Consultative Document

Dominance Assessment of the Relevant Retail Domestic Mobile Telephony Market in Trinidad and Tobago

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Abbreviations

TT$	Trinidad & Tobago dollar
2G/3G/4G/5G	2nd/3rd/4th / 5th generation mobile communications standards
ARPU	average revenue per user
BBD	Barbadian or Bajan dollar
CAPEX	capital expenditure
CJEU	Court of Justice of the European Union
Digicel	Digicel (Trinidad & Tobago)
EBITDA	Earnings before interest, taxes, depreciation, and amortisation
EC	European Commission
EU	European Union
EUR (€)	Euro
GB	Gigabyte
GCC	Gulf Cooperation Council
GNI	Gross National Income
ICT	information and communications technology
ITU	International Telecommunication Union
JMD	Jamaican dollar
KCL	Kairi Consultants Limited
MHz	Megahertz
Mi-Fi	mobile Wi-Fi
MNO	Mobile network operator
MUR	Mauritian rupee
MVNO	Mobile virtual network operator
OECD	Organisation for Economic Co-operation and Development
Ofcom	Office of communications
OPEX	Operational expenditure
OTT	Over-the-top
PAYG	Pay-as-you-go
SIM	Subscriber identity module

SMP	Significant market power
SMS	Short Messaging Service (text message)
SSNIP	Small but significant non-transitory increase in price
TATT	Telecommunications Authority of Trinidad and Tobago
TSTT	Telecommunications Services of Trinidad and Tobago Limited
U. S	United States
USD	United States dollar
UK	United Kingdom
Wi-Fi	Wireless Fidelity

Executive Summary

In line with the objectives pursued by the Telecommunications Act Chap. 47:31, Act 4 of 2001 (Amended by 17 of 2004), the Telecommunications Authority of Trinidad and Tobago (the Authority) is mandated to develop and enforce effective regulatory frameworks in the telecommunications sector, with the aim of fostering and protecting fair competition in pursuit of the welfare of consumers.

Prompted by a series of significant sectoral developments, such as increasing prices, technological developments and evolving usage patterns, the Authority initiated, in 2022, a market review process. The latter is composed of three main phases:

1. the definition of relevant market (s);
2. the identification of operators exercising dominance in the relevant market; and
3. the determination of appropriate remedies to ensure that market power is not abused.

In May 2024, through the publication of its Decision No. 2/10/02, the Authority completed the first phase and delimited a single national relevant economic market for retail domestic mobile services. This market encompasses all customer segments (i.e., prepaid and postpaid plans for residential and business customers) and services (voice, SMS and data), whether provided over traditional networks or through over-the-top (OTT) services.

The purpose of this document is to present the Authority's conclusions on the identification of dominant operator(s) within the relevant market, which corresponds to the second phase of the market analysis process.

Following section 1 which gives the background, purpose, objectives and scope of the document, section 2 which provides the legal basis and section 3, which summarises the analysis conducted by the Authority to define the relevant market, the Authority presents, in section 4, the general principles governing the exercise of designating dominant operators in the telecommunications sector, by referring to both national and international legal and regulatory frameworks.

In section 5, the Authority presents the relevant market and the operators in it. This analysis is based primarily on data collected by the Authority from operators, for the purpose of conducting the market analysis. Where relevant, other data collected by the Authority from the operators was also used.

The following are the main observations made by the Authority:

1. The market is shared evenly between two operators, Digicel Trinidad & Tobago Limited (Digicel) and Telecommunications Services of Trinidad and Tobago Limited (TSTT), in terms of both number of subscribers and revenues.
2. The symmetry in both operators' market shares is established across different market segments, namely, prepaid, postpaid and pay-as-you-go (PAYG) and services (voice/SMS and mobile Internet).
3. Mobile data has become the dominant driver of national mobile traffic (including for the consumption of voice and messaging services, through OTT applications),

while traditional voice and SMS follow a decreasing trend in both volume (usage) and value (revenues).

4. On-net voice and SMS consumption remain dominant in the market, together with a penetration rate consistently exceeding 130%, illustrating the widespread practice among consumers of optimising costs by using multiple SIM cards to benefit from advantageous on-net tariffs.

Following this review of the relevant market and its providers, the Authority proceeds in section 6 to analyse the criteria recognised in national and international regulatory practice for assessing whether there exists in the market a single operator that holds a position of dominance compared to others. This analysis leads to the following observations:

1. both operators consistently hold very close market shares both in terms of volume and revenue and have maintained these positions for at least two years, with no significant changes in these trends over the period;

2. while neither operator appears to meet the market share threshold mentioned in §A23 of the Concession Agreement – namely, a market share exceeding 150% of its average market share – to be presumed dominant, both maintain a substantial market presence. Each operator holds a market share that is either very close or exceeds the 50% threshold commonly referenced internationally for the presumption of dominance;

3. each operator possesses a large customer base and established network infrastructure, enabling them to benefit from economies of scale and potentially creating structural barriers to entry that can be added to the existing legal and regulatory barriers to entry, in the absence of a wholesale market regulation;

4. consumers lack effective countervailing power, due to the indispensable nature of telecommunications services and the absence of alternatives from direct suppliers in the market;

5. demand remains relatively price inelastic, granting operators substantial power to set prices;

6. mobile plan prices in Trinidad and Tobago appear to be significantly higher than in other comparable nations, especially when adjusted for income levels. The cost and revenue data of the operators indicate that both operators enjoy margins[1] well above levels typically observed in competitive markets, where competitive pressure would normally drive prices closer to cost;

7. beyond prices, there is little effective competition on non-price dimensions such as service quality or product differentiation. Both operators offer similar service bundles with comparable levels of quality, further supporting the conclusion that market dynamics do not achieve effective competition.

[1] Margins refer exclusively to the respective company's mobile services business segment.

While both operators meet several criteria of single dominance, they do so in a quasi-similar manner. Therefore, further analysis is carried out to determine whether the operators hold joint dominance, and, in particular, whether the market structure is conducive to coordinated effects.

To determine whether there is joint dominance, the following criteria are analysed (section 7): the transparency of each operator's actions in the market; the sustainability of tacit agreement and the lack of incentive to deviate from this equilibrium; and the absence of countervailing buyer power in response to price increases by one of the operators.

This analysis leads to the following observations:

1. The market is highly transparent. Each operator has full visibility over the pricing and marketing strategies of its competitor. This conclusion is supported by the high degree of symmetry between both operators (in terms of market share, capacity deployed, cost structure, level of prices, profitability and product scope); the stability of their market share over time; and the very high level of market concentration. In addition, the analysis of each operator's previous commercial and pricing choices establishes a strategy of alignment between both operators.

2. There is compelling evidence that neither operator has any incentive to deviate from the current equilibrium. Any unilateral price reduction or significant investment in quality would lead to a potential loss in margins, while the potential customer gain would be marginal, given the market's maturity and limited churn.

3. Consumers in this market do not possess sufficient market power to counterbalance the power of both operators. Switching levels are low and demand for mobile services is relatively price inelastic.

Finally, section 8 sets out the Authority's reasoning for concluding that OTT providers do not exert a sufficiently strong countervailing influence to effectively challenge the dominant position held by both operators in the market.

Considering all these factors, the Authority concludes, in section 9, that **both Digicel and TSTT are designated as holding joint dominance in the relevant economic market for retail domestic mobile services.**

1. Introduction

1.1 Background

The Telecommunications Act, Chap. 47:31 (the Act) establishes the general legislative framework governing the regulation of telecommunications services in Trinidad and Tobago[2]. One of the key objectives outlined under Section 3 of the Act is to:

> *"establish conditions for —*
> *(a) an open market for telecommunications services, including conditions for fair competition, at the national and international levels"*

Therefore, in line with the objectives of the Act, the Authority is mandated to uphold fair competition in the market whereby fair competition refers to a level playing field that affords all market players equal opportunities to, *inter alia*, enter the telecommunications market, access essential resources and compete effectively[3]. To achieve this mandate the Authority is required to periodically assess the competitive dynamics in the sector and, when a potential market failure is identified, impose economic regulatory measures to safeguard and promote fair competition.

Economic regulation in network industries such as the telecommunications sector, which are often characterised by significant fixed costs and an oligopolistic market structure, plays an indispensable role in ensuring that fair and effective competition[4] is both introduced and preserved. The primary objective of such regulation is the protection of end-users' welfare. Such objective is achieved by safeguarding against distortions of competition and ensuring that market dynamics operate to the benefit of consumers. Accordingly, the creation of an enabling environment for efficient market competition is particularly important in protecting consumers, expanding the set of products and services available, and encouraging innovation[5].

Within the economic regulatory toolkit available to the Authority for evaluating competition, market analysis serves as a critical component. The market analysis procedure typically involves undertaking an assessment to determine whether there exists any dominant operator within a market defined from both product and geographic perspectives.

This approach is consistent with international best practises, and it aims to pre-empt and protect the market against anti-competitive conduct which may occur through an abuse of market power or through tacit collusion among market participants. Where risks of this nature are likely to materialise, the application of economic *ex ante* regulation assumes particular importance,

[2] Telecommunications Act, Chap. 47:31, Act of 4 of 2001 (Amended by 17 of 2004)
[3] The notion of effective competition means that there is no undertaking with dominance on the relevant market (International Telecommunications Union, Competition Issues: Market Definition, SMP and Dominance (2015)).
[4] Effective competition gives businesses a level playing field but also confers many benefits on consumers (lower prices, better quality, wider choice, etc.) (Economic Union – Competition).
[5] Reference: International Telecommunication Union, Competition Policy and Significant Market Power.

especially in cases where *ex post* intervention alone is unlikely to deter firms from engaging in practices that undermine competition and erode consumer welfare.

The regulatory approach to market analysis to determine whether any player operating in a market holds dominance involves the following three steps[6]:

1. the definition of relevant market(s). This entails establishing both the product and geographic dimensions within which competition is to be assessed. By delineating these market boundaries, the Authority can undertake a robust evaluation of competitive conditions;

2. the identification of operators that are dominant within the relevant market(s). A firm is considered to be dominant if it enjoys a position of economic strength affording it the power to behave, to an appreciable extent, independently of its competitors, customers, and ultimately consumers[7], thereby distorting or undermining competition within the market. Such economic strength can be held individually by a single firm (single dominance) or collectively by many firms (joint dominance); and

3. the determination of whether it is necessary to impose specific remedies on dominant operators to ensure that their market power is not abused, and effective competition is preserved[8].

The Authority ensures that the market analysis and economic regulatory interventions it adopts are transparent, evidence-based and characterised by active engagement with relevant industry stakeholders. In light of the foregoing, the Authority initiated in 2022 a market analysis procedure of the retail domestic mobile telephony market. This review was prompted by a series of significant sectoral developments, which included:

1. the evolution of price, especially the price increases observed in the retail domestic mobile telephony market, raising concerns regarding affordability and consumer welfare;

2. the central importance of the mobile market, to both the overall sustainability of the telecommunications sector and to its critical role in supporting the wider national economy;

[6] Reference: World Bank, Digital Regulation Platform, ICT Market analysis and determination of dominance guidelines (2022).

[7] Reference: European Commission, Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services (2018/C 159/01)

[8] Remedies are generally applied in a proportionate manner, beginning with the least intrusive measures and escalating, where necessary, to more stringent obligations such as transparency; obligations of non-discrimination; requirements for accounting separation; access obligations; cost accounting obligations; and, ultimately, tariff regulation. Applied individually or in combination, these instruments help address specific competition concerns while ensuring that markets operate in a manner that promotes efficiency, innovation and the protection of consumer welfare.

3. the global technological developments with the potential to reshape the structure and performance of domestic mobile markets, such as the proliferation of OTT services and the advancement of 4G and 5G technologies;
4. the evolution of competition in the market between existing firms; and
5. evolving consumer usage patterns, most notably those influenced by the behavioural changes brought about by the COVID-19 pandemic.

At the initial phase of the market analysis, the Authority defined the relevant market as **the market for retail domestic mobile telephony services**[9] which is a single, national market covering all retail mobile services (i.e., mobile access services, domestic call and mobile messaging services, and mobile data services) and OTT services, across all various customer segments (i.e., both prepaid and postpaid, and both residential and business). OTT services were deemed to be substitutes for mobile voice and messaging services only periodically and on a call-by-call or usage basis. A summary of the factors considered in the Authority's market definition analysis is presented in Section 3.

1.2 Purpose

Following the market definition procedure, the Authority has initiated the second phase of the market analysis, which consists of assessing whether any operator holds, individually or jointly with others, a position of dominance.

This assessment will evaluate a number of indicators including, *inter alia*, trends in market shares, the overall size of operators, barriers to entry, consumers and competitors countervailing power, profitability, trends in market prices, product differentiation, quality of service, barriers to switching and technology deployed[10].

Consequently, the purpose of this document is to present the Authority's assessment of whether any operator holds a dominant position, individually or jointly, within the relevant market of retail domestic mobile telephony services.

It should be recalled that holding a dominant position in a market, whether individually or jointly, does not in itself constitute a legal infringement. Dominance *per se* is not sanctioned; only the abuse of a dominant position that may be subject to enforcement in an *ex post* analysis. In the context of an *ex ante* analysis, as conducted here, it is not necessary to prove that an abuse of a dominant position has occurred, only to determine that the incentive for said exist, as the objective is to create conditions for effective competition, thus mitigating the risks of the occurrence of such an abuse of dominance, thereby preventing market failures from taking place.

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[9] The Authority's decision entitled: "*Determination: Retail Domestic Mobile Telephony Market Definition*" was finalised in May 2024 (Decision No. 2/10/02)

[10] A detailed review of these indicators, among others, is presented under the subsequent Sections 4.1.1 and 4.1.2. .

1.3 Objectives

The objectives of this Dominance assessment are to:

1. present the methodological approach to designate an operator as holding a dominant position (i.e. either single or joint dominance);

2. present a brief overview of the developments in the retail domestic mobile telephony market in Trinidad and Tobago;

3. conduct the relevant dominance assessment and conclude whether any operator holds a position of single dominance; and

4. conduct the relevant dominance assessment and conclude whether any two or more operators hold a position of joint dominance.

1.4 Scope

This dominance assessment presents an analysis of the competition dynamics within the retail domestic mobile telephony market through a detailed examination of key market indicators. Specifically, it reviews both the evolution of the market structure in recent years and its current configuration, with the aim of determining whether the trends observed in the past are likely to persist in the foreseeable future. In line with regulatory best practices, the assessment of dominance is conducted on a forward-looking basis. Accordingly, all evidence of future market developments likely to affect competitive conditions is duly taken into account.

Through this assessment, the Authority seeks to determine whether any operator in the retail domestic mobile telephony market is capable of acting independently of competitive pressures, thereby leading to suboptimal market outcomes.

It is important to note, however, that this assessment does not examine whether any abuse of dominance has occurred in the past, as such analysis that pertains to *ex post* interventions falls outside the scope of the market analysis procedure. Similarly, this assessment does not address the potential remedies that may be imposed on operators designated as holding a dominant position, nor does it include a competitive analysis of markets beyond the defined relevant market.

1.5 Consultation Process

The Authority seeks the views and opinions of the general public and other stakeholders regarding the contents in this document, in accordance with its *Procedures for Consultation in the Telecommunications and Broadcasting Sectors of Trinidad and Tobago*.

This document shall be issued for two rounds of consultation. Each round of consultation shall be for a period of at minimum six weeks.

1.6 Other Relevant Documents

Other relevant documents to be read along with the *Dominance Assessment of the Relevant Retail Domestic Mobile Telephony Market in Trinidad and Tobago* include:

1) Determination: Retail Domestic Mobile Telephony Market Definition (May 2024)
2) Final Report – Customer Survey of the Domestic Retail Mobile Market of Trinidad and Tobago (July 2023)

2. Legal Basis

The Telecommunications Act, Chap 47:31 (the Act) provides the legislative basis for the assessment of dominance in relevant telecommunications markets. Section 29(8) of the Act states[11]:

For the purposes of this Part and wherever the issue of dominance otherwise arises in the Act, the Authority may determine that an operator or provider is dominant where, individually or jointly with others, it enjoys a position of economic strength affording it the power to behave to an appreciable extent independently of competitors, customers and ultimately consumers and, for such determination, the Authority shall take into account the following factors:

(a) the relevant market;

(b) technology and market trends;

(c) the market share of the provider;

(d) the power of the provider to set prices;

(e) the degree of differentiation among services in the market;

(f) any other matters that the Authority deems relevant.

In addition, Section A23 of the *Concession for the Operation of A public telecommunications network and/or provision of public telecommunications and/or broadcasting services* (Concession Agreement), specifically states:

Without prejudice to any price or competition regulations to be developed by the Authority, and until such regulations are promulgated:

a. Any concessionaire which:

i. serves over one hundred and fifty per cent (150%) of its Average Market Share in any market set out in this condition or defined by the Authority from time to time; or,

ii. enjoys a position of economic strength affording it the power to behave to an appreciable extent independently of competitors, customers and ultimately consumers;

shall be considered to have significant market power and may be declared a dominant provider subject to price regulation in accordance with section 29 of the Act. Notwithstanding the foregoing, a concessionaire with an actual market share of less than 15% of any defined market shall not be considered a dominant provider in that market.

[11] Telecommunications Act, Chap. 47:31, Section 29, subsection 8, page 33

b. *The Authority may also determine, in accordance with section 29 of the Act, that a concessionaire is dominant where, individually or jointly with others, it operates in a market where more than one of the following conditions are satisfied:*

(i) mature market;
(ii) homogenous product
(iii) similar cost structures;
(iv) similar market shares;
(v) lack of technical innovation and mature technology
(vi) absence of excess capacity;
(vii) lack of potential competition;
(viii) reduced scope for price competition; or
(ix) high barriers to entry."

3. Overview of the Definition of the Relevant Market

This Section presents in a succinct manner:

1. the methodological approach adopted by the Authority in defining the relevant market (Section 3.1); and
2. the Authority's conclusions on the delimitation of the relevant market (Section 3.2).

3.1 The Methodological Approach to Defining the Relevant Market

The Authority conducted a comprehensive analysis to define the relevant market, in conformity with the applicable legal framework and in alignment with international best practices, notably those derived from competition law in the European Union.

All information collected from various sources[12] and stakeholders was carefully analysed to determine the most pertinent definition of the relevant market. The assessment was structured around three main dimensions:

1. product market definition: this dimension identifies the set of services or products that end users perceive as sufficiently interchangeable, such that a significant price increase would be unprofitable for a provider (Section 3.1.1);
2. customer segmentation: it assesses whether separate relevant markets should be defined for specific groups of end users, such as residential and business customers (Section 3.1.2); and
3. geographic market definition: this involves defining the geographical area within which competition conditions are sufficiently homogeneous to constitute a single relevant market (Section 3.1.3).

3.1.1 The Product Market Definition

In accordance with international best practices, the Authority conducted a substitutability analysis from both demand-side and supply-side perspectives. In particular, the Authority applied the SSNIP (small but significant and non-transitory increase in price) test, commonly known as the hypothetical monopolist test. This standard methodology assesses whether a hypothetical monopolist could profitably impose an increase of 5% to 10% in the price of a given focal product over its competitive level.

If, following such a price increase, enough end users would switch to alternative products (demand-side substitution), or if other suppliers would be incentivised to start offering the product in question (supply-side substitution), such a price increase could not be profitably

[12] Sources such as operator submission for definition of the relevant market phase, data available on operator's websites, TATT market data reports, prices publications, official publications as well as international regulatory frameworks and guidelines has been used.

sustained by the hypothetical monopolist. In this case, a broader market definition that includes other products would be justified.

To this end, the Authority relied on a combination of qualitative and quantitative inputs. Data was collected directly from the operators and complemented by findings from a consumer survey. The latter provided valuable insights into consumers' behaviour, price sensitivity and other non-price factors that influence users' preferences.

Special attention was given to the definition of the product market, particularly regarding specific services such as fixed broadband services and OTT services. The key issue examined was whether these services should be included within the relevant market as defined by the Authority.

The Authority observed that there are significant differences, both in terms of price and non-price factors, between mobile and fixed services. These include variations in the mode of service delivery to end users and in the patterns of service usage, which limit the substitutability between fixed and mobile services. The Authority further found that these distinctions are persistent across both voice and data services. Consequently, fixed voice and fixed data services were excluded from the scope of the relevant market.

Additionally, the Authority concluded that there exists partial demand-side substitutability between traditional and OTT voice and messaging services and, consequently, both were included within the same relevant product market. This conclusion is primarily supported by several factors such as the strong uptake of OTT services within the country; the similarity in demand-side functionality and product characteristics; patterns of end-user usage; the perception of OTT services as a more affordable means of communication; and the willingness of a segment of mobile users to reduce, but not completely discontinue, their consumption of traditional mobile services in response to price increases.

3.1.2 Customer Segmentation

The perimeter of the customer segments to be included in the relevant market was assessed based on both demand-side and supply-side substitutability.

On the demand side, the assessment focused on whether differences exist in demand patterns across distinct customer segments that may limit the ability of end users to substitute between services targeted at different user groups. On the supply side, the analysis examined whether providers serving one customer segment could easily adjust their operations to supply services to another segment.

In the context of the retail domestic mobile services market, the key considerations were:

1. whether service offerings targeted at residential and non-residential end users fall within the same relevant product market; and
2. whether prepaid and postpaid mobile service offerings should be considered part of the same relevant market.

Accordingly, the Authority's assessment considered the demand characteristics of each customer segment; the extent to which providers use common customer sales channels to serve various end-user groups; and the range and attributes of mobile services provided to these different segments by the relevant operators.

On this basis, the Authority concluded that all customer segments form part of the same relevant market and that a finer segmentation is not pertinent[13].

3.1.3 The Geographic Market Definition

The need for distinct geographic markets depends on whether there are significant variations in the competitive dynamics across the various regions of the country. In this regard, the geographic market definition retained by the Authority should:

1. be of an appropriate size, such that the market is neither too small (to avoid a significant market fragmentation and burdensome micro-analysis) nor too big (to ensure harmonised competition conditions);
2. reflect the network structure of all relevant operators; and
3. have boundaries that are relatively stable over time.

In line with the approaches accepted internationally, the Authority's default assumption with regard to geographic market definition is that markets are national. This is supported by the fact that operating licences/concessions are generally granted on a national level.

In assessing the relevant geographic market for retail domestic mobile services, the Authority considered information such as the extent of network coverage, the range of services provided by the operators, and the level of prices being charged across the country.

In the market under review, while some differences in the competitive dynamics might exist (for example, due to differences in the cost of network deployment or commercial costs between dense and less dense areas), prices are often set nationally, which contributes to the harmonisation of competitive conditions across the country. Consequently, the Authority opted to retain a national relevant market.

3.2 The Defined Relevant Market

In May 2024, based on the results of a thorough analysis and consultations (gathering information from the relevant operators, considering their feedback, and analysing the available data), the Authority adopted the definition of the relevant market through the publication of its decision No. 2/10/02. In this decision, the Authority determined a single national relevant economic market for retail domestic mobile services.

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[13] The relevant market as defined by the Authority excludes large enterprise customers, for whom operators provide bespoke offers.

This market encompasses all customer segments (i.e., prepaid and postpaid plans for residential and business customers) and services (voice, SMS and data), whether provided over traditional networks or through OTT services on a call or usage basis. Hereinafter, the relevant market as defined by the Authority is referred to as "the Market". The full description of the Market is presented in Table 1.

Table 1: List of services included in the retail domestic mobile service market

Product Scope	Customer Segments	Geographic Scope
Retail mobile access services	Prepaid/postpaid mobile tariff offerings	National
Retail domestic call services	Prepaid/postpaid mobile tariff offerings	
Retail domestic mobile messaging services	Business/residential tariff offerings	
Retail mobile data services	Business/residential tariff offerings	
OTT messaging, voice, and video call services	Mobile data/fixed and public Wi-Fi networks	

Source : TATT, "Determination: Retail Domestic Mobile Telephony Market Definition"

4. General Principles of the Dominance Assessment

Having established the definition of the relevant market, the Authority proceeded to the second phase of the market analysis: the assessment of dominance. The purpose of this document is to present the Authority's findings and conclusions regarding the dominance assessment within the national market for retail domestic mobile services.

This exercise has been conducted in accordance with established regulatory practices in the telecommunications sector (Section 4.1) and in line with international best practices, in particular with standards established in the European Union as well as other international jurisdictions[14] (Section 4.2).

4.1 Methodological Approach to Designating Dominant Operators

Should the Authority's assessment reveal that no operator possesses the ability to act independently of competitive pressures, nor to leverage its position in a manner that distorts fair competition to the detriment of both rival operators and end-users, the Authority may determine that no operator holds a position of dominance in the relevant market.

Conversely, should there be players in the market who possess such capabilities, the Authority may designate them as holders of dominance. In such instances, two scenarios may arise: (i) single dominance (Section 4.1.1) or (ii) joint dominance (Section 4.1.2).

4.1.1 Single Dominance

The process of regulating dominance under national law is set out in Section 29 of the Act[15]. It mirrors the approach of dominance assessment commonly applied in the field of competition law, which is typically applied *ex post* in cases where anti-competitive behaviour has been observed. Under the Authority's regulatory framework, the same approach may also apply *ex ante*, where prevailing conditions warrant such an intervention.

According to the Concession Agreement, market share constitutes a key criterion for assessing dominance. As stated in A23, "*Any concessionaire which serves over one hundred and fifty per cent (150%) of its Average Market Share in any market set out in this condition or defined by the Authority from time to time shall be considered to have significant market power.*"

However, this condition is not exclusive, as an alternative criterion may also be considered: "***or*** *enjoy a position of economic strength affording it power to behave to an appreciable extent independently of competitors, customers and ultimately consumers.*"

Furthermore, it is specified that:

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[14] The international jurisdictions used for comparison in this report include the European Union, the United Kingdom, the United States of America, Japan, Jamaica, Barbados, and Brazil.

[15] Telecommunications Act, Chap. 47:31, Section 29, subsection 8, page 33

"*The Authority may also determine, in accordance with Section 29 of the Act, that a concessionaire is dominant where, individually or jointly with others, it operates in a market where more than one of the following conditions are satisfied:*

(i) mature market;
(ii) homogenous product
(iii) similar cost structures;
(iv) similar market shares;
(v) lack of technical innovation and mature technology
(vi) absence of excess capacity;
(vii) lack of potential competition;
(viii) reduced scope for price competition; or
(ix) high barriers to entry."

Thus, in line with legislative frameworks and international best practices in regulatory policy on the assessment of market dominance, it is relevant to consider the criteria relating to the structure and functioning of the market, with regard to the ability of an operator to act independently of competitive market dynamics.

More precisely, the criteria to be considered for the evaluation of dominant operators according to the Authority are:

1. **market share and trends in market share**: the persistent holding by an operator of a substantial portion of the total market share in terms of number of subscribers[16], traffic volumes, capacity or gross revenue;

2. **the overall size of the concessionaire's undertaking**: a concessionaire's size could be a factor in favour of finding that such actor holds a dominant position. Indeed, such advantages may exist because of economies of scale or scope, production capacities, distribution or other activities outside the market under consideration;

3. **access to financial resources**: easy or privileged access to financial resources on a scale that places an operator at an advantage over its competitors or leads to barriers to entry by other concessionaires;

4. **vertical integration**: an operator controlling upstream and downstream markets or having the potential to adversely affect competition by leveraging market power in upstream and downstream markets;

5. **diversification of products or services**: where an operator bundles the supply of a service in which it is dominant with other services and where the bundling has the effect of creating barriers to entry;

6. **the absence of, or low, countervailing buying power** such that an operator has the ability to increase its prices without significant loss of revenue;

[16] The number of subscribers is based on the total number of subscriptions to all services in the relevant market.

7. **the existence of high barriers to entry** into the relevant market, which can be:
    a) legislative or regulatory requirements;
    b) government policy;
    c) anti-competitive pricing behaviour;
    d) non-price behaviour such as increased promotions;
    e) the operator owning, or having access to, resources or assets not similarly accessible by its competitors;
    f) sunk costs;
    g) the operator having agreements (distribution, rights, etc.) that its competitors are not privy to.

8. **the power of the operators operating in the market to set prices**: the ability of an operator to set prices in the relevant market independently of market conditions, competitors, customers and consumers;

9. **excessive pricing and profitability:** the ability of an operator to set prices in the relevant market in such a manner that its profitability in that market is consistently and significantly higher than the competitive level;

10. **the lack of active competition on non-price factors** such as quality and variety of services;

11. **barriers-to-switching** limits on the ability of customers to switch from the operator's service(s) in the relevant market to another competitor's;

12. **customers' ability to access and use information**: limits on the information available to customers on various aspects of the services;

13. **technology trends relevant to the market**: a significant advantage by an operator over its competitors because of its ability to provide services using the latest or more advanced technologies; and

14. **the degree of differentiation among services in the market**: the ability of an operator to differentiate its services in the relevant market from that of its competitors, in a manner that gives it a significant advantage over its competitors or discourages entry into the market. Such differentiation may exist in terms of quality, performance, innovatory or novelty features and packaging, or by advertising subjective qualities of the service.

4.1.2 Joint Dominance

It is also possible that several actors may fulfil the criteria previously outlined, or that an actor, while not meeting the criteria for dominance on its own, may collectively deviate from the conditions of a competitive market when its actions are made in conjunction with other actors.

In such cases, the situation is not characterised as one of single dominance but, rather, of joint dominance.

In an oligopolistic market, two or more operators may have an incentive to tacitly coordinate their actions in order to maximise their profits or restrict the ability of other operators to compete in fair conditions. In such cases, the coordinating firms could be designated as jointly dominant in the market, upon consideration of the following factors[17]:

1. "*The extent to which the characteristics of the relevant market enable tacit coordination and the extent to which such form of co-ordination is sustainable;*"
2. "*If the concessionaires in question have substantially the same position vis-à-vis their customers and competitors as a single company has if it is in a dominant position, provided that no effective competition existed between them;*"
3. "*If the concessionaires in question, individually or jointly, satisfy any of the criteria for assessing dominance, in addition to the relevant market having the following characteristics:*

    a) *various kinds of structural, informal or other links between the concessionaires concerned,*
    b) *mature market,*
    c) *stagnant or moderate growth on the demand side on the relevant market,*
    d) *low elasticity of demand,*
    e) *homogeneous product,*
    f) *similar cost structures for concessionaires,*
    g) *similar market shares by the concessionaires,*
    h) *lack of technical innovation (mature technology),*
    i) *absence of excess capacity,*
    j) *lack of potential competition,*
    k) *lack or reduced scope for price competition.*"

It should be noted that the list of criteria provided above is not exhaustive, nor is it necessary for all the criteria to be satisfied to establish the existence of joint dominance.

[17] *Price Regulation Framework for Telecommunications Services in Trinidad and Tobago*, 4th March 2009, page 20

4.2 International Best Practices for Dominance Assessment

The Authority's guidelines are aligned with international practices, most notably those of the European Union and Organisation for Economic Co-operation and Development (OECD) countries, regarding the assessment of both single (Section 4.2.1) and joint dominance (Section 4.2.2).

4.2.1 Assessment of Single Dominance in the European Union and other international jurisdictions

In the European Union, the designation of a single dominant (also referred to as significant market power (SMP)) operator is based on several criteria set out in the *Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services* of 7th May 2018 (the Guidelines). The approach outlined in the Guidelines is carried out considering the requirements specified in Article 16 of Directive 2002/21/EC of the European Commission[18].

Similar to Trinidad and Tobago, an initial analysis of market shares identifies operators that are presumed to hold a dominant position. In the European Union, an operator with a market share below 40% is presumed unlikely to hold a dominant position[19], whereas an operator exceeding 50% market share is generally presumed to be dominant: "*According to established case-law, very large market share held by an undertaking for some time — in excess of 50 % — is in itself, save in exceptional circumstances, evidence of the existence of a dominant position*" [20].

In other jurisdictions, such as the United Kingdom, it is also considered "*unlikely that an undertaking will be individually dominant if its share of the relevant market is below 40 per cent, although dominance could be established below that threshold where other relevant factors are present (such as the weak position of competitors in that market or high barriers to entry).*"[21]

[18] Directive 2002/21/EC of the European Parliament and of the Council of 7th March 2002 on a common regulatory framework for electronic communications networks and services (OJ L 108, 24.4.2002, p. 33)

[19] Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services of 7th May 2018, § 57: "*The Commission's experience suggests that dominance is not likely if the undertaking's market share is below 40 % in the relevant market. However, there may be specific cases below that threshold where competitors are not in a position to constrain effectively the conduct of a dominant undertaking. See United Brands, op. cit. and Case COMP/M.1741 — MCI WorldCom/Sprint*".

[20] *Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services* of 7th May 2018, § 55

[21] OECD paper "Abuse of dominance in Digital Markets", December 2020, link (https://one.oecd.org/document/DAF/COMP/GF(2020)4/en/pdf), §54 (last accessed on 23/10/2025).

The United States, Japan, Jamaica[22] and Barbados[23] apply the same market share thresholds when assessing the presumption of dominance.

Conversely, Brazil considers that "*a dominant position is assumed when a company or group of companies is able to unilaterally or jointly alter market conditions, or when it controls 20 per cent or more of the relevant market.*" [24]

Market share criteria applied in other jurisdictions are summarised in Table 2:

Table 2: Summary of Market Share Criteria Applied in the Analysis of Single Dominance

	Market Share Threshold for Considering a Company as Potentially Dominant
European Union	50%
United Kingdom	50%
United State of America	50%
Japan	50%
Jamaica	50%
Barbados	50%
Brazil	20%

However, as in the European Union and the other jurisdictions mentioned above, it is generally recognised that the assessment of market shares in isolation is insufficient to determine whether an operator holds a dominant position. A comprehensive evaluation of a broader range of factors must be considered in order for a robust conclusion to be reached. The suite of indicators assessed by the European Commission in determining single dominance is similar to those applied by the Authority: barriers to entry, technological and commercial advantages or superiority, economies of scale, etc.

4.2.2 Joint Dominance Assessment in the European Union and other international jurisdictions

The concept of joint dominance is not recognised in all jurisdictions. For instance, it is not codified under United States law. Indeed, the latter does not establish a framework for *ex ante* regulation of tacit collusion, as coordinated behaviours are addressed solely on an *ex post* basis. Similarly, the concept of joint dominance is not expressly addressed in the legal framework of certain regional peers, such as Jamaica or Barbados.

[22] Fair Trading Commission of Jamaica, "*The Fair Competition Act: A Guide to Anti-competitive Practices*" link (https://jftc.gov.jm/wp-content/uploads/2017/10/The-Fair-Competition-Act-A-Guide-to-Anti-Competitive-Practices-2002.pdf) , §6.5 (last accessed on 23/10/2025)

[23] Fair Trading Commission of Barbados "*Market Dominance: Setting the Record Straight*" link (https://www.ftc.gov.bb/index.php?option=com_content&task=view&id=154#:~:text=The%20Commission%20generally%20considers%20a,any%20of%20its%20remaining%20competitors). (last accessed on 23/10/2025).

[24] OECD paper "Abuse of dominance in Digital Markets", December 2020, link (https://one.oecd.org/document/DAF/COMP/GF(2020)4/en/pdf), §54, (last accessed on 23/10/2025)

By contrast, certain jurisdictions, such as Canada (Sections 78–79 of the *Competition Act*), Qatar (*Law No. 19 of 2022*) and Oman (*Market Definition and Dominance Guidelines of 2012, Section 5*), explicitly recognise joint dominance as a phenomenon subject to regulatory scrutiny. In all cases, the assessment criteria applied to joint dominance are broadly consistent with those developed under European Union competition law, which today serves as a key reference framework for many national regulatory regimes, as well as the criteria applicable under national law as described in section 4.1.2.

In the European Union, the concept of joint dominance has evolved through the jurisprudence of the Court of Justice of the European Union (CJEU). In line with the recommendations of the Authority, the Guidelines recognise that the existence of an explicit coalition is not a prerequisite for joint dominance. Such coalition may be tacit. European case law[25] has identified three main conditions, presented in the following three sections, for establishing the existence of joint dominance.

4.2.2.1 Assessment of Market Transparency

It is necessary to assess whether each member has the ability to monitor the behaviour of other members accurately and to decide accordingly whether to adopt a common policy. The aim of such analysis is to determine whether operators have sufficient ability and incentive to adopt a coordinated conduct.

Potentially jointly dominant operators need to be able to assess whether the long-term benefits of a coordinated conduct outweigh the short-term gains resulting from adopting a competitive behaviour. In the case of the telecommunications sector, where barriers to entry and unavoidable sunk costs are particularly high, cost-recovery objectives can serve as an incentive to engage in coordinated actions. This line of inquiry closely mirrors the first criterion identified by the Authority in the assessment of joint dominance, namely, whether market conditions enable tacit coordination.

Furthermore, the European Commission specifies that, if a long-term price alignment is observed, especially if such prices are above market levels, collective dominance may be inferred, even in the absence of demonstrable transparency[26].

[25]European Union, Competition - Regulation (EEC) No 4064/89, Judgment of the Court of First Instance (Fifth Chamber, extended composition) of 6th June 2002, Airtours plc v Commission of the European Communities.
[26] *Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services* of 7th May 2018, Section 82

4.2.2.2 Assessment of the Sustainability of the Agreement

According to the European Commission's Guidelines[27], for coordinated conduct to be sustainable over time, each member of the oligopoly must have an incentive not to depart from the terms of the coordination. In other words, joint dominant operators can only benefit from the tacit agreement if all parties maintain the collusive strategy.

4.2.2.3 Assessment of External Factors

Two types of external factors are commonly examined:

1. The presence of operators outside the potential jointly dominant operators with sufficient countervailing power:

The aim is to assess whether other operators (beside the potential dominant operators) function merely as "fringe competitors" or whether they have the potential to act as "mavericks" within the market, thus rendering the tacit agreement unsustainable.

2. The countervailing buyer power of the consumers to jeopardise the sustainability of the collusive equilibrium:

The aim is to ascertain whether customers possess the capacity to exert a significant buyer power that renders the collusive equilibrium unsustainable. According to the European Commission, certain end-users, particularly those purchasing business-grade or tailored products, may be able to exercise countervailing buyer power, and their potential response to any coordinated behaviour from sellers might be sufficiently significant to deter the latter from engaging in such behaviour[28].

Finally, as with the assessment of single dominance, the European Commission adopts a forward-looking approach for determining joint dominance.

[27] *Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services* of 7th May 2018, Section 85

[28] *Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services* of 7th May 2018, Section 92

5. Overview of the Relevant Market and the Operators Active in the Relevant Market

Section 5.1 provides an overview of the data sources used by the Authority in its analysis. Section 5.2 gives an overview of the retail mobile market in Trinidad and Tobago, and Section 5.3 presents the operators active in it, namely, Digicel and TSTT.

5.1 Sources of the Data Used in the Analysis

In conducting the following analysis, the Authority collated a range of quantitative and qualitative information from Digicel and TSTT. In order to conduct this dominance assessment, the Authority requested both operators to provide data regarding:

1. the number of subscribers for different retail mobile offers;
2. the level of prices of different offers;
3. the level of revenue;
4. the level of traffic;
5. the level of network coverage by mobile technology;
6. the level of costs allocated to the provision of mobile services;
7. operational information such as the volume of numbers ported; and
8. a series of questions requesting clarification of certain points related mostly to the underling motives behind certain price trends.

While the Authority relied primarily on the data collected from operators for the purpose of the market analysis, it also drew on other information routinely collected from the operators, including quarterly and annual reports[29].

Finally, wherever a comparative analysis between operators was required, such comparisons were conducted over periods for which data from both operators were available, covering at least two years, namely, January 2022 to December 2023 (referred to hereafter as "the period").

[29] In instances where discrepancies were identified between different data sources, the information provided by operators specifically for the purposes of this analysis was given priority.

5.2 Overview of the Retail Market for Mobile Services in Trinidad and Tobago

The relevant market is first analysed from a global perspective, to identify the main developments and trends. This preliminary analysis is conducted through three complementary dimensions:

1. the number of subscribers (see Section 5.2.1);
2. the level of revenues and average revenue per user (ARPU) in the market (see Section 5.2.2); and
3. usage patterns (see Section 5.2.3).

Considered jointly, these perspectives provide an informative overview of market developments in the past, as well as the likely developments in the foreseeable future. This, in turn, allows the Authority to draw preliminary conclusions regarding the state of competition in the market.

5.2.1 Market Size Measured by Subscriber Base

At the end of 2023, the retail mobile market in Trinidad and Tobago comprised a total of 1.6 million active subscribers across all segments, as shown in Figure 1. The Market has remained relatively stable in recent years. Indeed, during the period, the total number of subscribers increased by around 3%, indicating a degree of stagnation in demand within the Market.

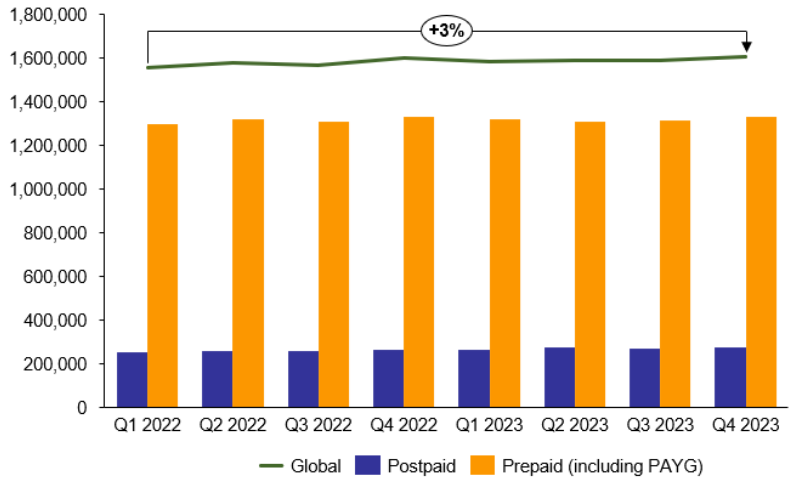


Figure 1:Total number of subscribers in the mobile voice market (2022–2023)

Source : Data provided by operators

The Market remains predominantly prepaid, with over 1.3 million prepaid subscribers (including PAYG subscribers) recorded at the end of 2023, representing approximately 80% of total active mobile voice subscriptions. Consistent with the overall subscriber trend, the split between prepaid and postpaid segments has remained stable throughout the period.

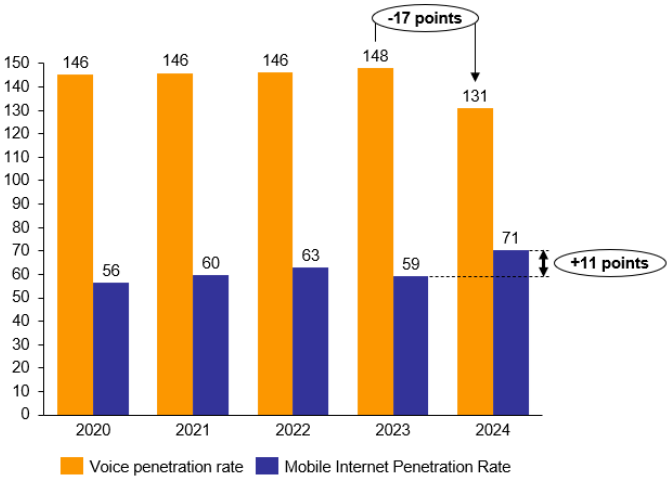


Figure 2: Mobile voice and mobile Internet penetration rate in %

Source: TATT data

At the end of 2024, the mobile voice penetration rate in Trinidad and Tobago stood at approximately 131% as shown in Figure 2, indicating that, on average, each inhabitant subscribes to more than one mobile service. This reflects the continued predominance of the prepaid segment in the national market. Indeed, consumers often hold multiple SIM cards to take advantage of the various pricing offers of competing providers, resulting in a total number of subscriptions exceeding the size of the population. This high level of penetration remained relatively stable over the period, before decreasing by 17 points in 2024.

With respect to mobile Internet services, the penetration rate remains significantly lower than that of mobile voice services. Between 2020 and 2023, the penetration rate was lower than 65%, indicating that mobile data access is still not universally adopted across the population. However, in the year 2024, there was a noticeable increase in the penetration rate of mobile Internet services, which reached 71% (an 11-point increase compared to 2023), underscoring the growing importance of mobile Internet in the consumers' daily habits.

This evolution in data demand coincides with changing consumer behaviours, notably, the rising use of data for content streaming and the growing reliance on OTT services. The latter, which encompass messaging, video streaming and social media platforms, now represent a significant driver of data usage within the telecommunications market. Indeed, they are now an integral part of consumers' daily usage patterns, thereby contributing to the increased demand for mobile Internet and reinforcing the strategic importance of data services for mobile operators.

At the national level in the Consumer Survey[30]: in response to the question *"If OTT call and/or messaging affected use of mobile services"*, 78% of respondents answered positively.[31]

Furthermore, when asked how adopting OTT call and/or messaging services had affected their use of mobile services:

- 45.3% of respondents reported making fewer calls from their mobile phone;
- 23.5% indicated using SMS/MMS less frequently;
- 15.9% stated they made fewer international calls from their mobile phone.[32]

These findings indicate that consumers are changing their consumption habits, increasingly relying on OTT services at the expense of traditional services.

Furthermore, a paper by *Analysys Mason Group*[33] highlights third-party applications, such as WhatsApp, dominate the peer-to-peer mobile messaging market, accounting for 97% of total traffic worldwide in 2023, a figure expected to rise to 98% by 2028. The developments observed in the national market are therefore consistent with international trends and are expected to intensify in the future.

5.2.2 Market Size Measured by Revenue

In terms of revenue, Figure 3 shows that the total value of the telecommunications market reached a little under TT$ 2 billion in 2024[34].

[30] Final Report - Customer Survey of the Domestic Retail Mobile Market of Trinidad and Tobago, July 2023, hereinafter referred to as the "Consumer Survey"

[31] Consumer Survey, page 94, Figure 64

[32] Consumer Survey, page 95, Figure 65

[33] Analysys Mason, "*Operators will still lead the mobile voice space, but RCS will have a limited effect on the messaging market*", April 2024.

[34] According to the Central Statistical Office (Ministry of Planning and Development), the country's gross domestic product (GDP) reached TT$172 billion in 2023 (current prices). The total revenue of the telecommunications sector stood at TT$2 billion. Thus, the sector represented around 1.2% of the country's GDP.

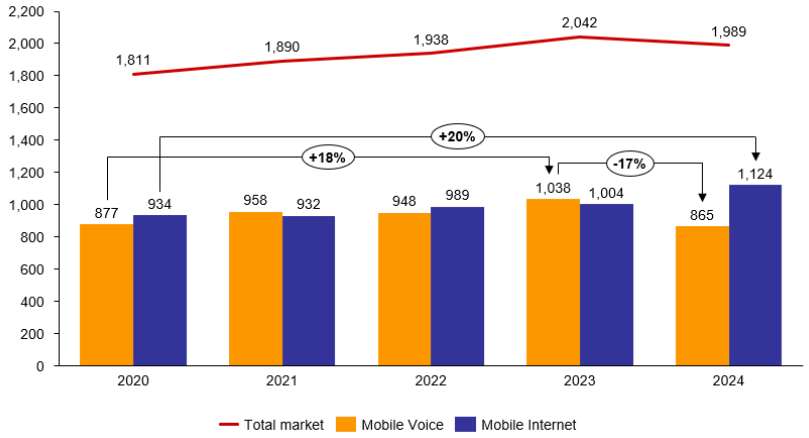


Figure 3: Revenue of mobile services (in TT$ millions)

Source: TATT data

Over the period 2020–2023, mobile Internet and voice services both contributed almost equally to the total market revenues. In 2024, revenues from mobile Internet services exceeded those from voice services by TT$259 million (+23%).

A clear upward trend can be observed in mobile Internet revenues since 2020. Specifically, mobile Internet revenues increased from TT$934 million in 2020 to TT$1,124 million in 2024, representing 20% growth.

Voice service revenues, however, exhibited a shift in trend over the same period. Between 2020 and 2023, voice revenues rose by 18% but subsequently declined by 17% between 2023 and 2024, indicating the onset of a downward trajectory.

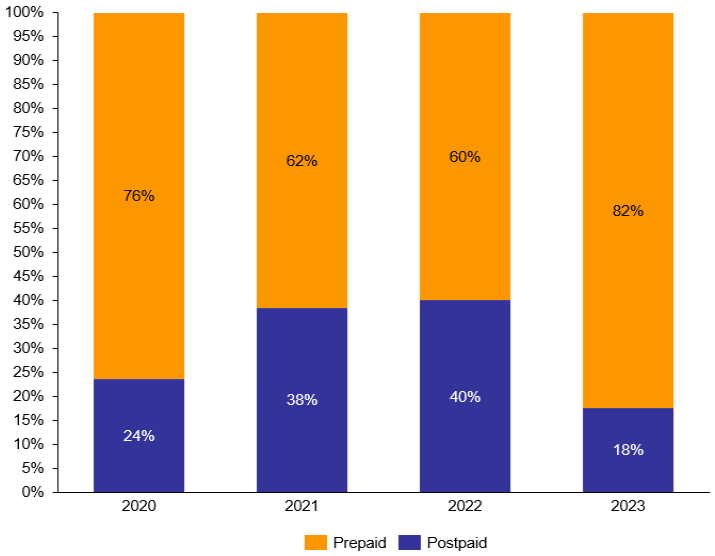


Figure 4 : Distribution of mobile Voice revenues only between prepaid and postpaid segments

Source: TATT data

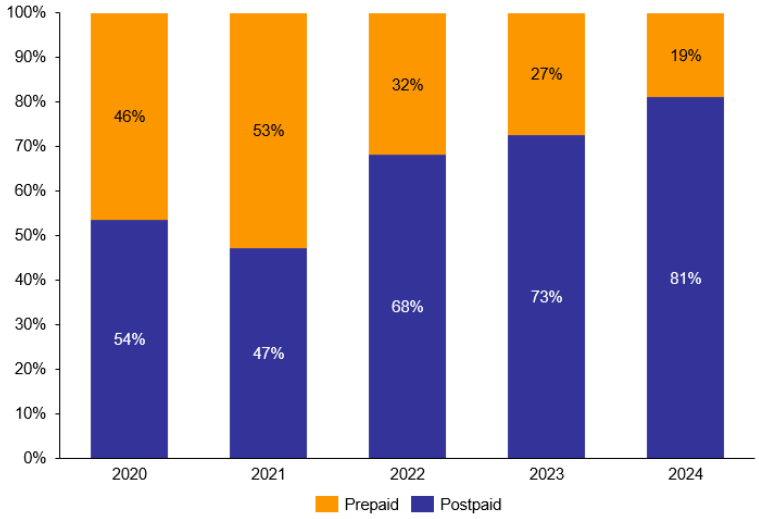


Figure 5: Distribution of mobile Internet revenues between prepaid and postpaid segments

Source: TATT data

Finally, Figure 5 shows a notable shift has occurred in the primary revenue driver for mobile data services. Whereas data revenues were previously split evenly between prepaid and postpaid segments, they are increasingly and predominantly generated by postpaid subscriptions, which account for more than 80% of total data revenues.

This trend strongly suggests a change in consumer behaviour: users are increasingly relying on postpaid plans or packages for their mobile data usage, while prepaid services appear to be used primarily for other purposes, such as voice communications.

As a result, mobile data services are gradually becoming the dominant revenue stream, driven largely by the increasing use of OTT services, which are reshaping consumers' habits by reducing their reliance on traditional voice and messaging services while increasing their reliance on data services. This trend is further supported, as shown in Section 5.2.3, by the evolution of traffic for different services in the market.

Regarding operators' ARPU across the different market segments, the postpaid ARPU averages TT $ [redacted] (see Figure 6), while the prepaid ARPU is approximately TT $ [redacted] (see Figure 7.). The value generated by the postpaid segment is therefore significantly higher than that of the prepaid segment, mainly due to offers that include a larger volume of services. Furthermore, for both prepaid and postpaid services, ARPU levels appear to have remained relatively stable over time, which is consistent with the overall stability of the market in terms of revenues and subscriber base.

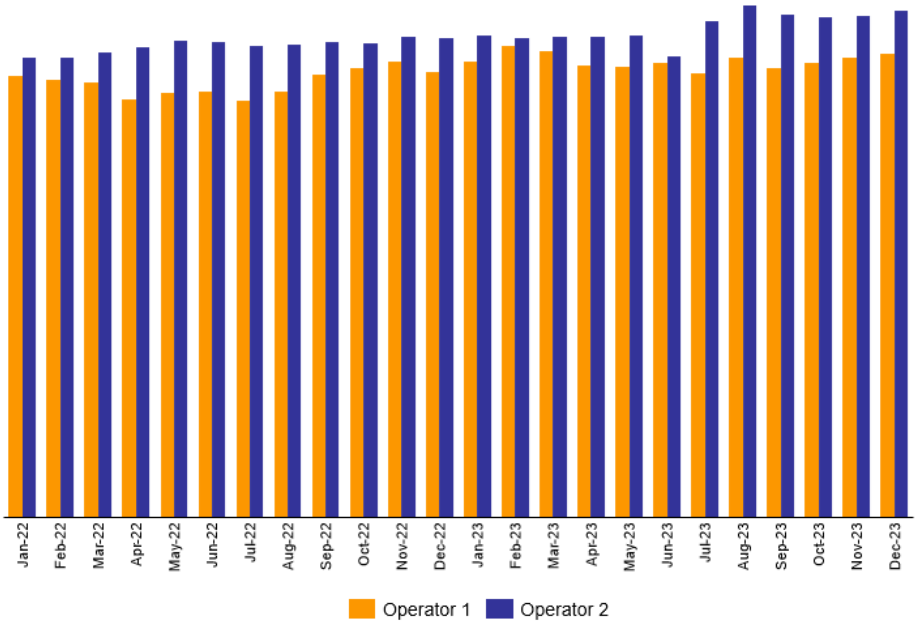


Figure 6: Postpaid ARPU (TT$)

Source: Data provided by the operators

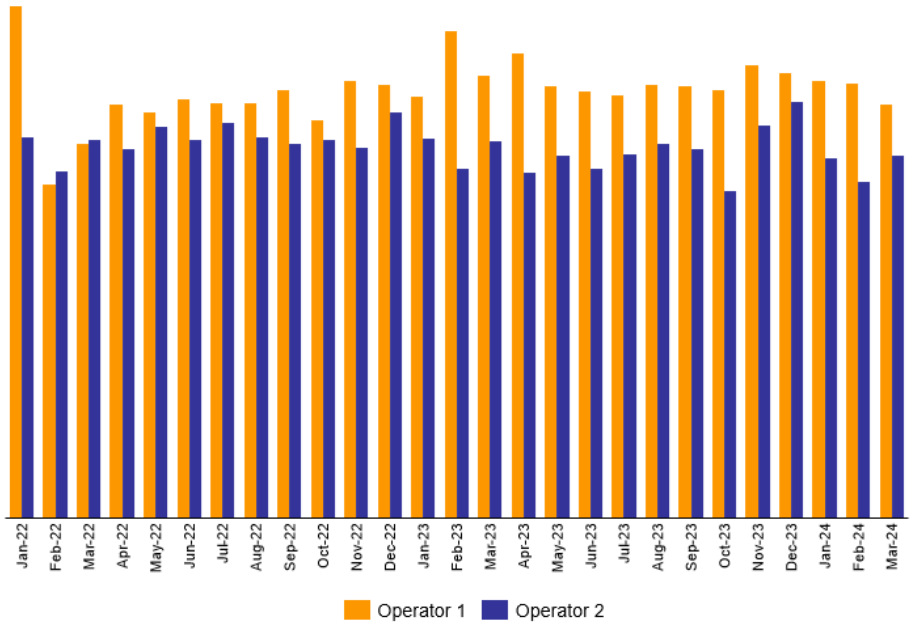


Figure 7: Prepaid ARPU (TT$)

Source: Data submitted by the operators

5.2.3 Evolution of Consumption Patterns

Two main consumption trends have emerged in the market over recent years:

1. A decline in traditional voice and SMS services, accompanied by a marked increase in the importance of data services (Section 5.2.3.1); and

2. A continued preference among consumers for on-net communications (Section 5.2.3.2).

5.2.3.1 The Decline in Traditional Voice and SMS Services and the Rise in Importance of Data Services

Over the past 4 years, traffic trends have revealed significant shifts in consumption patterns.

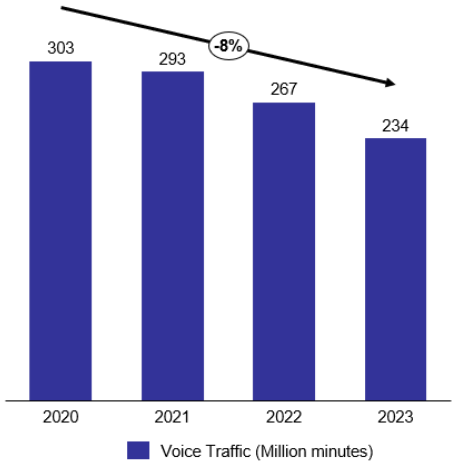


Figure 8: Volume of voice traffic (in millions of minutes) monthly average per annum between 2020 and 2023

Source: TATT data

There has been a gradual decline in voice traffic over the years, consistent with international trends and the increasing substitution of traditional voice services by OTT applications such as WhatsApp, Skype, FaceTime and other platforms. Between 2020 and 2024, the total traditional voice traffic (measured in minutes) decreased annually by an average of approximately 8%, as shown in Figure 8.

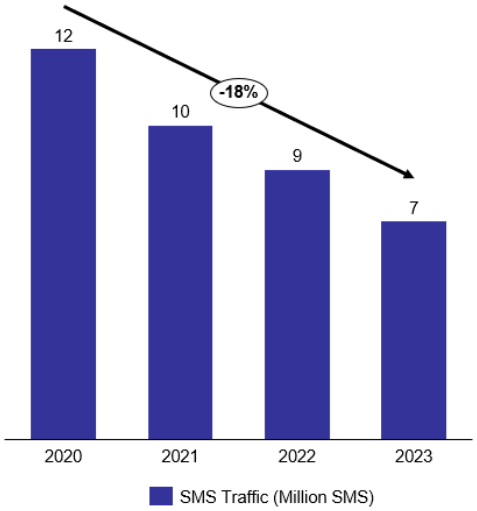


Figure 9: Evolution of SMS monthly traffic per annum in the national market (in millions of SMS)

Source: TATT data

A faster decrease trend can be observed for traditional SMS in Figure 9. Indeed, SMS traffic has declined significantly, with the total volume of SMS exchanged on the national market falling by more than 18% on average every year. Much like voice services, this sharp decline reflects the widespread adoption of alternative messaging services offered by OTT messaging platforms, further reducing reliance on traditional mobile messaging channels.

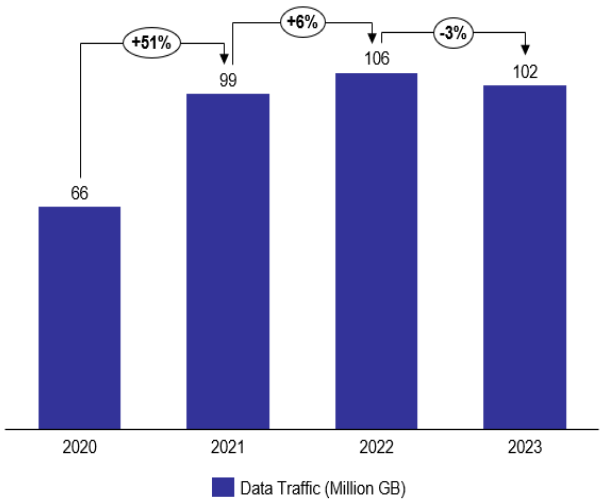


Figure 10: Evolution of mobile Internet data traffic, in million gigabytes (GBs)

Source : TATT data

In contrast, mobile data traffic has followed an upward trend since 2020 as shown in Figure 10. This trend is marked by a significant increase between 2020 and 2021, where traffic rose by over 50%, followed by a more moderate increase of 6% in the following year. This upward movement was reversed in 2023, as total traffic decreased by 3% compared to the previous year.

The overall increasing data consumption has been driven by the proliferation of smartphones, the expansion of 4G coverage, and growing consumer demand for content streaming and usage of third-party applications. As a result, mobile data has become the dominant driver of national traffic (including for the consumption of voice and messaging services, through OTT applications). This confirms a shift in user preferences away from traditional voice and SMS services toward data-centric consumption.

5.2.3.2 The Continued Preference among Consumers for On-Net Communications

Voice and SMS traffic data appears to support the suggestion that consumers maintain multiple SIM cards, enabling them to optimise their spendings.

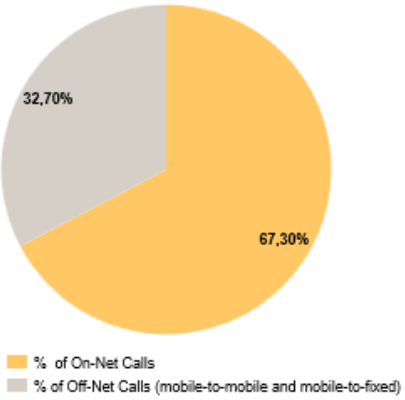


Figure 11: Percentage of domestic mobile voice calls for 2024

Source : TATT, Annual Market Report 2024, Figure 39

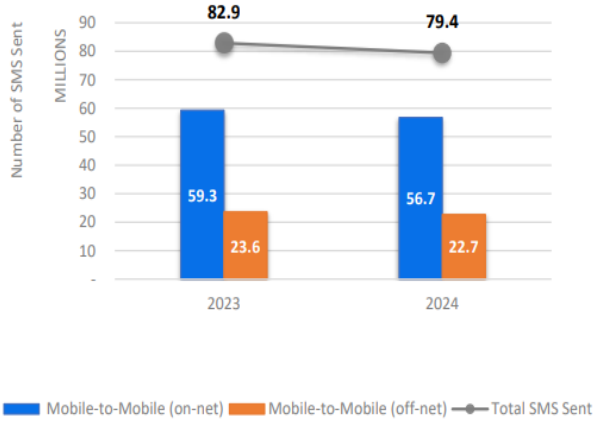


Figure 12: Number of on-net and off-net SMS sent in 2023 and 2024 (per millions SMS)

Source : TATT, Annual Market Report 2024, Figure 42

Nationwide traffic data indicates that over 65% of all voice calls made during the year were on-net (i.e., the communication remained within the same operator's network as both the calling and the receiving party are connected to the same network) (Figure 11). Similarly, more than 71% of SMS exchanged in 2024 were made over the same network (Figure 12), further illustrating the widespread practice among consumers of optimising costs by using multiple SIM cards to benefit from the advantageous on-net tariffs of competing providers.

5.3 Market Operators

Two operators are currently active within the relevant market as defined in the first phase of the market analysis: TSTT (operating under the "bmobile" brand) (Section 5.3.1) and Digicel (Section 5.3.2).

Currently, no other providers operate in the market. The duopolistic market structure is unlikely to be challenged in the short-term due to the absence of a credible threat of an immediate entry of a new provider. It is thus reasonable for the Authority to base its dominance assessment by analysing the competitive dynamics between these two players, without jeopardizing the principle of conducting a forward-looking analysis of competition. Nevertheless, the Authority does not exclude entirely the possibility for a suitably innovative operator to enter the market. In case such entry occurs, the Authority will review its conclusions to ensure that they are suitable for the new market structure.

5.3.1 TSTT (bmobile)

TSTT, operating under the commercial brand bmobile, is the longest-standing telecommunications operator in the country, dating back to 1880s, when telecommunications services were first introduced in Trinidad and Tobago.

TSTT is jointly owned by National Enterprises Limited (NEL) which, in turn, is majority owned by the Government of Trinidad and Tobago, and Cable & Wireless (West Indies) Limited(C&W). NEL holds 51% of TSTT's issued share capital, while C&W retains the remaining 49%.

TSTT, which resulted from the merger of two entities (TELCO and TEXTEL), provides a large array of telecommunications and information and communications technology (ICT) services including mobile services, fixed telephony, fixed broadband, and TV. TSTT has deployed its own telecommunications network in Trinidad and Tobago. Indeed, the operator has invested in the deployment of an optical fibre access network to support the provision of fixed broadband to its customers. In addition, TSTT has deployed a nation-wide multi-technology (2G, 3G and 4G) mobile network.

The operator serves both residential and business (including governmental entities and public institutions) segments, offering a full range of prepaid and postpaid services. bmobile provides all standard mobile services, including voice, SMS and data.

According to TSTT's published audited financial statements[35], the company recorded a total of TT$1,965 million in revenue from contracts with customers for the year ended 31st March 2024, up 4.2% compared to the previous year. The company's operating profit amounted to TT$474 million in 2024 and a net profit of TT$127 million for the year.

[35] Source: https://www.ttsec.org.tt/wp-content/uploads/2024/10/TSTT-Audited-Financial-Statement-for-the-year-ended-31-March-2024.pdf), (last accessed on 27/01/2026)

5.3.2 Digicel

Digicel is the other operator active in the national retail mobile market. A subsidiary of the Digicel Group, the operator was granted a licence on 31st December 2005, thereby ending bmobile's historical monopoly in the sector.

According to publicly available information, the Digicel Group operates across 25 countries, primarily within the Caribbean region, and serves more than 10 million customers[36]. Within Trinidad and Tobago, Digicel offers a diversified portfolio of services comprising mobile communications, home broadband and television services, as well as a suite of business solutions.

Operationally, and in a manner comparable to TSTT, Digicel serves both the residential and business segments of the market, with a comprehensive range of prepaid and postpaid plans. The operator provides the full spectrum of services encompassed within the relevant market as defined by the Authority, including voice, SMS and data services.

From an infrastructure standpoint, Digicel invests in the deployment and expansion of its own national mobile network, with extensive coverage supported by stations delivering 2G, 3G, and 4G technologies. In addition to its mobile operations, Digicel has also established a presence in the fixed market, where it provides very high-capacity broadband services through its fibre network.

In the year ended 31st March 2024, the Digicel Group[37] posted a total revenue[38] of TT$12.9 BN[39] and an EBITDA (earnings before interest, taxes, depreciation and amortisation) of TT$5.2 BN[40].

[36] Source: https://www.digicelgroup.com/en/about (last accessed on 01/09/2025)

[37] Financial information for Digicel (Trinidad and Tobago) Limited is not publicly available, the data used here is for the entire Digicel Group, for the whole region. This data was used in the absence of the disaggregated financials for Digicel T&T.

[38] Source: https://www.bnamericas.com/en/analysis/snapshot-is-digicel-on-the-road-to-recovery (last accessed on 01/09/2025)

[39] This value corresponds to US$1.9 billion. Using the Central Bank of Trinidad and Tobago's latest published selling rate (US$1 = TT$ 6.7692 on 29th August 2025), US$1.9 billion ≈ TT$12.86 billion.

[40] This value corresponds to US$766 million. Using the Central Bank of Trinidad and Tobago's latest published selling rate (US$1 = TT$6.7692 on 29th August 2025), US$766 million ≈ TT$5.2 billion.

6. Analysis of Single Dominance Designation Criteria

The purpose of this section is to examine the relevant criteria underpinning the assessment of dominance, to determine whether one of the two operators is dominant on an individual basis.

This analysis is guided by the principles established in the Authority's regulatory framework, in particular the Act, and informed by recognised international best practices.

By conducting this analysis, the Authority seeks to ensure a rigorous and transparent evaluation of market dynamics, thereby providing a sound basis for any potential regulatory intervention.

To this end, the Authority will conduct a detailed examination of the following key indicators[41]:

1. the market shares of the operators, both in volume and in value (Section 6.1);
2. the operators' relative size compared to one another, in order to assess their ability to achieve economies of scale (Section 6.2);
3. the presence of barriers to entry and the absence of countervailing power from competitors (Section 6.3);
4. the extent to which countervailing power may be exerted by consumers (Section 6.4);
5. the operators' ability to fix prices above the competitive level (Section 6.5);
6. the assessment of whether the operators' profit margins may be regarded as reasonable compared to those prevailing in reasonably competitive markets (Section 6.6); and
7. the scope for non-price competition between operators in the market (Section 6.7).

6.1 Market Share Analysis

Pursuant to regulatory principles established in the Act and in international best practices, the analysis of market shares held by operators present in the market constitutes the first step in assessing whether they hold a dominant position. Such analysis must be undertaken from multiple perspectives, considering both volumes (Section 6.1.1) and values (Section 6.1.2), in order to derive comprehensive conclusions (Section 6.1.3).

[41] Access to financial resources and vertical integration constitute two assessment criteria for single-firm dominance, as established in Section 4.1.1. However, with regard to access to financial resources, no evidence or data enabling an assessment of this criterion has been provided. As for vertical integration, this criterion is not applicable to the relevant market as currently defined, given the absence of a wholesale market within that scope. Accordingly, these two criteria are not presented or analysed in this section.

6.1.1 Analysis of Market Shares in Volume

6.1.1.1 Market Shares in the Total Mobile Market

As explained in Section 5.1, the Authority's assessment of operators' market shares relied primarily on data submitted by the operators for the purpose of the market analysis[42]. Particular emphasis was placed on periods where both operators provided information of sufficient detail to allow for reliable comparisons. In most instances, such data were available for the years 2022 and 2023. However, where consistent and reliable data were available over a longer timeframe, these were also taken into account and presented accordingly.

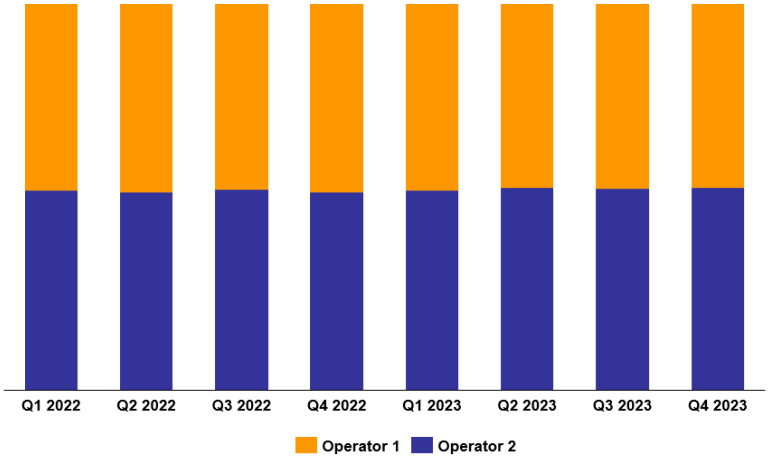


Figure 13: Market shares (total market) by number of subscribers

Source : Data provided by the operators

Both operators exhibit closely comparable market shares in terms of number of users in the overall mobile market. Indeed, one operator commands a market share of approximately [redacted]%, while the other holds a slightly higher market share of [redacted]%, as shown in Figure 13. Furthermore, these market shares demonstrated a high degree of stability over time, with minimal variation over the period.

In addition, the trends observed for the overall market level are reflected consistently across its different segments as both operators hold comparable market shares, whether in the postpaid segment (Figure 14) or the prepaid segment (including both bundled plans and PAYG offers) (Figure 15).

[42] It should be noted that the data provided by the operators are consistent with the trends observed by the Authority in its annual market reports. However, minor differences exist, mainly due to variations in the scope of the data reported by operators, particularly regarding the status of subscriptions (i.e., active vs inactive customers). Nevertheless, these differences do not invalidate the conclusions presented in this Section.

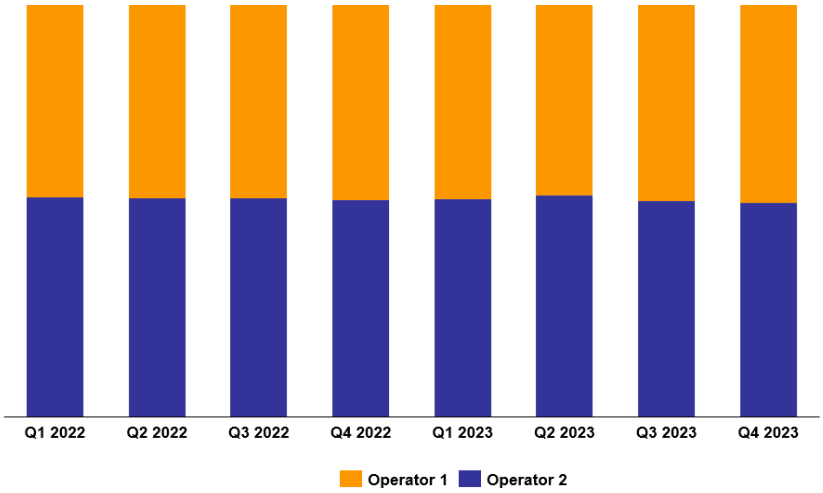


Figure 14: Market shares, by volume, in the postpaid segment

Source : Data provided by the operators

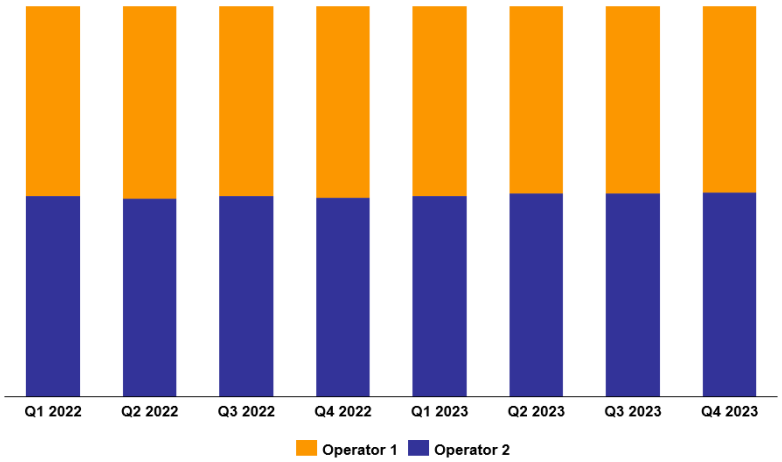


Figure 15: Market shares, by volume, in the prepaid segment (including PAYG)

Source : Data provided by the operators

By the end of 2023, one operator held approximately [redacted]% of the market, while the other accounted for [redacted]%, a pattern that is consistent across both prepaid and postpaid segments. This indicates that both operators maintain a broadly comparable customer base across different market segments. Once again, this suggests that the market share distribution between the two operators has remained stable over time, with no significant shift in market dynamics observed in recent years.

6.1.1.2 Market Shares in the Mobile Internet Market

While the market definition adopted in the first phase of the analysis encompasses all mobile services – including voice, SMS and data – it is important to recognise that total consumption trends reveal a growing emphasis on Internet services, alongside a decline in traditional voice and SMS usage. This shift is further accentuated by the increasing prominence of OTT services (Section 5.2.3).

Accordingly, given the forward-looking nature of this dominance analysis, it is pertinent to examine closely the competitive dynamics within the mobile Internet segment upon which OTT services rely and end-users put significant emphasis in their choice of telecommunications service provider.

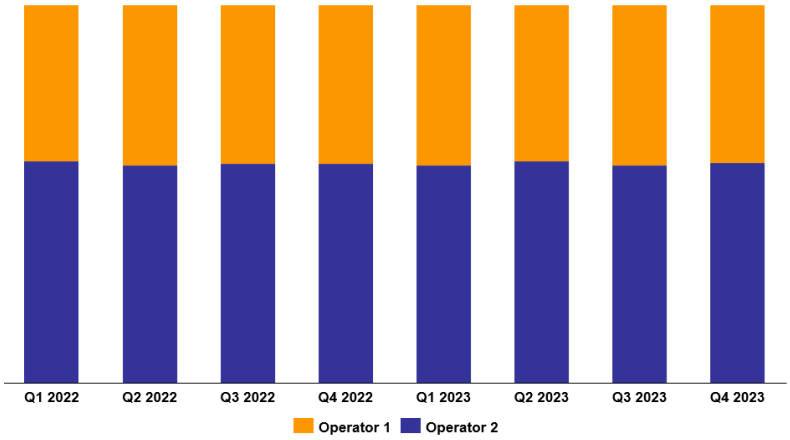


Figure 16: Market shares in the mobile Internet segment

Source : Data provided by the operators

For offers including mobile Internet, one operator holds approximately [redacted]% of market shares in volume, while the other holds [redacted]% as shown in Figure 16. Once again, these market shares have remained stable throughout the period, with no reversal of trends. Although the market shares in this segment exhibit a slightly larger gap between both operators than the overall market, this does not constitute a substantial deviation from the trends observed at the total level. In all cases, both operators maintain a strong presence (over 40%) in this segment.

When further segmenting the volume of Internet offers, one operator holds a slightly stronger position across both the prepaid and postpaid segments.

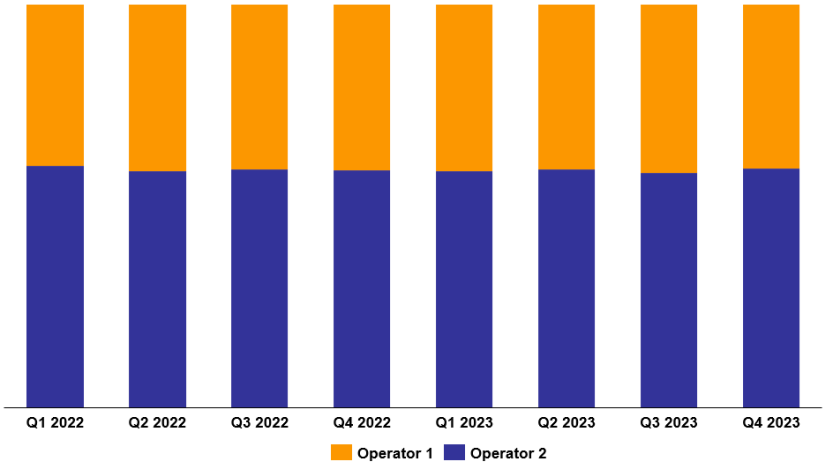


Figure 17: Market shares, by volume, in the mobile Internet segment (prepaid)

Source : Data provided by the operators

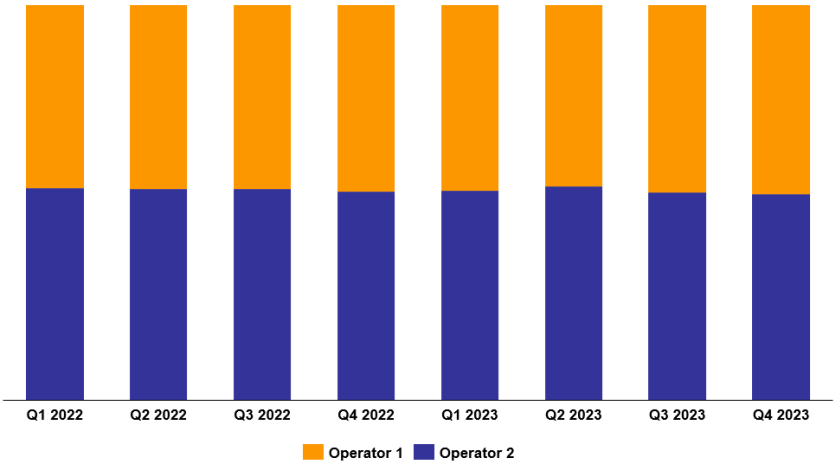


Figure 18: Market shares, by volume, in the mobile Internet segment (postpaid)

Source : Data provided by the operators

At the end of 2023, one operator accounted for approximately [redacted]% of the prepaid mobile Internet segment, including PAYG offers (Figure 17) and around [redacted]% of the postpaid segment (Figure 18).

No significant shifts in market dynamics have been observed and the distribution of market shares has remained stable throughout the period. Therefore, the patterns observed in the overall retail mobile market are also reflected within each individual segment. In particular, the Authority did not find evidence of heterogenous competitive dynamics between the prepaid and postpaid segments.

6.1.2 Analysis of Market Shares by Value

In terms of market shares by value, the distribution mirrors that observed for market shares by volume: one operator accounts for approximately [redacted]% of the market, while the other holds around [redacted]%, as shown in Figure 19. Similarly, these market shares have remained stable throughout the period, reflecting a consistent competitive balance between TSTT and Digicel, both in terms of value and volume[43].

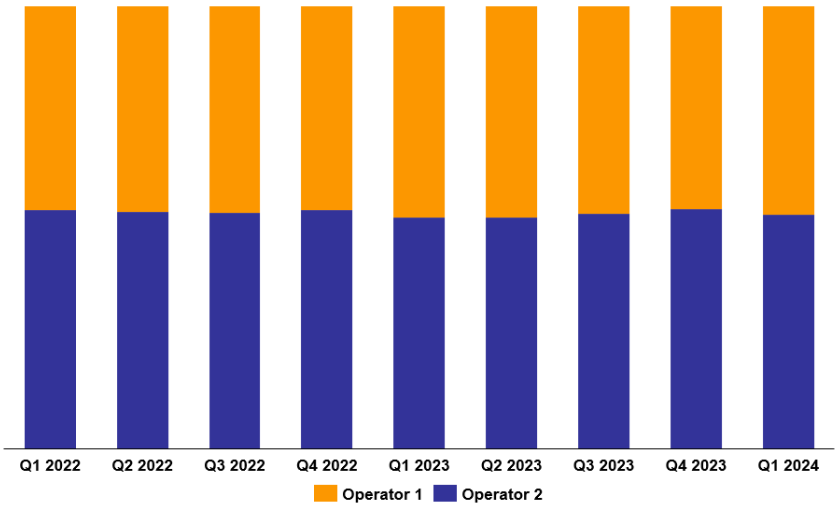


Figure 19: Market shares by value

Source : Data provided by the operators

Market shares by value are assessed only at the total level, without distinction between segments or activities, as these data are sensitive to the revenue allocation rules applied by each operator. Therefore, to avoid distorting the results, and since the relevant market encompasses all services and segments, the analysis is carried out solely on a total basis.

[43] Data provided by the operators for the dominance assessment process confirm the trends observed in the Authority's annual market reports, where both operators consistently hold more than 40% of market shares. As with data by volume, minor differences in the data exist due to variations in the scope of data reporting. In particular, the revenues reported by the operators do not necessarily include certain categories of revenues, such as interconnection revenues. Nevertheless, these differences neither invalidate nor contradict the findings highlighted in the Authority's annual market reports.

6.1.3 Concluding Remarks Regarding the Analysis of Market Shares

These results show that, for both volume-based and value-based market shares:

1. Neither operator seems to hold over 150% of its average market share[44]. Consequently, the condition set out in A23(a)(i) (i.e., market share) of the Concession Agreement concerning the presumption of dominance does not appear to be satisfied.

2. Both operators maintain market shares close to or exceeding 50%. As such, they are both very close to the threshold commonly associated with a presumption of dominance under the international framework (European Union, United Kingdom or Barbados).

As explained in Section 4, while the analysis of market shares constitutes a fundamental component of the dominance assessment, consideration of additional criteria (such as those outlined in condition A23(b) of the Concession Agreement) is essential for reaching a well-informed and robust conclusion regarding the dominance assessment.

6.2 The Overall Size of the Operators

The relative size of one operator compared to its competitor(s) is another criterion often examined by regulatory authorities when undertaking a dominance assessment. This criterion is of a particular relevance in network-based industries, such as the telecommunications sector, where economies of scale play a significant role in determining the competitiveness of firms relative to one another.

In the case of the Market, both operators maintain a substantial presence.

On the one hand, as demonstrated in Section 6.1, both operators have comparable subscriber bases, both in terms of the total number of subscribers and across the various segments. Accordingly, due to their comparable size, both operators appear capable of achieving sufficiently high economies of scale. In addition, these operators are also active across the same markets (mobile, fixed telephony, fixed broadband and TV), which enables them to achieve comparable economies of scope.

On the other hand, both operators appear to operate similarly sized network infrastructures across the national territory. In addition to having similar subscriber bases, this relative network parity further supports their ability to achieve close network-based economies of scale.

[44] In the case of the retail mobile market, the average market share of each operator is 50% (=100% divided by the number of operators active in the market, 100% / 2). Therefore, the market share that an operator must exceed to be presumed dominant is 150% x 50% = 75%.

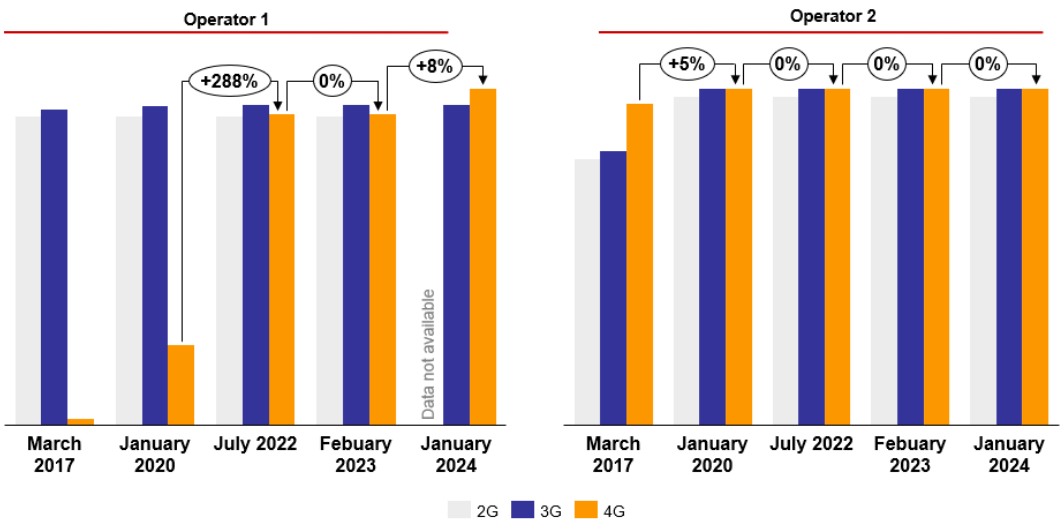


Figure 20: Network coverage levels by each operator (% of the territory)

Source : Data provided by the operators

Both operators offer comparable levels of network coverage, whether in terms of geographic coverage or population reach. Indeed, as shown in Figure 20, both operators reached a territorial coverage[45] rate close to [redacted]% for all technologies (2G, 3G and 4G).

Nevertheless, the network deployment trajectory followed by each operator shows some divergence. One operator appears to have initiated the deployment of its 4G network only in 2017, while its competitor's 4G network was already largely developed by that time. Nevertheless, as of 2024, both operators provided broadly similar levels of coverage, regardless of the technology used.

[45] Territorial coverage refers to the proportion of a country's total land area that is covered by at least one telecommunications technology.

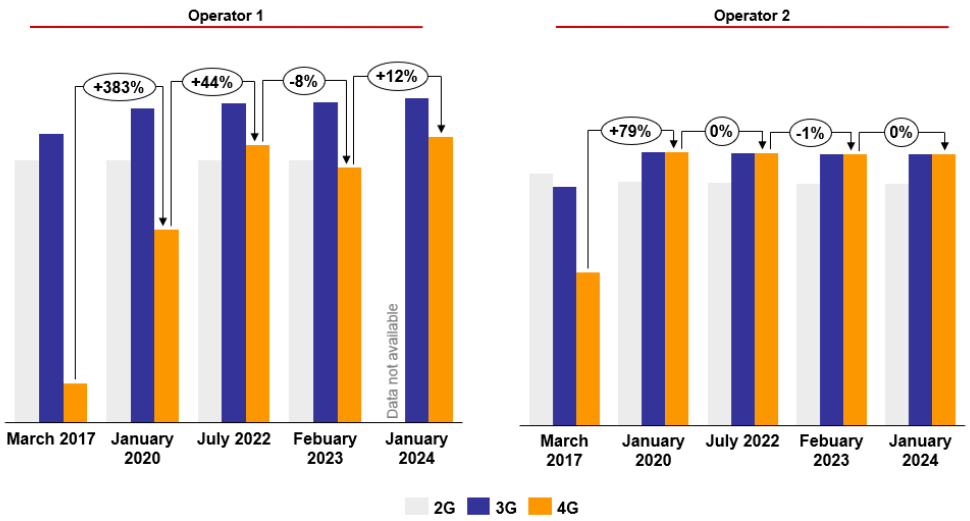


Figure 21: Number of base stations for each operator

Source : Data provided by the operators

In terms of base stations, one operator operates a greater number of mobile base stations than the other, primarily due to its legacy network infrastructure. As shown in Figure 21, each operates between [redacted] and [redacted] base stations for each of the three technologies they have deployed (2G, 3G and 4G).

Accordingly, when assessed alongside their comparable subscriber bases, it may be concluded that both operators are of a similar size, both in terms of network coverage (i.e., geographical presence) and network assets. This further indicates that each is able to benefit from economies of scale of a comparable magnitude.

6.3 The Presence of Barriers to Entry and the Absence of Countervailing Power from Competitors

The presence of barriers to entry and the absence of countervailing power from competitors in the relevant market constitute other essential factors in the assessment of market dominance, as outlined in Section 4.1.1.

Where barriers to entry are significant, effective competition is unlikely to develop without regulatory intervention, as even efficient operators may be unable to enter or expand in the market.

Barriers to entry in telecommunications may be structural, legal, or regulatory in nature:

1. Structural barriers arise from the technological and economic characteristics of the sector. High sunk costs, economies of scale and scope, capacity constraints, and absolute cost advantages can create asymmetric conditions that limit the ability of new entrants to compete effectively.

2. Legal and regulatory barriers result from legislative or administrative requirements. These include permits for infrastructure deployment, obtaining licences, rights of way, property access, and the scarcity of spectrum resources.

Assessing the presence of barriers requires more than establishing whether entry has occurred in the past. The relevant question to address is whether new entry could be timely, sustainable and sufficient to constrain market power. For example, localised or small-scale entry is often insufficient in markets with wider geographic scope, particularly where expansion is limited by the absence of economies of scale or high sunk costs.

When barriers to entry are low, the mere prospect of new competitors entering the market can act as a powerful constraint on the behaviour of existing operators. In such circumstances, any attempt by incumbents to deviate from competitive conduct, thereby securing higher profitability at the expense of end-users, would increase the likelihood of attracting new entrants. Such new entry could be sufficient to reestablish the competitive equilibrium without intervention from the regulator.

In Trinidad and Tobago, the provision of mobile telecommunications services is contingent upon the granting of licences and the allocation of radio frequencies. Indeed, the Act states in Section 36:

> "[…] ***no person shall***
> - *(a) establish, operate or use a radio-communication service;*
> - *(b) install, operate or use any radio-transmitting equipment;*
> - *or (c) establish, operate or use any radiocommunication service on board any ship, aircraft, or other vessel in the territorial waters or territorial airspace of Trinidad and Tobago, other than a ship of war or a military aircraft or satellite registered in Trinidad and Tobago*

> ***without a licence granted by the Authority*"[46]**

This conditional entry constitutes a legal barrier to market entry. Currently, only two operators are authorised to provide mobile services to the public in Trinidad and Tobago. Consequently, spectrum resources have been assigned only to these two operators. At present, the Authority considers that the duopolistic market structure is unlikely to be challenged in the short-term due to the absence of a credible threat of an immediate entry of a new provider. However, the Authority continues to consider suitably innovative prospective operators which, may compete effectively and sustainably in the domestic mobile market.

While this legal entry barrier contributes to the absence of countervailing power from potential new competitors in the market, it does not preclude the possibility that Digicel and TSTT exert a degree of competitive pressure upon one another. The extent to which such pressure may be considered sufficient will be examined in detail at a later stage of this document, in the context of the analysis of joint dominance.

[46] The Act, Section 36, 1, page 38.

Furthermore, the Authority opines that OTT services cannot be regarded as a sufficient countervailing force in the relevant market. While the Authority's decision No. 2/10/02 of May 2024 established partial substitutability between traditional services and OTT services, the competitive impact of OTT services on telecommunications operators remains limited, as the use of such services ultimately depends on Internet access provided by the operators.

The results of the TATT-KCL Mobile Consumer Survey show that a 10% increase in the price of voice calls would lead to approximately 40% of users, across all types of plans, to switch to OTT services for either voice communication or messaging (Table 3), without abandoning completely traditional services.

This outcome demonstrates the existence of substitutability between OTT services and traditional services, while also underscoring that such substitutability remains only partial.

Table 3: Consumers' responses following the increase in traditional mobile service costs

Monthly Expenditure TT$	Under §200		§200-§399		§400-§599		Above §600		Total	
Proposed Price Increase TT$	Under §10		§10-§20		§20-§30		Above §30			
Action to be taken	%	N	%	N	%	N	%	N	%	N
Make fewer calls	28%	165	36%	16	15%	2	33%	1	26%	184
Make fewer calls but use OTT calls	**33%**	**197**	**68%**	**30**	**46%**	**6**	**0%**	**0**	**33%**	**233**
Make fewer calls but use OTT messaging	**7%**	**44**	**11%**	**5**	**15%**	**2**	**0%**	**0**	**7%**	**51**
Stop using PAYG calls	1%	4	5%	2	0%	0	0%	0	1%	6
Switch to a mobile prepaid or postpaid plan	10%	57	25%	11	15%	2	33%	1	10%	71
Do nothing	19%	111	66%	29	46%	6	33%	1	21%	147
Don't know	3%	19	9%	4	0%	0	0%	0	3%	23
Not state	0%	1	0%	0	0%	0	0%	0	0%	1
Total	**100%**	**598**	**100%**	**97**	**100%**	**18**	**100%**	**3**	**100%**	**716**

Source: Consumer Survey

Furthermore, according to the Consumer Survey, among users who reported partially switching to OTT messaging services following an increase in the price of calls, 75% accessed these services via fixed Wi-Fi networks (either private or public), while only 25% used them through their mobile data plans (Figure 22).

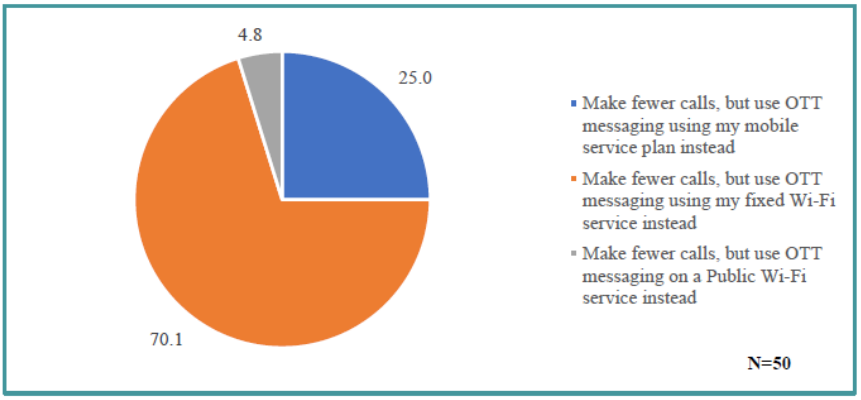


Figure 22: Ways to reduce the number of calls made using OTT messaging, on account of an increase in the cost of mobile call subscription

Source : Consumer Survey

Thus, among the 7% of consumers reporting an increasing use of OTT messaging services, 75% accessed them via fixed Internet connections[47].

The remaining 25% of the 7% of consumers concerned stated that they would use OTT messaging services through their mobile data plans following the increase in the price of calls. While these users rely less on the traditional mobile services offered by the operators in the market, they remain dependent on the mobile data services provided by the same operators to access OTT messaging services.

Similarly, Figure 23 from the Consumer Survey shows that, among the 33% of consumers who reported they would use more OTT voice services following the increase in the cost of mobile calls, 44% would access them through their mobile service plan, while the remaining 56% would use these services over a fixed Wi-Fi network (either private or public).

[47] It should be recalled, however, that fixed Internet service providers are not included in the definition of the relevant market. Thus, they cannot be considered as a countervailing power from the competitors' side.

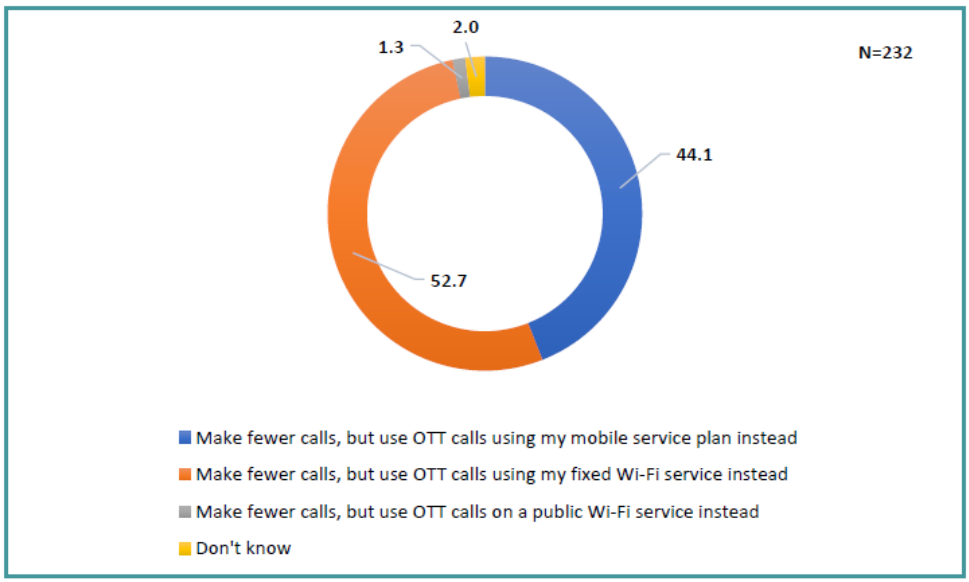


Figure 23: Ways to reduce the number of calls made by using OTT calls on account of an increase in the cost of monthly mobile calls subscription

Source : Consumer Survey

Therefore, consumers would either turn to fixed Internet service providers (which fall outside the relevant market and cannot be considered as direct competitors) or remain dependent on their mobile service provider to procure mobile data services necessary for the use of OTT voice services.

Accordingly, while OTT services provide some degree of substitutability for traditional voice and messaging services, consumers remain dependent on mobile telecommunications operators for the supply of mobile data, voice and access services. At present, only TSTT and Digicel hold the necessary licences to provide such service. Consequently, OTT providers cannot be regarded as exerting significant countervailing competitive power on telecommunications operators in the relevant market.

6.4 The Absence of Countervailing Power from Consumers

Nowadays, telecommunications services have become indispensable, not only for consumers' daily needs but also as a critical enabler of economic digitalisation. In this context, consumers are not able to forgo mobile services entirely, nor to significantly reduce their usage, especially for data services.

Consumers in Trinidad and Tobago are dependent on the two operators currently active in the Market, with no alternative operator present. This dependence appears to be constraining, particularly considering current usage patterns. Indeed, mobile data consumption levels in Trinidad and Tobago remain comparatively lower than those observed in other nations and do not follow the upward trajectory typically seen at the international level.

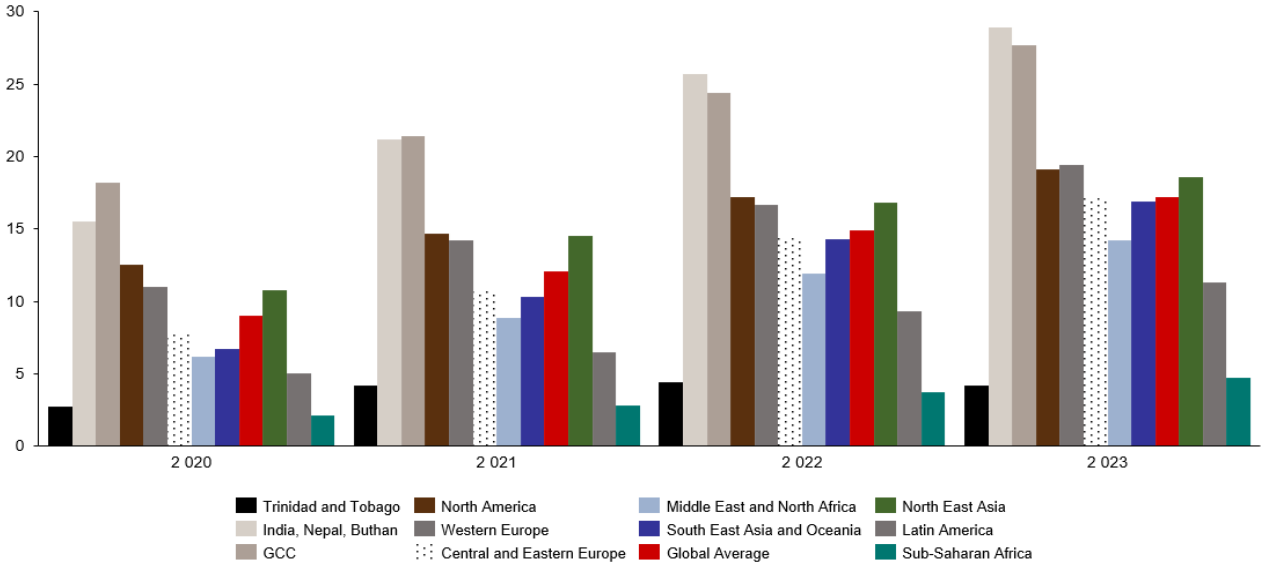


Figure 24: Data consumption in the national and international networks, by GBs/month/subscriber

Source : OECD data[48], TATT data

According to data collected by the Authority on mobile data traffic across both operators, the average monthly data usage per subscriber was 4.2 GB at the end of 2023—a figure that remains well below international standards.

Based on OECD data on monthly mobile data consumption per subscriber across various countries, Trinidad and Tobago ranks among the lowest in terms of average usage. Over the period 2020–2023, mobile data consumption in Trinidad and Tobago was remarkably lower than that of the majority of countries included in the sample. Notably, national consumption levels were comparable to those observed in Sub-Saharan Africa, despite the latter region's notably lower level of economic development (Figure 24).

In addition, Trinidad and Tobago's mobile data usage remains below the levels observed in Latin America, a region that is geographically proximate and exhibits comparable structural characteristics. This further reinforces the observation that limited competition and lack of meaningful alternatives may be impeding the growth of mobile data usage in Trinidad and Tobago, in contrast with global and regional trends.

In the Authority's view, there is no objective demand-side factors (i.e., consumer preferences, usage habits, etc.) that could plausibly account for the markedly lower levels of data consumption in Trinidad and Tobago compared with other economically comparable regions.

It is therefore reasonable to consider that supply-side conditions are likely to be driving this under-consumption. Potential explanations may include degraded network quality, high service costs or limited value offerings.

[48] Source: OECD Data base (link: https://goingdigital.oecd.org/en/indicator/15) (last accessed on 28/01/2026).

Critically, given the existence of barriers to entry and the absence of countervailing power from other competitors, consumers in Trinidad and Tobago lack access to other operators that could provide mobile Internet services in line with the expected consumption levels for a country at this stage of economic development.

This finding is further supported by the responses collected through the Consumer Survey conducted as part of the market analysis. In this survey, consumers were asked to indicate how they would react to an increase in their monthly expenditures due to a 5% rise in the cost of mobile data – a scenario proportionally scaled to the respondents' current spending.

Table 4: Consumer responses following the increase in mobile data service costs

Monthly Expenditure TT$	Under §200		§200-§399		§400-§599		Above §600		Total	
Proposed Price Increase TT$	Under §10		§10-§20		§20-§30		Above §30			
Action to be taken	%	N	%	N	%	N	%	N	%	N
Stop using mobile data services altogether	12%	11	9%	4	8%	1	33%	1	11%	17
Use less mobile data but stay on my current plan	5%	5	18%	8	0%	0	0%	0	8%	13
Use less mobile data but offloading to Wi-Fi where possible	24%	22	23%	10	31%	4	0%	0	24%	36
Switch to another mobile service offering	15%	14	16%	7	15%	2	0%	0	15%	23
Use mobile call or SMS/MMs services on my current plan	4%	4	0%	0	15%	2	0%	0	4%	6
Do nothing	37%	34	34%	15	23%	3	67%	2	35%	54
Don't know	2%	2	0%	0	8%	1	0%	0	2%	3
Not state	1%	1	0%	0	0%	0	0%	0	1%	1
Total	**100%**	**93**	**100%**	**44**	**100%**	**13**	**100%**	**3**	**100%**	**153**

Source: Consumer Survey

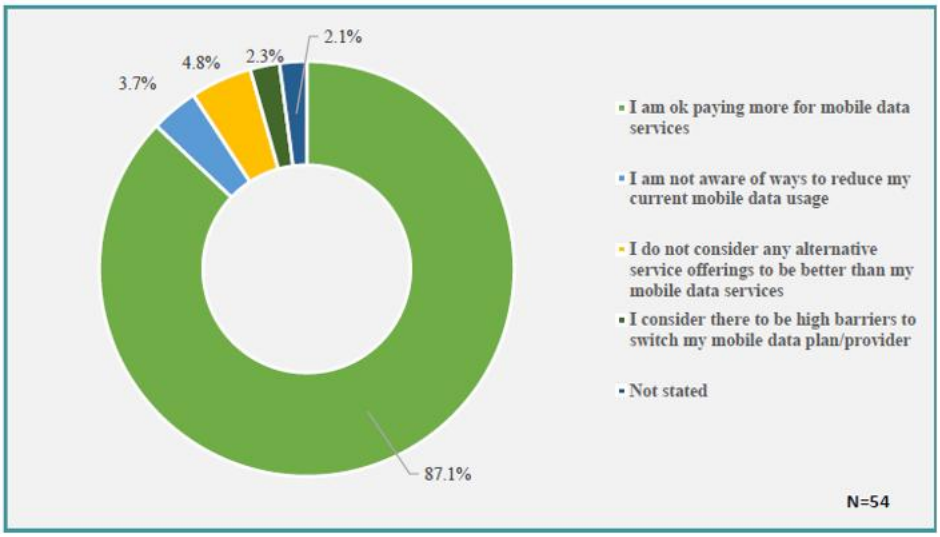
The results shown in Table 4 reveal a relatively low level of responsiveness to price changes[49]:

1. 35% of respondents indicated they would take no particular action in response to the price increase.
2. 24% stated they would reduce their mobile data usage but compensate by connecting to Wi-Fi whenever possible.
3. 11% reported they would stop using mobile data altogether.

[49] Data by offer type were not used due to the low number of observations in certain categories; only the total category was utilised.

4. 8% said they would reduce their data consumption while remaining on the same plan, without substituting with Wi-Fi.
5. 15% of respondents stated they would switch to a different plan in response to the price increase.

These results suggest that a significant proportion of consumers lack the incentive to change their consumption habits or service plans in response to pricing adjustments. This further reinforces the conclusion of limited consumer countervailing power and highlights potential structural limitations in the market's competitive dynamics.



Source: Consumer Survey

Figure 25: Reasons for doing nothing if mobile service provider increased the cost of mobile data service

Moreover, among respondents who indicated that they would take no specific action in response to a price increase, a significant 87.1% expressed their willingness to pay more for mobile data, while 4.8% stated that they did not believe better alternatives were available (Figure 25).

These findings further illustrate the limited demand-side price elasticity, driven by the indispensable nature of mobile data in consumers' daily lives, as well as the perceived lack of viable alternatives available in the market.

Together, this evidence reinforces the view that consumers are in a position of dependency, with little to no countervailing power to influence pricing or service offerings.

6.5 The Power of the Operators active in the Market to Set Prices

As demonstrated in previous sections, consumers do not possess countervailing market power, particularly regarding access to mobile data, for which they are willing to pay higher prices without adjusting their consumption patterns, due to the essential nature of the service. This

observation extends beyond data services and applies to voice and SMS services, which are likewise perceived as indispensable by end users.

Table 5: Consumer responses following an increase in voice service costs

Monthly Expenditure TT$	Under §200		§200-§399		§400-§599		Above §600		Total	
Proposed Price Increase TT$	Under §10		§10-§20		§20-§30		Above §30			
Action to be taken	%	N	%	N	%	N	%	N	%	N
Make fewer calls	28%	165	36%	16	15%	2	33%	1	26%	184
Make fewer calls but use OTT calls	33%	197	68%	30	46%	6	0%	0	33%	233
Make fewer calls but use OTT messaging	7%	44	11%	5	15%	2	0%	0	7%	51
Stop using PAYG calls	**1%**	**4**	**5%**	**2**	**0%**	**0**	**0%**	**0**	**1%**	**6**
Switch to a mobile prepaid or postpaid plan	10%	57	25%	11	15%	2	33%	1	10%	71
Do nothing	19%	111	66%	29	46%	6	33%	1	21%	147
Don't know	3%	19	9%	4	0%	0	0%	0	3%	23
Not state	0%	1	0%	0	0%	0	0%	0	0%	1
Total	100%	598	100%	97	100%	18	100%	3	100%	716

Source: Consumer Survey

According to the Consumer Survey (Table 5), on the PAYG segment, a significant proportion of respondents indicated that they would take no action in response to a price increase for voice or SMS services:

1. 21% of respondents stated they would do nothing following an increase in voice call prices.
2. 26% of respondents said they would reduce the number of voice calls.

Table 6: Consumer responses following an increase in SMS service costs

Monthly Expenditure TT$	Under §200		§200-§399		§400-§599		Above §600		Total	
Proposed Price Increase TT$	Under §10		§10-§20		§20-§30		Above §30			
Action to be taken	%	N	%	N	%	N	%	N	%	N
Send fewer test messages	24%	116	16%	7	8%	1	0%	0	22%	124
Send fewer test messages and use more OTT messaging	17%	81	11%	5	0%	0	0%	0	15%	86
Stop sending text messages altogether	**5%**	**23**	**2%**	**1**	**0%**	**0**	**33%**	**1**	**5%**	**25**
Use OTT messaging only	29%	139	73%	32	38%	5	0%	0	32%	176
Do nothing	23%	112	34%	15	8%	1	33%	1	23%	129
Don't know	3%	13	0%	0	0%	0	0%	0	2%	13
Not state	0%	2	0%	0	0%	0	0%	0	0%	2
Send fewer test messages	100%	486	100%	60	100%	7	100%	2	100%	555
Total	**24%**	**116**	**16%**	**7**	**8%**	**1**	**0%**	**0**	**22%**	**124**

Source: Consumer Survey

According to the same survey (Table 6):

1. 23% would do nothing following a price increase in SMS services.
2. 22% would reduce their SMS usage in response to price increases.

However, the impact of any reduction in consumption is likely to be limited due to the substitutability of services, particularly with OTT alternatives. Over 40% of respondents in each case indicated that they would switch to OTT services, which rely on mobile data services.

Consequently, operators would not necessarily lose customers but rather experience a shift in usage patterns, with greater reliance on data services and on on-net communications (which are generally cheaper than off-net communications). As described in Sections 5.2.3.1 and 5.2.3.2, these trends have indeed been observed in the market.

Furthermore, regardless of the level of price increase, very few users stated they would stop using the service entirely or switch plans or operators. Specifically, only 1% of respondents said they would stop using PAYG voice calls altogether, and only 5% said they would stop using traditional SMS[50].

[50] Data by offer type were not used due to the low number of observations in certain categories; only the total category was utilised.

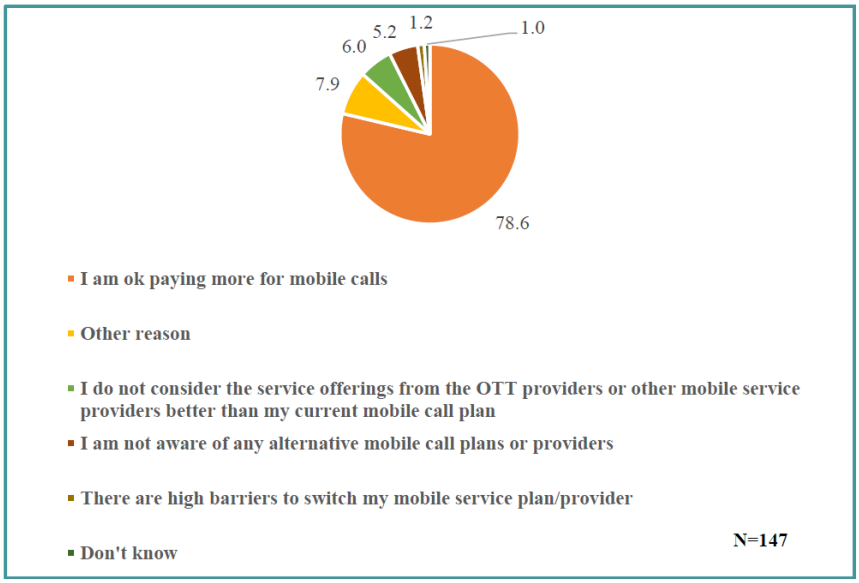


Figure 26: Reasons for doing nothing if service provider started charging more for mobile calls

Source : Consumer Survey

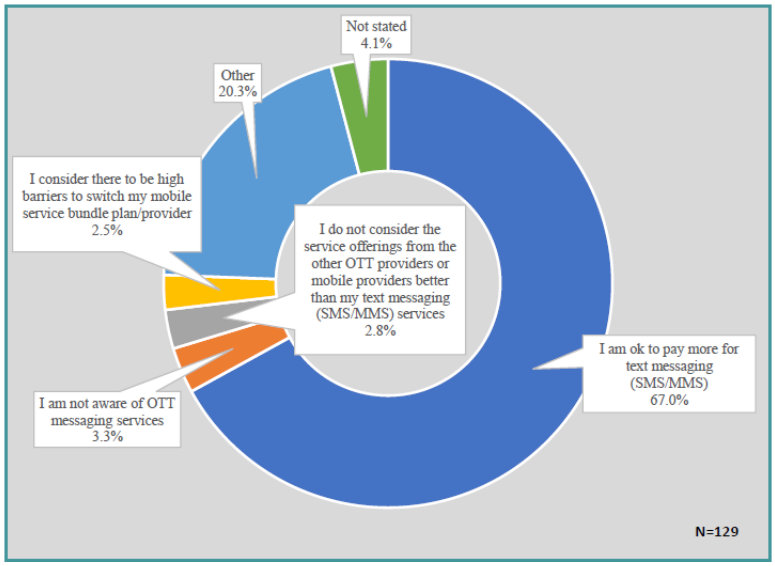


Figure 27: Reasons for respondents doing nothing if their mobile service provider started charging more for SMS/MMS

Source : Consumer Survey

Moreover, among respondents who indicated they would "*do nothing*" in response to an increase in their monthly spending related to the price of voice or SMS services, 78% (Figure 26) and 67% (Figure 27) respectively, stated that they agreed with paying higher prices.

This willingness to accept higher prices not only suggests the indispensable nature of these services, but reflects also the lack of viable alternatives available to consumers. Consequently, the operators appear to exercise a notable degree of pricing power within these market segments.

Furthermore, similar results can be observed in the case of mobile plans (both prepaid and postpaid).

Table 7: Consumer responses following an increase in plan/package costs

Monthly Expenditure TT$	Under §200		§200-§399		§400-§599		Above §600		Total	
Proposed Price Increase TT$	Under §10		§10-§20		§20-§30		Above §30			
Action to be taken	%	N	%	N	%	N	%	N	%	N
Make fewer mobile calls or stop making call together	14%	16	6%	10	10%	5	18%	2	9%	33
Send fewer SMS/MMS calls or stop sending SMS/MMS call altogether	1%	1	1%	1	2%	1	0%	0	1%	3
Use OTT call or messaging services instead	14%	16	22%	39	22%	11	9%	1	19%	67
Use less mobile data or stop using mobile data	6%	7	1%	2	2%	1	0%	0	3%	10
Change to another plan or package	22%	25	33%	59	31%	16	18%	2	29%	102
Stop using mobile services	2%	2	3%	5	2%	1	0%	0	2%	8
Do Nothing	22%	25	32%	57	31%	16	55%	6	29%	104
Don't know	19%	22	2%	4	0%	0	0%	0	7%	26
Not stated	0%	0	0%	0	0%	0	0%	0	0%	0
Total	**100%**	**114**	**100%**	**177**	**100%**	**51**	**100%**	**11**	**100%**	**353**

Source: Consumer Survey

According to the Consumer Survey, users of such plans appear to be even less sensitive to price increases. In fact, only 2%[51] of respondents stated they would stop using mobile services altogether in response to a rise in their plan costs (Table 7). Other responses included switching to a cheaper plan or making minor adjustments.

[51] Data by offer type were not used due to the low number of observations in certain categories; only the total category was utilised.

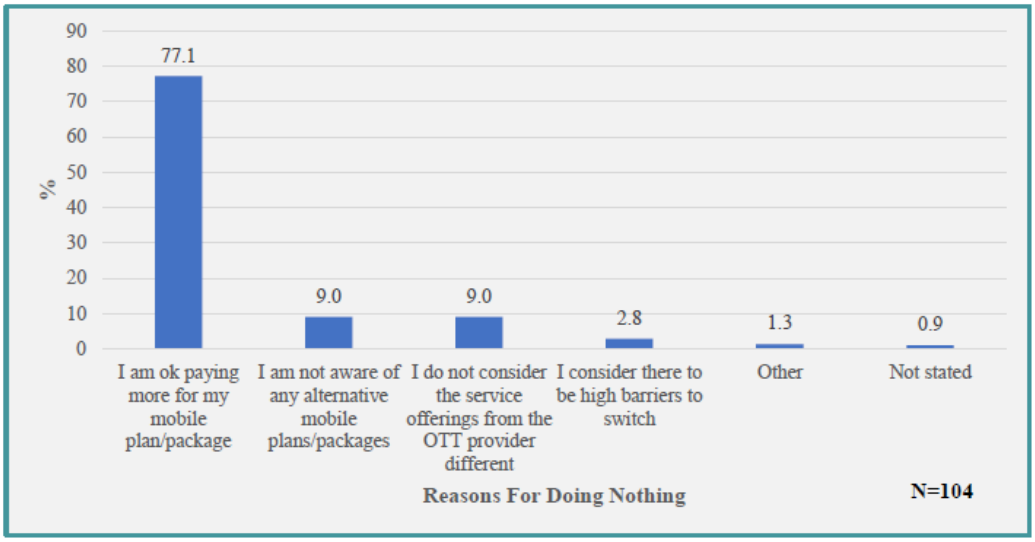


Figure 28: Reasons for doing nothing if mobile service provider started charging more for mobile plan/package

Source : Consumer Survey

Moreover, among consumers who indicated they would "*do nothing*" in response to a data price increase, over 77% agreed with the idea of paying more for their mobile service, as shown in Figure 28. This suggests that a sizeable segment of consumers consider mobile services to be essential and are therefore willing to pay higher prices. As such, this grants operators a certain level of pricing power in the market. Thus, demand appears to be price inelastic.

Such findings suggest that operators hold significant pricing power in the market. The ability of an operator to influence or set market prices is a further indicator of dominance.

To illustrate this power to set prices by telecommunications operators in the market, the Authority notes that, despite the general upward trend in prices in the market (see Table 8) which motivated in part the undertaking of the market analysis process, the level of demand remained stable (Section 5.2.1).

Table 8: Mobile service price changes 2018–2024

Year	Annual Inflation	Nominal Average Price Change	Real Average Price Change
2018	1%	39%	38%
2019	1%	11%	10%
2020	0.6%	-2%	-3%
2021	2.1%	30%	28%
2022	5.8%	15%	9%
2023	4.6%	12%	7%
2024	0.5%	8%	7%

Source : TATT

6.6 Analysis of Prices and the Level of Profitability

6.6.1 Comparative Analysis of Market Prices

The price level of mobile plans in Trinidad and Tobago appears elevated relative to the country's prevailing standard of living.

With respect to prepaid plans, offers available in Trinidad and Tobago range from approximately TT$30 to TT$40 for 1-day plans, and from TT$160 to TT$460 for 30-day plans. In comparison, the average monthly income in the country is approximately TT$9,000[52]. This implies that 1-day prepaid plans represent about 0.3% of the average monthly income, while 30-day plans account for between 2% and 5% of average earnings for entry level and premium service offerings respectively[53].

Postpaid mobile plans offered by both operators range between TT$295 and TT$625, depending on the plan features and the operator. Thus, even when considering only the lowest-priced postpaid plans at TT$295, a mobile subscription accounts for slightly more than 3% of the average monthly income, as shown in Table 9.

In addition, the ITU defines affordability based on a threshold of 2% of monthly Gross National Income (GNI) per capita[54]. In Trinidad and Tobago, according to World Bank data[55], the country's GNI for 2024 is estimated at approximately USD 27 billion. Spread across a

[52] Source: https://statistics.timecamp.com/average-salary/trinidad-and-tobago/ (last accessed 03/09/2025)

[53] Specifically, when using the highest priced monthly plan for entry-level mobile services of TT$180.00, domestic monthly or 30-day mobile voice and data plans account for 0.017 or ≤ 2% of average earning, (based on the Central Statistical Office National Income per annum 2024 (TT$126,452.83) or per month (TT$10,537.74)). It is worthy of noting that entry-level monthly plans typically have low subscription volumes.

[54] Source ITU - The affordability of ICT services 2023. (last accessed 28/01/2026)

[55] Source: The World Bank. (Link: https://data.worldbank.org/indicator/NY.GNP.ATLS.CD?locations=TT) (last accessed 28/01/2026)

population of 1.3 million, this corresponds to a GNI per capita of roughly USD 19,700, or about USD 1,640 per month. In local currency, this equates to approximately TT$ 10,900 per capita per month. A monthly subscription costing TT$ 300 therefore represents around 2.7 % of GNI per capita, exceeding the targets set by the ITU.

Table 9:Price of plans[56] as a Percentage of Average Monthly Income and Monthly GNI per capita in Trinidad and Tobago

	Price	% of monthly average income in Trinidad and Tobago	% of monthly GNI per capita in Trinidad and Tobago
Prepaid plan (1 day)			
Digicel	TT$ 30/day[57]	0.33%	0.28%
bmobile	TT$ 30/day[58]	0.33%	0.28%
Prepaid plan (1 month)			
Digicel	TT$ 315/month[59]	3.5%	2.9%
bmobile	TT$ 280/month[60]	3.1%	2.6%
Postpaid plan			
Digicel	TT$ 300/month[61]	3.33%	2.75%
bmobile	TT$ 295/month[62]	3.28%	2.71%

Source : operators' offers

This level is significantly also higher than what is observed in other comparable nations.

[56] For 1-day prepaid plans as well as postpaid plans, the operators' entry-level offerings were selected. For 30-day prepaid plans, mid-range offerings were chosen, as these plans provide content similar to postpaid plans and are promoted by the operators as offering "the best value" in their communications.
[57] Source: https://www.digicelgroup.com/tt/en/prepaid (last accessed 21/10/2025)
[58] Source: https://bmobile.co.tt/mobile/ (last accessed 21/10/2025)
[59] Source: https://www.digicelgroup.com/tt/en/prepaid (last accessed 21/10/2025)
[60] Source: https://bmobile.co.tt/mobile/ (last accessed 21/10/2025)
[61] Source: https://www.digicelgroup.com/tt/en/postpaid (last accessed 21/10/2025)
[62] Source: https://bmobile.co.tt/mobile/ (last accessed 21/10/2025)

In Mauritius – an island nation with a similar population size (1.2 million as of the end of 2023) – postpaid mobile plans ranged from MUR 599[63] (USD 13. 21) upwards in 2025, while prepaid plans ranged from MUR 15[64] (USD 0.33) for a one-day plan to MUR 315[65] (USD 6.95) for a 30-day plan. The average monthly income in Mauritius was approximately MUR 43,488[66] (USD 960) in 2024.

Accordingly, as shown in Table 10, the cost of these various mobile plans represents between 0.03% and 1.37% of the average monthly income—well below the levels observed in Trinidad and Tobago.

Table 10: Price of the Cheapest Plan as a Percentage of Average Monthly Income in Mauritius

	Cheapest plan with similar offerings to Trinidad and Tobago's cheapest offers	% of monthly average income in Mauritius
Prepaid plan (1 day)		
Emtel	MUR 21/day[67] (USD 0.46)	0.04%
My.t	MUR 15/day[68] (USD 0.33)	0.03%
Prepaid plan (1 month)		
Emtel	MUR 371/month[69] (USD 8.2)	0.85%
My.t	MUR 315/month[70] (USD 7)	0.72%
Postpaid plan		
Emtel	MUR 599/month[71] (USD 13.21)	1.37%
My.t	MUR 600/month[72] (USD 13.23)	1.37%

Source : operators' offers

In addition, both operators in Mauritius also offer fully unlimited plans (voice, SMS, and data) for approximately MUR 2,000[73] (USD 44) per month. In Mauritius, these **"unlimited"** plans account for roughly 4.5% of the average monthly income. Such plans are not currently offered

[63] Source: https://www.emtel.com/postpaidbundles (last accessed 03/09/2025); MUR 600 = TT$90
[64]Source: https://www.myt.mu/mobile/prepaid-mobile-data (last accessed 20/10/2025); MUR 15 = TT$2.3
[65]Source: https://www.myt.mu/mobile/prepaid-mobile-data (last accessed 20/10/2025); MUR 315 = TT$ 47.5
[66] Source: https://tradingeconomics.com/mauritius/wages (last accessed ?? 09/02/2025; MUR 599 = TT$90
[67] Source: https://www.emtel.com/mobile-services/prepaid/unlimited-data-packs (last accessed 03/09/2025); MUR 21 = TT$3.1
[68]Source: https://www.myt.mu/mobile/prepaid-mobile-data (last accessed 20/10/2025): MUR 15 = TT$2.3
[69] Source: https://www.emtel.com/mobile-services/prepaid/unlimited-data-packs (last accessed 03/09/2025); MUR 371 = TT$55.9
[70]Source: https://www.myt.mu/mobile/prepaid-mobile-data (last accessed 20/10/2025): MUR 315 = TT$47.5
[71] Source: https://www.emtel.com/postpaidbundles (last accessed 03/09/2025); MUR 600 = TT$90
[72] Source: https://www.myt.mu/mobile/postpay-offers# (last accessed 03/09/2025
[73] MUR 2000 = TT$300

by either operator in Trinidad and Tobago, even at the highest price point of around TT$650. In Trinidad and Tobago, the most expensive plans represent over 7% of the average monthly income, despite offering fewer features than the unlimited plans available in Mauritius.

A similar trend is observed compared to La Réunion, another island territory with a comparable population (896,000 at the end of 2025). With respect to prepaid services, a direct comparison cannot be made, as operators do not offer prepaid mobile plans in this market. However, regarding postpaid mobile plans, plans range from €4[74] (USD 4.65) to €65 [75] (USD 76). The average monthly income in La Réunion was approximately €2,206[76] (USD 2,563) in 2022.

When considering only the postpaid plans with features comparable to those proposed in Trinidad and Tobago, the cost of a mobile subscription represents roughly 1% of monthly income (see Table 11), like the situation in Mauritius.

Table 11: Price of the Cheapest Plan as a Percentage of Average Monthly Income in La Réunion

	Cheapest plan with similar offerings to Trinidad and Tobago cheapest offers	% of monthly average income in La Réunion
SFR	€19.99/month[77] (USD 23.3)	0.9%
Orange	€26.99/month[78] (USD 31.4)	1.2%

Source : operators' offers

This gap is even more significant given that the plans offered by operators in Mauritius and La Réunion include access to 5G data services, whereas such services are not yet available in Trinidad and Tobago. As a result, consumers in these markets benefit from higher-quality networks at a proportionally lower cost relative to their average income than consumers in Trinidad and Tobago.

In Jamaica, the average monthly income is approximately JMD 196,626[79] (around USD 1,253). 1-day prepaid plans cost approximately JMD 300[80] (USD 1.87), while 30-day prepaid plans are priced around JMD 4,000[81] (USD 24.9) for features broadly comparable to those offered by operators in Trinidad and Tobago. This implies that prepaid plans in Jamaica represent between 0.15% and 2% of the average monthly national income. In contrast, prepaid plans in Trinidad

[74] 1 Euro (€) = TT$7.96. Thus, €4 = TT$32
[75] Source: https://reunion.orange.fr/orm/fr/boutique/forfaits/liste (last accessed 03/09/2025): 65€ = 513 TT$
[76] Source: https://www.journaldunet.com/business/salaire/la-reunion/departement-974 (last accessed 03/09/2025)
[77] Source: https://www.sfr.re/nos-forfaits-5g/ (last accessed 03/09/2025)
[78] Source: https://reunion.orange.fr/orm/fr/boutique/forfaits/liste (last accessed 03/09/2025)
[79] Source:https://remotepeople.com/countries/jamaica/averagesalary/#:~:text=The%20average%20salary%20Jamaica%20is,a%20history%20of%20economic%20challenges. (last accessed 20/10/2025)
[80] Source: https://www.digicelgroup.com/jm/en/prepaid (last accessed 20/10/2025) JDM 300 = 12,63 $TT
[81] Source: https://www.digicelgroup.com/jm/en/prepaid (last accessed 20/10/2025) JDM 4,000 = 168,4 $TT

and Tobago account for between 0.44% and 5% of average monthly income, indicating that mobile services consume a larger share of income in Trinidad and Tobago than in Jamaica.

With respect to postpaid offers, in Jamaica, monthly postpaid plans range from approximately JMD 2,700[82] (USD 16.8) to JMD 7,500[83] (USD 46.7), depending on the operator and the plan features. This represents between 1.37% and 3.81% of the average monthly national income for the most expensive plans. By contrast, even the lowest-priced postpaid plans in Trinidad and Tobago represent more than 3% of the average monthly income. Therefore, postpaid mobile plans in Jamaica are relatively more affordable compared to those offered in Trinidad and Tobago.

Table 12: - Price of the Cheapest Plan as a Percentage of Average Monthly income in Jamaica

	Cheapest plan with similar offerings to Trinidad and Tobago's cheapest offers	% of monthly average income in Jamaica
Prepaid plan (1 or 2 days)		
Digicel	JMD 300/day[84] (USD 1.87)	0.15%
Flow	JMD 420 / 2 days[85](USD 2.6)	0.21%
Prepaid plan (1 month)		
Digicel	JMD 4000 / month[86] (USD 24.9)	2.03%
Flow	JMD 3400 month[87] (USD 21.2)	1.73%
Postpaid plan		
Digicel	JMD 4000 /month[88] (USD 24.9)	2.03%
Flow	JMD 2700 /month[89] (USD 16.8)	1.37%

Source : operators' offers

In Barbados, one-day prepaid mobile plans are offered by operators at prices ranging between BBD 5[90] (USD 2.5) and BBD 9[91] (USD 4.8), while 30-day prepaid plans range from BBD 100[92] (USD 49.8) to BBD 105[93] (USD 52.2). Given an average monthly income of approximately BBD 8,071 (around USD 4,000), these plans represent about 0.1% and between 2% and 5% of the average monthly income, respectively.

Regarding postpaid plans, operators in Barbados offer packages ranging from BBD 70[94] (USD 34.8) to BBD 280[95] (USD 139.1) representing between 0.87% and 3.5% of the national average monthly income. By comparison, the lowest-priced postpaid plan offered by operators in

[82] Source: https://discoverflow.co/jamaica/mobile/plans/postpaid-unlimited (last accessed 20/10/2025) JDM 2,700 = 113,66
[83] Source: https://www.digicelgroup.com/jm/en/postpaid (last accessed 20/10/2025) JDM 7,500 = 315,8$TT
[84] Source: https://www.digicelgroup.com/jm/en/prepaid (last accessed 20/10/2025) JDM 300 = 12,63 $TT
[85] Source: https://discoverflow.co/jamaica/mobile/plans/prepaid (last accessed 20/10/2025) JDM 420 = 17,7 $TT
[86] Source: https://www.digicelgroup.com/jm/en/prepaid (last accessed 20/10/2025) JDM 300 = 168,4 $TT
[87] Source: https://discoverflow.co/jamaica/mobile/plans/prepaid (last accessed 20/10/2025) JDM 3400 = 143,1$TT
[88] Source: https://www.digicelgroup.com/jm/en/postpaid (last accessed 20/10/2025) JDM 4,000 = 168,4$TT
[89] Source: https://discoverflow.co/jamaica/mobile/plans/postpaid-unlimited (last accessed 20/10/2025) JDM 2,700 = 113,66
[90] Source: http://digicelgroup.com/bb/en/featured-prepaid-plans (last accessed 20/10/2025), BBD 5 = 16.9 $TT
[91] Source: https://discoverflow.co/barbados/mobile/plans/prepaid (last accessed 20/10/2025): BBD 9 = 30.32 $TT
[92] Source: https://discoverflow.co/barbados/mobile/plans/prepaid (last accessed 20/10/2025): BBD 100 = 336.9 $TT
[93] Source: http://digicelgroup.com/bb/en/featured-prepaid-plans (last accessed 20/10/2025), BBD 105 = 353.8 $TT
[94] Source: https://www.digicelgroup.com/bb/en/postpaid (last accessed 20/10/2025): BBD 70 = 235.9 $TT
[95] Source: https://discoverflow.co/barbados/mobile/plans/postpaid (last accessed 20/10/2025), BBD 280 = 943,2 $TT

Trinidad and Tobago represents around 3% of the average monthly income for a similar – or even slightly lower – level of service than the most expensive plan available on the Barbadian market.

Table 13: Price of the Cheapest Plan as a Percentage of Average Monthly Income in Barbados

	Cheapest plan with similar offerings to Trinidad and Tobago's cheapest offers	% of monthly average income in Barbados
Prepaid plan (1 day)		
Digicel	BBD 10/day[96] (USD 5)	0.12%
Flow	BBD 9/day[97] (USD 4.5)	0.11%
Prepaid plan (1 month)		
Digicel	BBD 105/ month[98](USD 52.2)	1.30 %
Flow	BBD 100 month [99] (USD 49.7)	1.24%
Postpaid plan		
Digicel	BBD 170 /month[100] (USD 84.5)	2.11%
Flow	BBD 155 /month[101] (USD 77)	1.92%

Source : operators' offers

Thus, mobile plan prices in Trinidad and Tobago appear higher than in other comparable nations, when adjusted for income levels. This price disparity suggests that, due to their strong market power, operators in Trinidad and Tobago can set prices relatively freely, without significant consumer countervailing resistance, particularly given the essential nature of telecommunications services today. As such, operators can set high prices, and those currently in place appear to be disproportionately elevated.

6.6.2 Analysis of the Operators' Margins

While relatively high prices compared to other comparable nations may signal suboptimal market functioning, elevated prices alone do not necessarily indicate the presence of market failure, provided that such prices can be justified by underlying costs. In evaluating cost proportionality, regulatory authorities typically consider the expenses of an operator operating at a reasonable level of efficiency, given prevailing market conditions. It is an established

[96] Source: https://www.digicelgroup.com/bb/en/prepaid-bundle-plans (last accessed 20/10/2025) BBD 9 = 33.69 $TT
[97] Source: https://discoverflow.co/barbados/mobile/plans/prepaid (last accessed 20/10/2025): BBD 9 = 30.32 $TT
[98] Source: http://digicelgroup.com/bb/en/featured-prepaid-plans (last accessed 20/10/2025), BBD 105 = 353.8 $TT
[99] Source: https://discoverflow.co/barbados/mobile/plans/prepaid (last accessed 20/10/2025): BBD 100 = 336.9 $TT
[100] Source: https://www.digicelgroup.com/bb/en/postpaid (last accessed 20/10/2025), BBD 170 = 572,7 $TT
[101] Source: https://discoverflow.co/barbados/mobile/plans/postpaid (last accessed 20/10/2025), BBD 155 = 522,17 $TT

principle in economic theory that, in a well-functioning competitive market, prices tend to reflect the underlying cost of production. Conversely, when competition is impeded by one or more firms, prices tend to exceed costs, resulting in elevated (and often excessive) profit margins.

Therefore, in order to assess whether the price level charged by the operators in the market could be considered as reasonable, it is essential to compare them to the underlying costs borne by operators. To that end, as part of the market analysis procedure and, upon request from the Authority, the operators have provided financial information regarding the costs and revenues of their mobile activity. Based on this information, the profit margins of the operators could be inferred.

With respect to costs and cost structure, both operators submitted data on expenditures allocated to mobile services, excluding licence acquisition fees, for the period between 2017 and 2023. Total annual costs were reported to range between TT$[redacted] and TT$[redacted], depending on the operator and the year. These costs are predominantly composed of operating expenditure (OPEX), which represents between 80% and 95% of total costs across both operators and the year considered (Figure 29). By contrast, capital expenditure (CAPEX) accounts for only 5% to 20%.

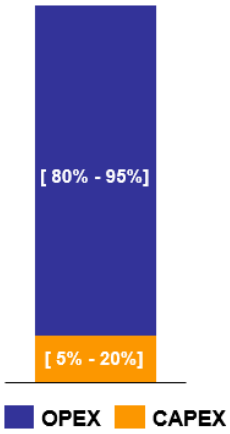


Figure 29: The share of OPEX and CAPEX in the total costs of mobile services for telecom operators over the 2017-2023 period

Source : Data provided by the operators

In the case of both operators, the Authority notes that CAPEX, relative to revenues, is relatively low[102], particularly when compared with markets characterised by stronger competition.

[102] Some years stand out in terms of cost structure, with CAPEX representing a significantly higher share of total costs, reaching up to 40%. This pattern likely corresponds to a major investment phase, particularly associated with the deployment of 4G technology across the operator's network.

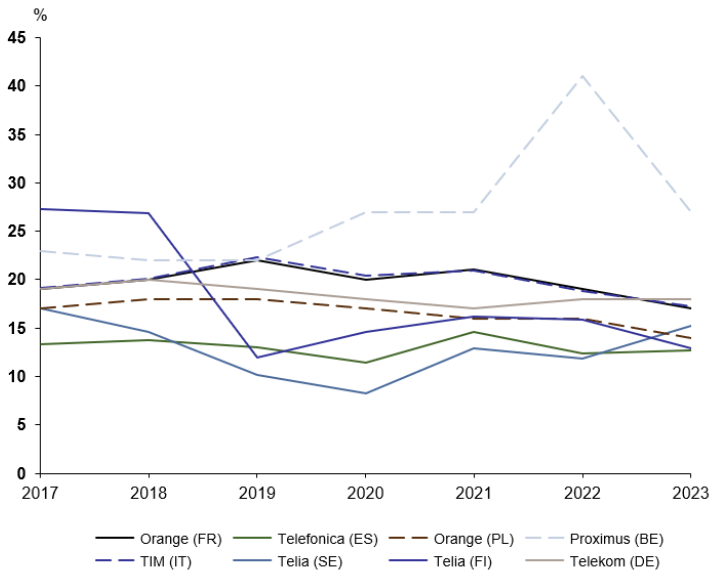


Figure 30: Comparative analysis of the share of revenue dedicated to CAPEX investments

Sources : National: data provided by the operators; International: data from public sources

Figure 30 shows that national operators dedicate between less than [redacted]% and [redacted]% (depending on the year and the operator) of their mobile revenues to invest in their mobile network, while some of the main incumbents in the EU[103] dedicate a much higher share, generally around 15% to 25%, of their total revenues to investments[104].

This is of concern given the capital-intensive nature of the telecommunications sector, where substantial and recurring investments are generally required to sustain high-performing networks and accommodate growing traffic volumes. This is especially relevant for mobile radio access networks, where operators are typically required to invest in densifying capacity, even after full geographical coverage has been achieved.

Despite the evolution of new technologies and the increasingly intensive use of communication services the number of base stations deployed by both operators has remained largely stagnant, and even decreasing at times (see Figure 21). This trend is incompatible with the global trend of increasing consumption of mobile data.

The analysis of cost and revenue data also enables an assessment of operators' profitability.

[103] The operators included in the comparative analysis are Orange (France), TIM (Italy), Telefonica (Spain), Deutsche Telekom (Germany), Proximus (Belgium), Telia (Sweden), Orange (Poland) and Telia (Finland).

[104] It should be noted that the CAPEX-to-revenue ratio for international operators is calculated across their entire business activities, including fixed broadband and other services. By contrast, for Trinidad and Tobago, the analysis focuses solely on mobile operations. Accordingly, the comparison presented in **Figure 30** is intended for illustrative purposes. Nonetheless, despite this difference in scope, the results clearly highlight the substantial gap between national operators and their European counterparts.

Based on the data submitted by both operators as part of the market analysis procedure, the Authority could assess the profitability level of one operator for the period 2017 to 2023 whereas, for the other operator, profitability could only be assessed for 2022 and 2023.

Based on the available information, both operators recorded overall margins ((EBITDA–CAPEX)/revenue) ranging between [redacted]% and [redacted]%, depending on the year and the operator as shown in Figure 31).

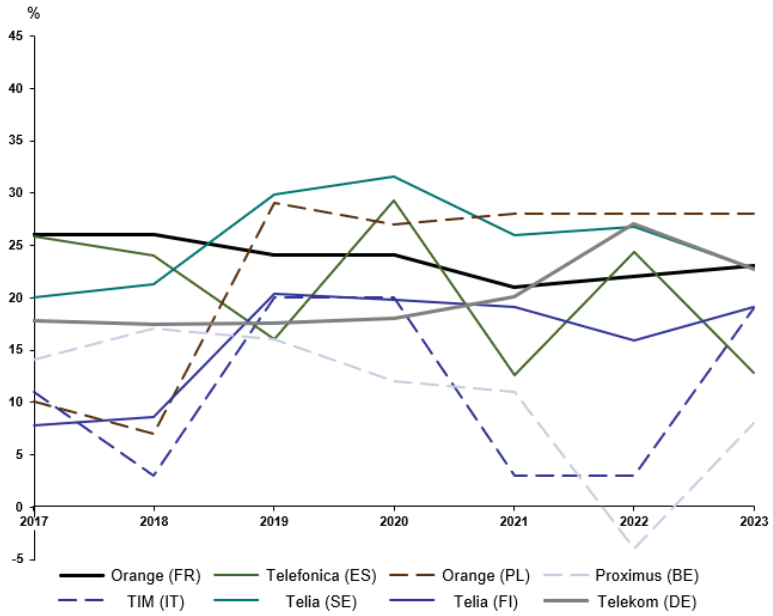


Figure 31: Comparative analysis of the profit margin (ratio EBITDA minus CAPEX-to-revenue)

Sources: National: data provided by the operators; International: data from public sources

The margins recorded by national operators appear comparatively high, even for an incumbent operator facing a legacy burden or institutional constraints associated with state ownership, such as higher human resource costs, corporate social responsibility obligations, or specific service targets. Indeed, the operators retained in the comparative analysis are incumbents and generally face the same challenges.

This level of profitability[105] recorded by national operators thus appears to be above average, particularly in the context of a capital-intensive industry such as telecommunications. Therefore, it is indicative of limited competitive pressure within the market and suggests the presence of market power.

[105] Profitability refers exclusively to the respective company's mobile services business segment.

6.7 Lack of Active Non-Price Competition

The extent to which non-price competition is exercised is reflected in the degree of similarity in the operators' service offerings (Section 6.7.1) and the comparability of the quality of services provided (Section 6.7.2).

6.7.1 Identical Commercial Strategies and Offers with Similar Content

As outlined in Section 5.3, both operators are active across the same market segments, namely, prepaid, postpaid and PAYG. In addition, they offer the same types of services: voice, data and SMS. As such, both operators are positioned within the same relevant product markets. Furthermore, as demonstrated in Section 6.1, their respective market shares across these different segments are broadly similar. Neither operator appears to hold a significantly stronger position in any segment when compared to the other.

Regarding the prepaid segment, both operators offer PAYG options as well as bundled plans, which are generally of comparable durations (typically under one month). In the postpaid segment, the number of subscription plans offered by each operator also appears to be similar.

Beyond the number of plans offered by each operator, the content of those plans also appears largely similar (Table 14).

Table 14: Comparison of Operators' Postpaid Plans (*Entry-Level on the Left, High-End on the Right*) – as December 31st 2025

	Digicel	mobile
	My Choice Plan	Extreme
Data	40 GB	40 GB
Roaming Data	1 GB	1 GB
On Net Calls	Free	Free
Local SMS	Free	Free
B-Data		Free
Anywhere Minutes	400	250
Price	300	295

	Digicel	mobile
	My All-Inclusive Plan	Elite
Data	800 GB	800 GB
Roaming Data	10 GB	10 GB
On Net Calls	Free	Free
Local SMS	Free	Free
B-Data		Free
Anywhere Minutes	Free	Free
Price	650	625

Source: TATT

For prepaid plans, both operators provide comparable data allowances, as well as similar allocations for voice calls and SMS (see Table 15).

Table 15:Comparison of Operators' Prepaid Plans (Entry-Level on the Left, High-End on the Right) – as December 31st 2025

	Digicel 1 Day +	mobile 1 Day
Data	50 GB	50 GB
Hot Spot Data		
On Net Calls	Free	Free
Local SMS	Free	Free
B-Data		Free
Anywhere Minutes	100	100
Price	40	38

	Digicel 30 Day	mobile 30 Day +
Data	30 GB	30 GB
Free weekend data	Free	Free
On Net Calls	Free	Free
Local SMS	Free	Free
B-Data		Free
Anywhere Minutes	400	400
Price	315	280

Source: TATT

bmobile differentiates its offering by including data allowances for specific applications such as YouTube or Netflix. However, the information provided by the operator does not allow for an assessment of whether these additional features result in meaningful product differentiation. It can nonetheless be reasonably concluded that both operators offer plans of broadly similar content.

Moreover, both operators include free on-net calling and a comparable volume of "anywhere minutes" in their offers. A notable difference lies in the geographical scope of "anywhere" services: Digicel extends its "anywhere minutes" to include all Digicel networks across the Caribbean, including French Guiana and Jamaica. While this broader coverage could, in principle, confer a competitive advantage, additional data may be required to affirm or determine said impact.

Despite these differences, the overall structure and allowances within the plans offered by both operators appear largely equivalent.

6.7.2 Quasi-Identical Coverage and Low Levels of Investment

While both operators appear to offer similar allowances in terms of voice, data, and SMS, it is also essential to assess whether the quality of service provided is comparable. Significant differences in service quality could suggest that competition occurs on dimensions beyond price.

However, according to the Consumer Survey, when respondents were asked why they had not switched from their current mobile call plan or provider, the "*lack of perceived difference in service quality*" was one of the most cited reasons. Specifically, 8.2% of respondents identified this as the main reason for not switching providers (Figure 32). Similarly, the "*lack of price difference*" also emerged as a major factor influencing consumer inertia.

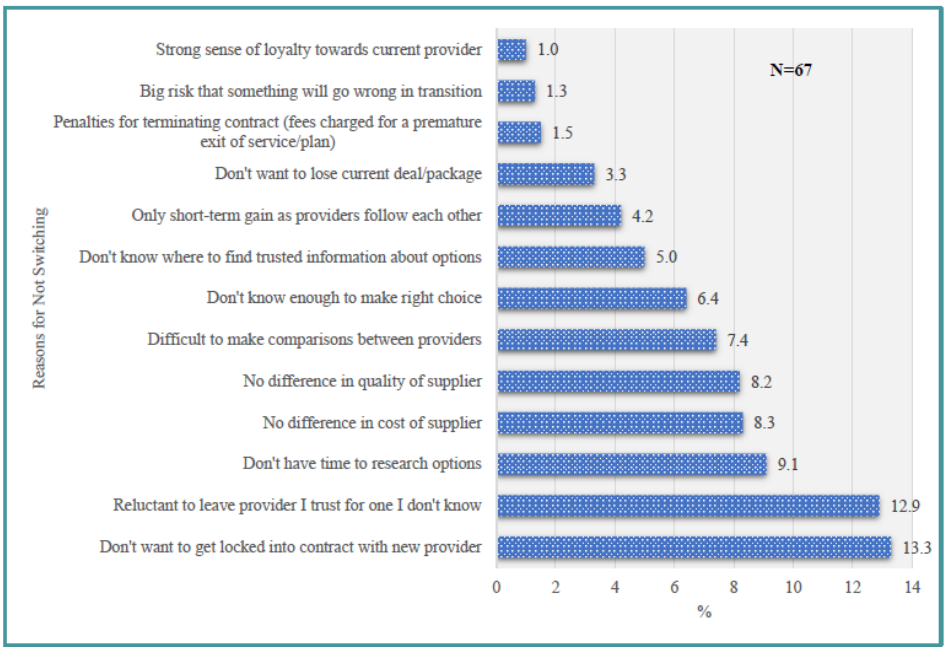


Figure 32: Respondents' reasons for not switching from current mobile call plan/package to a new plan

Source: Consumer Survey, Figure 51

These findings support the conclusion that consumers perceive the two operators as offering broadly equivalent services in terms of both content and quality.

The similar coverage data presented in Section 6.2 further supports the consumers' perception of a lack of differentiation between operators. Both operators maintain comparable national coverage. Specifically, each operator covers around [redacted]% of the national territory, with a significant number of base stations deployed across the country.

Moreover, both operators hold a comparable number and range of frequency bands. Indeed, considering frequency bands that are assigned to operators on a temporary basis, TSTT holds a total of [redacted][106] and Digicel holds a total of [redacted][107] (see Table 16).

[106] This total constitutes spectrum assignments in the [redacted]MHz, [redacted]MHz and [redacted] MHz and [redacted]GHz bands granted through the full10-year licence term, as of 31st December 2025.

[107] This total constitutes spectrum assignments in the [redacted] MHz, [redacted] MHz, [redacted]MHz and [redacted]GHz bands granted through the full 10-year licence term, as of 31st December 2025.

Table 16: Licence allocation to operators

Concessionaire/Licensee	Total Licensed Spectrum (MHz)	Comments
Telecommunication Services of Trinidad and Tobago	[redacted] MHz x 2	The spectrum assignments in the [redacted] MHz, [redacted] MHz and [redacted] MHz and [redacted] GHz bands were granted consistent with the full licence term (10-year) and amounts to [redacted] MHz [redacted] **Note:** An additional [redacted] MHz was temporarily assigned to this licensee in the [redacted] MHz band as a permanent assignment would exceed the spectrum cap for this band.
Digicel	[redacted]MHz x 2	The spectrum assignments in the bands [redacted] MHz, [redacted] MHz, [redacted] MHz and [redacted] GHz were granted consistent with the full licence term (10-year) and amounts to [redacted] MHz x 2. **Note:** An additional [redacted] MHz was temporarily assigned to this licensee in the [redacted] MHz band as a permanent assignment would exceed the spectrum cap for this band. [redacted]

Source: TATT

Comparable volume of frequencies and number of mobile stations suggests that, in theory, both operators should be capable of delivering a similar level of network quality. This observation may evolve in the coming years with the deployment of 5G technology or any other innovation introduced by existing operators or a new market entrant.

In addition, the analysis of consumer complaints received by the Authority since 2017 does not indicate any significant differences between the operators from the consumers' perspective. Over the period 2017 to 2023, the Authority recorded approximately 1,600 complaints, more than half of which were submitted between 2017 and 2019 (see Table 17). The data on consumer

complaints, especially in recent years, does not showcase a significant gap in the quality of service provided by both operators.

Table 17: Number of Consumer Complaints Reported to The Authority

	2017	2018	2019	2020	2021	2022	2023
Operator 1	42	100	59	73	54	97	175
Operator 2	246	251	111	106	98	96	89

Source : TATT

The figures indicate that network coverage and quality of service are broadly equivalent between the two operators, reinforcing the view that consumers do not perceive significant differences in service performance.

Furthermore, the low level of investment undertaken by the operators, as noted in Section 6.6.2**,** serves as an additional indicator of limited competitive pressure. The operators' CAPEX, expressed as a proportion of total revenues, reaches levels as low as [redacted]% and remains markedly lower than the share of revenues typically allocated to investments by operators in competitive markets. Such a persistently low CAPEX-to-revenue ratio, particularly in a capital-intensive sector like telecommunications, may signal a lack of competitive incentive to invest in service improvement or network expansion.

Given the high degree of similarity in the content of the offers (voice, data, and SMS allowances) and the comparable quality of service provided by both operators, there is no evidence of developed competition based on non-price factors.

6.8 Concluding Remarks on Single Dominance

The analysis conducted in this section reveals the following state of competition in the mobile market in Trinidad and Tobago:

1. **high and sustained market shares:** both operators consistently hold very close market shares in terms of both volume and revenue and have maintained these positions for at least two years, with no significant changes in trends over the period 2022-2023. One operator holds approximately [redacted]% of the market, while the other holds [redacted]% which are significantly above international thresholds (Figure 13);

2. **sufficient scale and large network size:** each operator possesses a large customer base (Figure 13) and extensive network infrastructure (Figure 20 and Figure 21) enabling them to benefit from economies of scale, and potentially creating structural barriers to entry that can be added to the existing legal and regulatory barriers to entry;

3. **high legal and structural barriers to entry** in the Trinidad and Tobago market are currently structural, legal, and regulatory in nature. Structural barriers arise from high sunk costs and economies of scale, while legal and regulatory barriers result from legislative or administrative requirements, such as deployment permits, licensing obligations, and obtaining the concession;

4. **absence of countervailing buyer power:** consumers lack effective countervailing power, due to the indispensable nature of telecommunications services and the absence of alternatives in the market;

5. **inelastic demand and pricing power:** as a result of limited alternatives and the essential nature of the services, demand remains relatively price inelastic, granting operators significant pricing power over consumers;

6. **above average prices and profit margins[108]:** mobile plan prices in Trinidad and Tobago appear to be significantly higher than those of other comparable nations, especially when adjusted for income levels. The cost and revenue data of the operators indicate that both operators enjoy margins well above levels typically observed in competitive markets (Figure 31), where competitive pressure would normally drive prices closer to cost; and

7. **lack of non-price competition:** beyond prices, there is limited effective competition on non-price dimensions such as service quality or product differentiation. Both operators offer relatively similar service bundles with comparable levels of quality, further supporting the conclusion that existing market dynamics do not foster strong competitive behaviour (Table 14 and Table 15).

While neither operator appears to meet the market share threshold indicated in Section A23 of the Concession Agreement, namely, exceeding 150% of its average market share to be presumed dominant, both maintain a substantial market presence. Each holds a market share very close to the 50% threshold commonly referenced in many jurisdictions for the presumption of dominance.

Both operators appear to meet several of the criteria typically considered in the assessment of market dominance. Consequently, a more detailed analysis is necessary to ascertain whether their market conduct and structural characteristics indicate a situation of joint dominance. That subsequent step therefore involves evaluating whether the two operators, through coordinated behaviour or parallel conduct, collectively exercise dominance in the relevant market.

[108] Profit margins refer exclusively to the respective company's mobile services business segment.

7. Analysis of Joint Dominance Designation Criteria

When assessing the likelihood of tacit coordination, regulatory authorities must, as in any *ex ante* analysis, evaluate the probability of future developments. The central question for the Authority is therefore whether the structure of the relevant market is conducive to coordinated effects, and not whether such coordination has already taken place in the past.

To ensure that the analysis reflects market conditions accurately, the Authority must consider both the likely evolution of the market and the expected behaviour of participants in the foreseeable future. Relevant developments may include technological innovation, market entry or exit, the emergence of new business models, or the conclusion of commercial agreements between operators.

In line with international best practices, where the relevant markets are not subject to existing *ex ante* regulation, the Authority's assessment should take into account all facts and evidence that are available at the time.

In addition to evaluating the criteria for single dominance, establishing joint dominance necessitates an examination of additional factors. The Authority outlines three key criteria for assessment:

1. the transparency of each operator's actions on the market (Section 7.1);
2. the sustainability of the tacit agreement and the lack of incentive to deviate from this equilibrium (Section 7.2); and
3. the absence of countervailing buyer power on the part of competitors and consumers (Section 7.3).

7.1 The Transparency of Each Operator's Actions to Its Competitor

One of the key factors to assess when evaluating joint dominance is market transparency. In order to sustain tacit coordination, jointly dominant firms must be aware, sufficiently quickly and precisely, how other firms are acting to be able to ensure that everyone adheres to the terms of the tacit coordination.

In order to establish joint dominance between market participants, given the tacit nature of coordination, it must be sufficiently easy for firms to reach a common understanding on the terms of the coordination. To that end, coordinating firms may envisage certain "focal points of coordination" upon which coordinated actions might be centred.

Some of the most common focal points identified in competition case law include: i) the maintenance of market shares, ii) the maintenance of retail prices, and iii) capacity choice which could be manifested by restricting investments in networks in order to artificially restrict supply, limit quality of service and raise prices.

The following analysis will establish that:

1. telecommunications markets are generally characterised by a high degree of transparency (Section 7.1.1); and
2. the relevant market of retail mobile services in Trinidad and Tobago is indeed transparent based on evidence from the observed market structure (Section 7.1.2), network technologies (Section 6.2), and the observed behaviour of the operators (Section 7.1.3).

7.1.1 Telecommunications Markets are Generally Characterised by a High Degree of Transparency

In its Guidelines on market analysis and the assessment of significant market power under the EU regulatory framework for electronic communications networks and services, the European Commission highlighted that "*the electronic communications sector can be considered to enjoy a high level of transparency, especially at the retail level and for mass market products aimed at consumers (underlying market for wholesale local and central access market)".*

The European Commission has emphasised that in telecommunications markets, price transparency is readily achieved as retail tariffs are typically made publicly available and are easily accessible. This degree of transparency is further heightened in circumstances where products are largely homogeneous and, consequently, offer little scope for meaningful differentiation between operators. Under such conditions, competitors can readily benchmark one another's retail strategies and adjust their conduct accordingly.

In addition, certain structural features of the telecommunications sector contribute to a particularly high level of market visibility. The requirement for operators to interconnect, coupled with the regular publication of publicly available reports, ensures that firms can monitor developments in the market with relative ease. For example, retail tariffs are continuously accessible, without charge, on operators' websites, enabling competitors to track pricing policies in real time. Beyond pricing, operators are often able to gain insights into their rivals' investment strategies through disclosures contained in shareholder reports, regulatory filings, and communications to other stakeholders. These factors combine to create a commercial environment where operators enjoy a comparatively broad and detailed understanding of their competitors' market behaviour.

7.1.2 Market Structure as a Basis for Establishing the Transparency of the Mobile Retail Market in Trinidad and Tobago

All of the elements outlined in the preceding section with respect to the telecommunications sector equally apply in Trinidad and Tobago. Moreover, there are certain market structure features specific to the relevant market of mobile services in Trinidad and Tobago that are indicative of a high level of transparency. These include:

1. **the symmetry of market shares:** as explained in a detailed manner in Section 6.1**,** market shares are distributed fairly evenly between the two operators, both in terms of volume and value. This symmetry is not confined to the market as a whole but is also observed across its various segments (prepaid, postpaid, Internet-inclusive plans, etc.). According to established European case law, the degree of symmetry in market shares is a relevant factor in assessing transparency. Indeed, this jurisprudence suggests that, when market shares are asymmetric, it is *prima facie* less likely that operators can arrive at a common understanding. Conversely, where shares are broadly symmetrical, the conditions are more conducive to sustaining a parallel alignment of market behaviour. In the landmark *Gencor* judgement[109], the CJEU specified that "*the market structures which encourage oligopolistic conduct most are those in which two, three or four suppliers each hold approximately the same market share*";
2. **the stability of market shares over time:** the analysis set out in the preceding sections provides factual evidence that the market shares of both operators have remained highly stable for at least two years, both in terms of volume and value, and across the various market segments. European regulatory jurisprudence has similarly recognised market share stability as one of the conditions that may indicate the presence of tacit coordination between telecommunications operators, even where market shares are not symmetric. For example, in 2005, the Spanish telecommunications regulatory authority concluded that three network operators were jointly dominant in the market for access and call origination on public mobile telephone networks, despite holding significantly different market shares (53.4%, 28.7% and 17.9%, respectively), on the basis that their market positions had remained stable over time[110];
3. **the level of market concentration:** it is a well-established principle in competition law that coordination is both easier to achieve and more sustainable in markets with a limited number of participants. Indeed, the smaller the coalition of firms, the simpler it becomes to monitor each member's behaviour, particularly with respect to any agreed-upon focal points, and the more readily deviations from the coordinated strategy can be detected. Furthermore, a reduced number of participants increases the expected gains from collusion for each firm, thereby enhancing the incentive to maintain cooperative conduct. In the mobile market of Trinidad and Tobago, only two operators are currently active, and it is unlikely that this duopolistic market structure will be challenged in the foreseeable future. As a result, market concentration is at its highest level, maximising

[109] Case T-102/96, Gencor Ltd v Commission EU:T:199:65, § 134

[110] Case ES/2005/0330

the potential profitability of coordinated practices and increasing the likelihood that tacit coordination could be sustained; and

4. **other symmetries:** in addition to market share symmetry, several other factors are recognised as conducive to tacit collusion in oligopolistic markets, particularly when market players exhibit a certain level of symmetry to their regard. These criteria include:

    a) **symmetry in capacity:** as presented in Section 6.2, both operators have a comparable level of network coverage, a significant number of base stations deployed nationwide, and a comparable volume of radio frequencies. As a result, they possess equivalent network capacities capable of delivering a comparable quality of service. This similarity in service quality has also been recognised by end users, as reflected in their responses to the Consumer Survey;

    b) **symmetry in costs:** TSTT and Digicel operate mobile networks of comparable size (see Section 6.2) and serve a similar number of subscribers (see Section 6.1.1). Consequently, both operators satisfy equivalent levels of demand using technically similar network infrastructure, implying that their production-related operating costs should, in principle, be broadly comparable. However, given the structural differences between both operators, particularly the legacy costs borne by the incumbent, actual cost structures are not entirely symmetrical. Notwithstanding these differences, as demonstrated in Section 6.6.2, both operators exhibit profit margins above those typically observed by incumbents in competitive markets, albeit to different degrees. Despite this profitability, there appears to be no strong incentive for either operator to engage in price competition;

    c) **symmetry in ARPU level:** there is a clear symmetry in the ARPU levels between the two operators in the market as previously illustrated in Figure 7 and in Section 5.2.2. The analysis indicates that ARPU levels are closely aligned between both providers, suggesting a convergence in their retail pricing outcomes. In particular, both operators exhibit comparable ARPU values across different segments. When examining the weighted average ARPU (all offers combined) across the period (Figure 33), the results confirm the price alignment between both operators. Between January 2022 and December 2023, the average ARPU for one operator was approximately TT$[redacted], compared to TT$[redacted] for the other operator. These values demonstrate that both operators maintain comparable revenue performance per subscriber, with limited differentiation between their prepaid and postpaid offers.

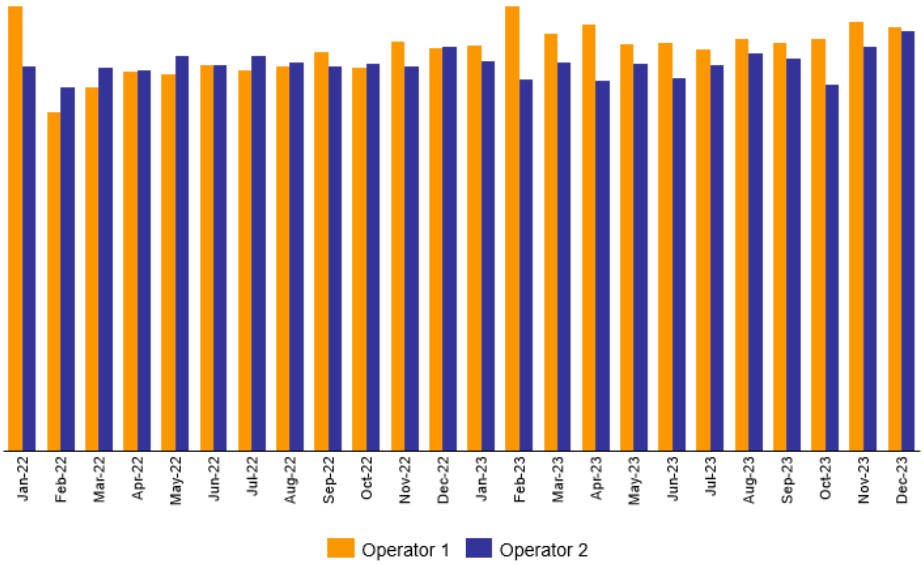


Figure 33: Weighted Average ARPU of Operators

Source : Data provided by the operators

Moreover, as further detailed in Section 7.1.3, both operators have been observed to regularly adjust and align their retail pricing strategies. This behaviour reflects a consistent pattern of parallel conduct, indicative of a stable and closely matched market dynamic over the review period;

d) **symmetry in profitability:** as demonstrated in Section 6.6.2, both operators consistently record profit margins that are markedly higher than those observed in more competitive markets. While such elevated margins could, in principle, allow for more aggressive price competition, the prices charged by both operators remain comparatively high relative to other countries of similar size (see Section 6.6.1); and

e) **symmetry in the product scope:** as described in Section 6.7.1, both operators offer products that are very similar in content.

7.1.3 Observed Operator Behaviour Demonstrating Market Transparency

Both operators have access to detailed information regarding each other's pricing and the content of their offers. This is facilitated through the publicly available tariff plans on each operator's website, as well as through quarterly reports published by the Authority, which provide market data and performance indicators.

Moreover, historical observations show that operators have frequently adjusted their commercial offerings in response to changes introduced by their competitor. These adjustments

have concerned both the pricing and structure of offers, indicating a form of parallel behaviour over time.

PAYG tariffs for data, voice and SMS have followed similar trajectories across both operators (see Figure 34 and Figure 35), suggesting a degree of price alignment that is consistent with a market structure conducive to tacit coordination.

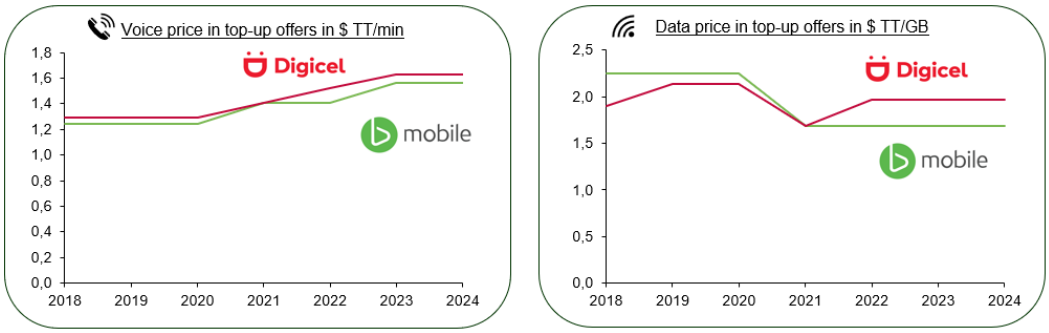


Figure 34: Evolution of PAYG voice and data tariffs for both operators

Source : TATT data

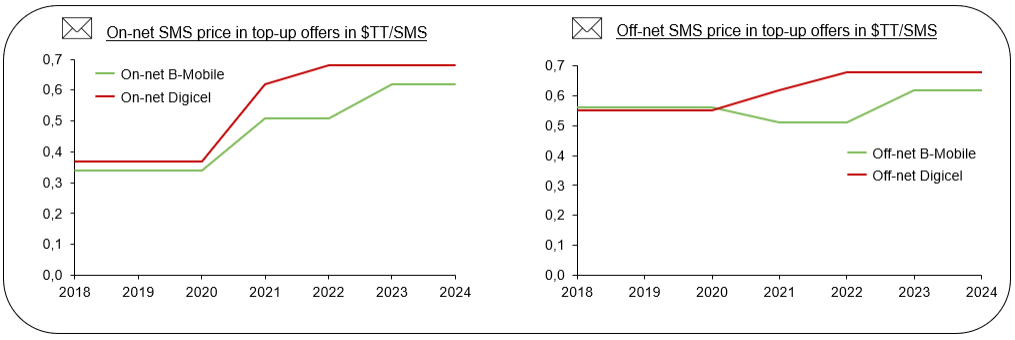


Figure 35: Evolution of PAYG SMS tariffs for both operators

Source : TATT data

In terms of content, both operators have previously aligned their commercial offerings to mirror those of their competitor. For example, in the prepaid segment, both operators significantly reduced the volume of mobile data included in their 30-day plans, despite maintaining the same price levels as shown in Figure 36. This alignment in commercial behaviour further supports the belief of a market structure conducive to parallel conduct, consistent with a scenario of tacit coordination.

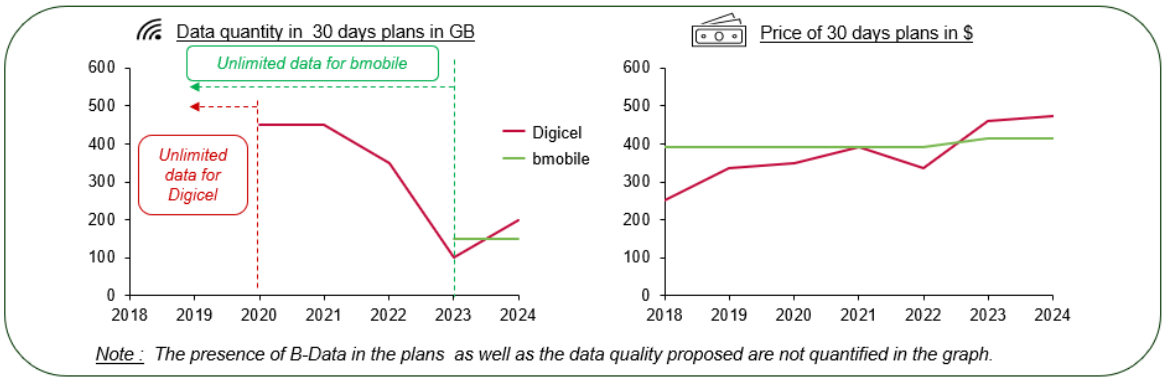


Figure 36: Evolution of data allowances in 30-day prepaid plans

Source : TATT data

Furthermore, as observed in the prepaid segment, bmobile has also progressively reduced the data volume included in its postpaid plans over time. Prior to 2023, the operator offered unlimited data allowances in its higher end postpaid plans, however, the data allowances in its premium postpaid offers were realigned to match those of Digicel (see Figure 37). This significant reduction of data allowances may be associated with the launch of a new data-enriched offer in bmobile's portfolio, which offers 800GB data allowance, and appears to reflect a similar bundling strategy previously adopted by Digicel.

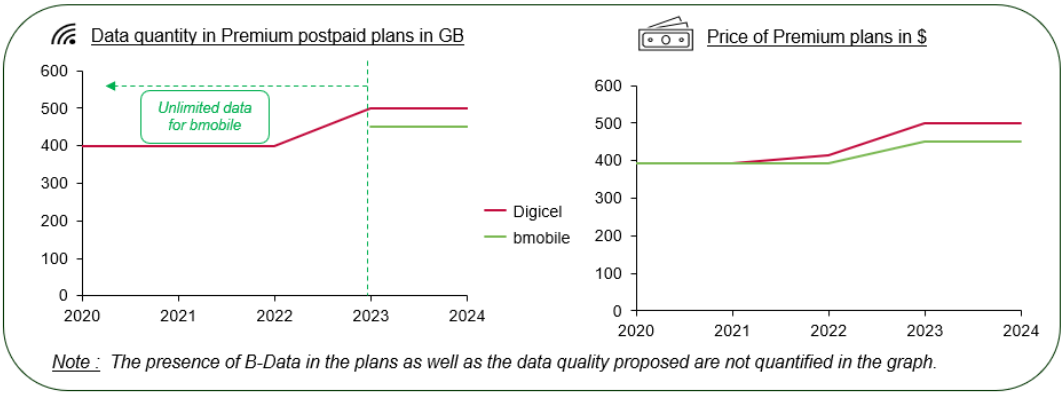


Figure 37: Evolution of data allowances in premium postpaid plan

Source : TATT data

Such developments support the observation that both operators closely monitor and replicate each other's strategic moves, further contributing to the transparency and predictability of conduct.

All these findings demonstrate that the market is fully transparent, with both operators' having clear visibility of each other's offers and the ability to adjust their own plans accordingly. This

ongoing mutual responsiveness confirms that the market meets the transparency criterion, a key factor in the assessment of joint dominance.

7.2 The Sustainability of a Tacit Agreement between Operators

The sustainability of a tacit agreement between operators is a key criterion in the assessment of joint dominance. Specifically, joint dominance requires that neither operator has a rational incentive, in the short or long term, to deviate from the coordinated equilibrium. If both firms perceive that deviation would be economically disadvantageous, the tacit agreement is likely to persist and undermine effective competition.

In the case of Trinidad and Tobago, the mobile telecommunications market appears to be relatively mature, if not saturated. As presented in Section 5.2, market penetration is already very high, and the number of mobile subscribers has remained stable over recent years (Section 5.2.1). This maturity significantly reduces the incentives for either operator to initiate a price war. Lowering prices to attract customers would result in margin losses that are unlikely to be offset by any substantial gain in market share, given that most potential subscribers are already tied to one of the two main providers.

Additionally, given the essential nature of mobile services today, the demand for these services is relatively price-inelastic, as shown in Section 6.5. Consequently, there is little to no economic incentive for an operator to undercut its rival, especially when such actions would undermine the current stable and profitable market equilibrium.

Operators might also consider non-price competition, such as investing in network quality to gain a competitive edge. However, this too presents limited long-term benefits in the case at hand. Significant network upgrades require substantial capital investment, which would reduce margins. In the short term, any competitive advantage might lead to a small customer gain but, over time, the rival operator would likely replicate the improvement, nullifying the competitive benefit while leaving both parties with reduced profitability.

Furthermore, as outlined in Section 6.4, the market lacks effective countervailing power from consumers. The low level of switching between providers suggests that neither operator faces meaningful competitive pressure from the demand side. As long as the *status quo* is maintained, neither firm is likely to lose a significant share of subscribers.

Taken together, these factors indicate that neither operator has a rational economic incentive to deviate from the current tacit agreement. In such conditions, the market dynamic is highly conducive to sustain coordination.

7.3 No Countervailing Power of the Consumer to Jeopardise the Collusive Mechanism

As highlighted in Section 5.3, only two operators are currently active in the market and there is no foreseeable prospect of a new entry or entries. As a result, consumers are left with no alternatives in the market. Moreover, given the evolving usage patterns and the growing reliance on mobile data in consumers' daily usage, users have no real ability to exert pressure on operators. As demonstrated in Section 6.4, mobile data has become an essential service, leaving consumers with little to no option to reduce or avoid its use.

Therefore, there is no meaningful buyer power on the part of consumers that could counterbalance or discipline potentially collusive behaviour between operators.

8. OTT Services and Market Dominance Assessment

The proliferation of OTT services has profoundly transformed the telecommunications sector, altering competitive dynamics, revenue structures, and investment incentives. OTT services — including communication applications such as WhatsApp and Skype, as well as content streaming platforms like YouTube and Netflix — bypass traditional network infrastructure to provide services directly over the Internet. This has resulted in a partial substitution of traditional voice and SMS services, in line with the relevant market definition adopted by the Authority.

In general, the impact on operators' profitability could be significant. The growth of OTT services has contributed to the decline of voice and SMS revenues, which historically represented high-margin revenue streams for operators, leading to a structural shift in revenue composition. While OTT services have driven an increase in data demand, the revenues generated from this traffic are generally less profitable than those from traditional services. Operators therefore face margin pressure, as the costly infrastructure needed to support the increase in traffic does not translate proportionally into revenue growth. The widespread adoption of flat-rate or unlimited data plans further limits operators' ability to directly monetise the additional consumption.

Moreover, OTT providers generally do not contribute to network deployment or maintenance costs, despite representing a growing share of total traffic. This creates an asymmetry in value capture, with operators bearing rising costs to upgrade networks while OTT providers benefit from the increased capacity without proportionate financial contribution.

However, in practice, as noted in Section 6.6.2, operators in the market generate high margins compared to the industry standards, suggesting that operators are not subject to substantial financial pressure arising from the presence of OTT providers. It is worth noting that, although revenues from traditional voice and SMS services have declined in recent years, the growth in data service revenues has offset this trend, resulting in a continued overall increase in operators' total revenues (Figure 3).

The development of OTT may also directly influence investment incentives. With declining revenues from traditional services and increasing data traffic, operators face a situation where investment needs are rising while expected returns remain constrained. Without adequate returns, operators may delay or limit investments, potentially affecting service quality, network capacity expansion, and the deployment of next-generation technologies, such as 5G.

Nevertheless, investing in network improvements to enhance quality of service can also serve as a means of differentiation in a competitive market. In the present case, despite the high profit margins observed, the investment levels of both operators remain below international benchmarks. In any event, there is no evidence to suggest that this relatively low level of investment is the result of competitive pressure from OTT providers.

Most importantly, the Authority considers that the countervailing pressure exerted by OTT providers on telecommunications operators remains limited, as telecom operators control the very means through which end-users access OTT services. Indeed, without the data connectivity supplied by telecom operators, OTT providers are unable to deliver their services, and therefore remain dependent on the operators' networks.

From a regulatory perspective, the growth of OTT services represents a key contextual factor in assessing market structure and operator behaviour. While OTTs are considered partial substitutes on a call or usage basis and therefore form part of the same relevant market as traditional operators, their influence on consumer behaviour, pricing strategies, and network usage introduces only an indirect/limited competitive constraint. The Authority will therefore closely monitor the evolution of OTT services, including their impact on data traffic, ARPU, revenue composition, and investment trends, to ensure that regulatory interventions remain proportionate and appropriate. This comprehensive approach ensures that the analysis of dominance reflects both direct and indirect competitive pressures in a continuously evolving telecommunications sector.

9. Conclusion

Having collected information from the relevant operators and analysed the available information, **the Authority concludes that both TSTT and Digicel are designated as holding joint dominance on the relevant economic market for retail domestic mobile services**.

The Authority's conclusion is based on the following main findings:

1. neither operator appears to meet the market share threshold of A23 of the Concession Agreement, namely, exceeding 150% of its average market share to be presumed dominant, but each holds a market share in excess of 40% close to the 50% threshold commonly referenced in many international jurisdictions;
2. both operators consistently hold very close market shares both in terms of volume and value and have maintained these positions for at least two years, with no significant changes in trends over the period;
3. each operator possesses a large customer base and extensive network infrastructure, enabling them to benefit from economies of scale and potentially creating structural barriers to entry;
4. Structural barriers to entry further compound the existing legal and regulatory barriers in Trinidad and Tobago, as deployment permits, licensing obligations, and obtaining concession agreements continue to represent substantial legal and effective obstacles to market entry;
5. consumers lack effective countervailing power, due to the indispensable nature of telecommunications services and the absence of alternatives in the market;
6. as a result of the absence of alternatives and the essential nature of the services, demand remains price inelastic, granting operators significant pricing power over consumers;
7. mobile plan prices in Trinidad and Tobago appear to be significantly higher than in other comparable nations, especially when adjusted for income levels. The cost and revenue data of the operators indicate that both operators enjoy margins well above levels typically observed in competitive markets, where competitive pressures would normally drive prices closer to costs; and
8. there is limited competition on non-price dimensions such as service quality or product differentiation. Both operators offer similar service bundles with comparable levels of quality, further supporting the conclusion that the existing market dynamics erodes competitive behaviour.

Furthermore, with respect to the three key conditions necessary to establish joint dominance, the Authority concluded that:

1. the market is highly transparent. Each operator has full visibility over the pricing and marketing strategies of its competitor. This conclusion is supported by the high degree of symmetry between both operators, the stability of their market share over time, and the very high level of market concentration. The analysis of each operator's previous

commercial and pricing choices establishes a clear alignment strategy between both operators;

2. there is compelling evidence that neither operator has any incentive to deviate from the current equilibrium. Any unilateral price reduction or significant investment in quality would lead to a substantial loss in margins, while the potential customer gain would be marginal, given the market's maturity, limited churn and inelastic demand; and
3. neither consumers nor other suppliers, including OTT service providers, in this market do not possess sufficient market power to counterbalance the coordinated behaviour of the two operators. Switching levels are low and demand for mobile services is relatively price inelastic. The Authority has also noted emerging trends and usage patterns in the market, such as the increase in data traffic, the growing demand for OTT services, and the rise in Wi-Fi offloading. These developments will be closely monitored in the future to assess their potential impact on the findings set out in this report.

Similarly, the deployment of 5G networks will be carefully observed by the Authority, and, where necessary, the report will be reviewed and updated within a period of five to ten years, depending on market conditions or other relevant developments. The Authority will take into account all the points discussed and the results of this market to consider remedies.

Following the final approval of the dominance assessment and its findings, the Authority will determine the appropriate remedies to be implemented in the market to prevent the occurrence of market failure.