	TATT states in this section that no normalization adjustments should be applied. *"Therefore, the results of the updated and expanded normalisation analysis suggest that a potential downward adjustment to the FTR and MTR costing benchmarks could*	TATT should review this position to further impact rates thus more benefits for consumers. Refer to recommendations in introduction.	The Authority acknowledges CCTL's comments on the benchmarking study regarding the results of the normalisation analysis and related decision not to incorporate a downward adjustment to the costing benchmarked rates to reflect the results of that analysis. CCTL is reminded that the Authority has addressed this matter (see round two DORs, pages 23–24).

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			be justified due to differences in the number of fixed and mobile operators in Trinidad and Tobago compared to the benchmark sample jurisdictions. Further, an additional potential downward adjustment to the MTR costing benchmarks could be justified due to differences in mobile density in Trinidad and Tobago compared to the benchmark sample jurisdiction.“ As such, TATT's own analysis and statement above supports a position that the benchmark rates can be further reduced from what the study proposes. Since no normalization adjustment is proposed the Interconnection Rate Recommendations, made herein, are considered to be conservative in nature. A conservative outcome is beneficial only to the operator who is currently a net receiver of interconnect payments. This comes at the expense of consumers and competition.		To recap, the Authority considers that the benchmarking analysis balances a number of considerations. While the normalisation analysis indicated that a downward adjustment to the recommended rates would be justified in the event where one was applied, the magnitude of the adjustment for the MTR and FTR recommended costing benchmarked rates would be minimal at best. For this reason, the Authority decided to take a cautious or conservative approach and did not apply a downward normalisation adjustment. In the Authority's view, this approach leaves additional margin to ensure that the recommended costing benchmarked rates are as close as possible to costs but not below.
24	5.3. Impact on Operators and Consumers	CCTL	The current interconnection rates are not "*based on cost determined in accordance with such costing methodologies and models and formulae as the Authority may from time to time establish.*" The benchmark study establishes that *"… the domestic MTR and FTR as well as the MICC and FICC in Trinidad and Tobago are higher than the corresponding recommended costing benchmarks and, therefore, above cost."* TATT indicates in this document, *in the absence of costing data and cost models, determining interconnection rates becomes a complex task. One key approach to determining*	High interconnection rates are constraining competition in the voice market. As required by the Regulations, interconnection rates should move to cost based rates.	The Authority acknowledges CCTL's comments and is in agreement generally on the need to ensure that interconnection rates are reduced, as set out in its proposed calculated costing benchmarked rates.

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			interconnection rates is that of interconnection costing benchmarks, which has been used extensively by the European Commission and other international jurisdictions (World Bank, 2004). *Interconnection costing benchmarks provide a reasonable indication of the level of interconnection costs within a specific region, geographic market or predetermined comparable group. Interconnection costs are a key determinant of interconnection rates. Interconnection costing benchmarks are used predominantly in the absence of cost models, or where there is no or limited cost data available. Moreover, interconnection costing benchmarks can be used in association with cost models to provide supporting evidence for model inputs and to cross-check model outputs and thus may be used as an interim or ongoing measure for assessing interconnection costs.* CCTL considers that the cost benchmarks are a reasonable basis on which to set interconnection rates. A direct impact of these reduced rates will be lower off net call termination costs. The short-term impact on end user prices will depend on other market dynamics, some of which TATT highlights in the document, such as the extent to which lower interconnection charges are passed through to end users and the resultant impact on retail call volumes. CCTL fully expects that lowering termination rates will serve to promote more robust competition, including increased		

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			flow through of reductions in termination rates to reductions in retail rates in the domestic market space. Based on TATT's own reporting, one can conclude that high interconnection rates are constraining competition in the voice market. As required by the Regulations, interconnection rates should move to cost-based rates.		
25	5.3. Impact on Operators and Consumers	Digicel	Digicel is disappointed that the Authority has not undertaken any detailed analysis of the impact of a regulated reduction in interconnection rates or its assumptions that such reductions would result in lower prices, and increase in penetration, demand and call volumes. Nor has the Authority given any detailed consideration of its proposed intervention in light of the well understood existing impact of OTT services on traditional call and messaging services. In the circumstances, Digicel does not accept that, on the basis of its cursory analysis, the Authority is entitled to reach any conclusions in relation to impacts on operators and consumers and disagrees with the Authority's conclusion that "*moving from the current interconnection rates to the computed costing benchmarked rates would improve economic efficiency, promote greater competition between operators and bring benefits to voice consumers*".		The Authority acknowledges Digicel's comments on section 5.3 of the 2024 IBS Report in relation to the potential impact of reducing interconnection rates to the calculated costing benchmark levels, but disagrees with both Digicel's characterisation of the Authority's analysis as "cursory" and its suggestion that the conclusions are unjustified. As stated previously by the Authority in response to similar comments from Digicel (see round two DORs, pages 25–28), the Authority reiterates "that the primary purpose of the benchmarking exercise is to comply with the objectives of the Telecommunications Act, which includes, among other things, the directive that network interconnection rates be set on a cost-oriented basis". The findings in the 2024 IBS Report demonstrate that interconnection rates in Trinidad and Tobago do not meet this requirement and are above costs. The possible impact of reducing interconnection rates to the computed costing benchmark levels is supplementary information for this exercise. The analysis the Authority undertook was detailed and as comprehensive as those carried out for the 2017, 2019 and 2021 IBS Reports. Unsurprisingly, given the well-known benefits of increased competition, the overall impact results undertaken by

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					the Authority are consistent with prior results. As noted in the 2024 IBS Report, "The Authority remains of the view that moving from the current interconnection rates to the computed/calculated costing benchmarked rates would improve economic efficiency, promote greater competition between operators and bring benefits to voice consumers." This outcome is likely to reduce interconnection rates, which would enable lower retail voice prices, where customers' demand for voice service is price elastic.
26	5.4. Cost-Benefit Assessment	Digicel	Similarly, Digicel does not consider the unsubstantiated assertions contained in section 5.4 of the Report, to constitute a proper cost benefit analysis that can be relied upon as a basis for any regulatory intervention. Digicel notes, in particular, the Authority's statement that "Retail voice prices are higher than otherwise, which suppresses consumer demand in terms of usage as well as subscription levels". However, this statement is not supported by any actual analysis or the mobile subscriber density of 148% reported on page 42 of the Report which is well above the average 105% subscriber density that exists in the other benchmark jurisdictions where interconnection pricing is regulated.	Digicel recommends that the Authority undertakes a detailed cost-benefit assessment before attempting to reach any conclusions.	The Authority disagrees with Digicel's comment that it has not conducted a "proper" cost-benefit or impact analysis as part of its benchmarking exercise. It is important to recognise that the 2024 IBS Report is the fourth IBS report conducted by the Authority. Section 8 and Annex C of the 2017 IBS Report include a detailed impact analysis, including empirical evidence supporting the existence of benefits for consumers from lowering interconnection rates to cost-based levels. Section 8 and Annex IV of the 2019 IBS Report provided an even more extensive impact analysis, including additional empirical and international case study evidence. The 2021 IBS Report did not repeat this evidence but, nonetheless, relied on it to support the Authority's conclusion that reducing interconnection rates to cost-based levels would benefit consumers through lower retail prices, increased demand and greater competition.

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					Section 5.4 of the 2024 IBS Report does the same and reiterates this same conclusion. Therefore, Digicel's assertion that the Authority has not conducted a "proper" cost-benefit or impact analysis is incorrect. Digicel also suggests that the relatively high mobile-density level in Trinidad and Tobago (148%) compared to the average for the benchmark sample jurisdictions (106%) appears to contradict the Authority's finding that reducing interconnection rates to cost-based levels would potentially increase mobile demand/density. In effect, Digicel seems to be suggesting that the reverse could apply, i.e., raising or maintaining interconnection rates above cost-based levels could potentially increase demand/density. Digicel did not explain the mechanism or process that would bring about this outcome. In any event, the Authority disagrees with Digicel's comment. Mobile density is indeed higher in Trinidad and Tobago compared to the benchmark sample jurisdictions. The mobile density measure used in the 2024 IBS Report is sourced from the World Bank and is based on "total" subscriptions, not "unique" subscriptions. Therefore, the mobile density data indicate that there are far more subscribers in Trinidad and Tobago with multiple subscriptions or SIMs compared to the benchmark sample jurisdictions. The Authority maintains its view that, as set out in the 2024 IBS Report, "there is a very high risk that not reducing the relevant interconnection rates to the level of the costing benchmarked rates would serve to sustain existing interconnection pricing

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					inefficiencies, harm consumers through higher-than-necessary retail prices, and distort market competition. The Authority, therefore, considers that these risks would be significantly mitigated, if not eliminated, by the implementation of the current costing benchmarked rates set out in this 2024 IBS Report." The Authority considers that this conclusion is fully supported by the cost-benefit/impact analysis evidence provided in its series of four IBS Reports.