

THE HASHEMITE KINGDOM OF JORDAN
TELECOMMUNICATIONS REGULATORY COMMISSION



**INSTRUCTIONS FOR IMPLEMENTING CARRIER SELECTION AND
CARRIER PRE-SELECTION IN JORDAN**

TRC Board Decision No.(1-15/2005) Date(24/3/2005)

Instructions for Implementing Carrier Selection and Carrier Pre-Selection in Jordan
Issued Pursuant to Articles 6(b) and 12 (a)(2) of the Telecommunications Law

These Instructions are concerning the implementation of Carrier Selection and Carrier Pre-Selection in Jordan, taking into account comments received pursuant to the Notice Requesting Public Comment on the Implementation of Carrier Selection and Carrier Pre-Selection in Jordan (Public Notice) issued on September 8, 2004.

Pursuant to the " Program of Licensing within the Fixed Telecommunications Sub-sector and the evolution to an Integrated Licensing and Regulatory Regime " described in its December 2 Information Memorandum ("Licensing Program"), the Telecommunications Regulatory Commission of Jordan (TRC) has determined that Carrier Selection and Carrier Pre-Selection will be introduced in accordance with the Instructions listed herein.

Instructions for Carrier Selection and Carrier Pre-Selection:

Definitions

1. The following words and phrases shall have the meanings assigned thereto hereunder, unless the context indicates otherwise. Any words and phrases not defined hereunder shall have the meanings ascribed thereto in the Telecommunications Law and any Regulations issued by the TRC:

Alternative Service Provider:	Means telecommunication service provider which offers an alternative services to the incumbent or former monopoly telecommunications service provider.
Board:	Means the Board of Commissioners of the TRC
Call Types:	Means category of call being placed on the public telecommunications network.
Carrier	A telecommunications service provider that offers to carry customer calls in place of the Primary Service Provider.
Carrier Pre-Selection (CPS):	The facility offered to end users which allows them to opt for certain defined classes of call to be carried by an operator selected in advance (and having a contract with the customer), without having to dial a routing prefix or follow any other different procedure to invoke such routing.

Carrier Selection (CS):	The facility offered to end users which allows them to opt for an alternative operator other than the operator that provides their line to make calls to any destination by the dialing of a routing prefix.
Carrier Access Code:	Means a National Numbering Plan four-digit code assigned to the Alternate Service Provider.
Code of Practice:	Means a published document that establishes the standards for operator conduct with respect to solicitation, acquisition of customer accounts and dispute and trouble resolution for customer concerns related to providing Carrier Selection and Pre-selection.
Working Groups:	Means the working groups formed within the Industry Forum to address commercial and technical issues related to the implementation of Carrier Selection and Pre-selection.
Consolidated Billing:	Means the customer bill will detail all charges of both the customer's Primary Service Provider and the Alternative Service Provider (i.e., International Calls).
Designated Licensee:	Licensee who meets the criteria requiring it to offer Call Origination based on the stipulations of the Interconnection Instructions.
Independent Billing:	Means the billing provided by either the Alternative Service Provider, a third party or by agreement with the Primary Service Provider;
Industry Forum:	Means the formal platform for operators to discuss and solve the technical, administrative, commercial and other pertinent issues related to implementation of Carrier Selection and Carrier Pre-Selection.
Law:	Means the Telecommunications Law no. 13 of 1995 and its amendments;
License:	The permission granted by the TRC or a contract or agreement signed by the TRC

and a person to allow that person to establish, operate and manage a public telecommunications network, or provide public telecommunications services, or to use radio frequencies, pursuant to the provisions of the Law and bylaws issued in accordance with it..

Licensee: Means a person who holds a License issued in accordance with the Law.

Numbering Regulations: Means Regulations published by the TRC with respect to the assignment and use of numbers within the National Numbering Plan as replaced or amended from time to time.

Operator: A Licensee who operates a Public Telecommunications Network.

Primary Service Provider: Means the telecommunications service provider (Operator) who provides a service number (telephone number) and access to originate and receive calls.

TRC: Means the Telecommunications Regulatory Commission.

Purpose

2. The Purpose of these Instructions is to provide the details regarding the requirement for existing Licensees to modify or equip their networks as necessary in order to provide Carrier Selection and Carrier Pre-Selection.

Role and Involvement of the TRC

3. The TRC will work with the operators through an Industry Forum to define the critical tasks that need to be completed as well as the timeline required to meet the launch date for both Carrier Selection and Carrier Pre-Selection in Jordan.
4. The TRC will oversee the deployment of Carrier Selection and Carrier Pre-Selection by establishing reasonable deadlines for implementation.
5. The TRC will continue to maintain oversight over any procedural or technical issues and disputes that may arise.

Industry Forum

6. To insure neutrality, the TRC will oversee the establishment of an Industry Forum to define the critical tasks that need to be completed as well as the timeline required to meet the launch date for both Carrier Selection and Carrier Pre-Selection in Jordan. The Terms of Reference for such Industry Forum are issued by the TRC concurrently with this document.

Requirement to Implement CS and CPS

7. All Designated Licensees who are required to provide Call Origination pursuant to the Interconnection Instructions shall implement CS and CPS pursuant to the terms and conditions outlined herein. Other Licensees may also implement CS and CPS prior to being Designated, pursuant to the same terms and conditions.

Types of Calls for Carrier Selection

8. Carrier Selection and Carrier Pre-Selection are for international outbound calls only. The TRC reserves the right to review the in-country calling patterns and associated costs in the future to determine if additional competitive options will improve customer choice in cost or quality.

Costs

9. All Licensees shall be responsible for the costs of their own equipment needed to implement CS and CPS, including systems set up and ongoing costs.
10. Costs specific to an individual carrier, including commercial interactions and ongoing administration, maintenance and trouble resolution costs, are to be addressed in the Reference Interconnection Offers (RIOs) and are required to be published in accordance with the TRC Instructions on Interconnection.
11. The process for cost recovery of the common customer administrative expenses are to be developed and approved by the Industry Forum on behalf of all Operators and then submitted to the TRC for approval. The charge assessed to individual customers to change their service to pre-select an alternative Carrier must be fair, reasonable and equitable for any customer changing to an alternate Operator. The Industry Forum shall recommend the agreed upon charge to the TRC for approval.
12. Concerned parties shall work with the TRC through the Industry Forum to make sure that the cost recovery process is equitable in terms of ensuring the appropriate allocation of costs resulting from the introduction of Carrier Selection and Carrier Pre-Selection.

Billing

13. The Industry Forum shall develop an appropriate timeline for implementation of Consolidated Billing to be made available by the Primary Service Provider to the Alternative Service Provider. Between the time CS is required and such billing is required to be provided, Alternative Service Providers shall provide their own billing and collection solutions, independent of the Primary Service Provider.

Commercial Process

14. The Licensee's internal processes and appropriate personnel responsible for customer contact shall handle the provisioning, administrative and billing concerns arising from both the Carrier Selection and Carrier Pre-Selection features.
15. The Industry Forum shall agree on the commercial process for a customer to request a change of Carriers as well as the inter-operator transactions and processes that will occur.
16. The Industry Forum shall develop a basic set of information including an agreement on general terms and definitions to be used by all Licensees and new entrants in describing the features and functionality of Carrier Selection and Carrier Pre-Selection.
17. The Primary Service Provider shall be compensated for its costs to change the customer's service from the Primary Service Provider's international service or that of another pre-selected Operator or new entrant to another Carrier. The fees charged for each customer to change Operator shall be the same. The charges shall be applied as a one-time fee on the customer bill each time the customer changes its Carrier.

Customer Education

18. The Licensees shall develop customer education programs to provide their customers and the general public with an understanding of the purpose of and functionality provided by Carrier Selection and Carrier Pre-Selection. The Licensees shall use the common terms and definitions created and agreed upon by the Industry Forum to develop their customer education programs. The TRC will give approval to each Licensee's customer education program to ensure they are consistent with one another and meet the needs for all customers.

Consumer Protection

19. Each Operator shall agree to operate by a Code of Practice, to be jointly developed by the Operators participating in the Industry Forum.

Numbering Plan

20. Only the 15XX and 18XX ranges are to be used for individual Carrier Access Codes. Such codes will be assigned to individual Operators pursuant to procedures specified in the Numbering Regulations. The Numbering Regulations include the process and the requirements for obtaining and activating a Carrier Access Code.
21. In order to obtain Carrier Access Codes, the Operators/new entrants shall submit a standard request form and a letter signed by an authorized representative in which they agree to abide by a future Code of Practice as explained in the Terms of Reference found at 2.2.1.9.
22. Pre-existing codes being used by operators in the 15XX and 18XX ranges, currently in use for purposes other than CS/CPS, are grandfathered for their existing use only. The Operator using the code may release it for reassignment, and in such cases, the Numbering Regulations for Carrier Access Code assignment will be used for their reassignment. No codes in use as of the date of adoption of these Instructions may be used for CS/CPS unless released and reassigned pursuant to the above requirements.

Technical Issues

23. In instances where there are outstanding technical issues, the Operators' subject matter experts in the Industry Forum shall resolve those concerns.
24. The Industry Forum shall address billing system upgrades to allow for multiple international Carriers, specifically those that serve all or a separate set of countries with a separate set of rates.

Independent Billing

25. Independent billing is an interim solution to be replaced by Consolidated Billing and made available by the Primary Service Provider upon completion of required hardware and software upgrades no later than the in-service date for Carrier Pre-Selection.
26. All Operators who will launch Carrier Selection with Independent Billing and Carrier Pre-Selection are required to participate in the Industry Forum. Detailed technical solutions related to implementation of Carrier Selection with Independent Billing, shall be assigned to the Industry Forum for analysis or inter-operability concerns.

Code of Practice

27. The Code of Practice to be developed by the Industry Forum for the use of all Operators shall include the process to repair and restore a customer's service in the event the customer's international calling has been erroneously changed to an Alternative Service Provider without the customer's consent and may also include any monetary damages due to the customer and/or the affected Operator(s) along with the penalties and further enforcement actions that may be expected.
28. Any Licensee that causes a Primary Service Provider customer's calls to use the licensee's service without the customer's knowledge or consent shall compensate the customer's Primary Service Provider for the cost of reversing the customer to the correct Carrier. The burden of proof of customer consent is on the Carrier that acquires the customer. If there is insufficient proof of customer consent, the Carrier may be responsible for further damages to the customer, including the cost of international calls while on the Carrier's service, the cost to return the customer to its prior carrier, and may be subject to further enforcement actions and fines applied by the TRC.

Launch Dates

29. The launch date for Carrier Selection with Independent Billing shall be within five (5) months of the issuance of these Instructions.
30. The launch date for Carrier Pre-Selection shall be within ten (10) months of the issuance of these Instructions.
31. The launch for Carrier Pre-Selection shall include the provision that the Primary Service Provider will offer Consolidated Billing for all Operators who have already launched Carrier Selection with Independent Billing. Further, the Primary Service Providers shall offer Consolidated Billing for the Carrier Pre-Selection feature for all operators required to participate.
32. Any failure by a Primary Service Provider to meet the above deadlines will result in application of fines and penalties by the TRC. The Industry Forum may, however, petition the TRC to modify the above deadlines for good cause shown in the event any Primary Service Provider is unable to meet such deadlines. The reasons for such delay must be sufficiently documented by the Operator and presented to the Industry Forum at least 30 days prior to the applicable deadline. The specific problems as well as the options to overcome the obstacle to meet these launch dates will be reviewed by the Industry Forum.
33. The Industry Forum shall review the technical and commercial approach for the implementation of Carrier Selection and Carrier Pre-Selection. The final implementation schedule, final task lists and milestones as developed by the Industry Forum shall be submitted for TRC approval no later than three (3) months following the issuance of the Instructions.