

The Hashemite Kingdom of Jordan

TELECOMMUNICATIONS REGULATORY COMMISSION



**Public Consultation Document on
Key Performance Indicators (KPIs) for Wholesale
Services Instructions**

Key Performance Indicators (KPIs) for Wholesale Services

1. Purpose and Scope of these Instructions

1.1 Background

1. In 2005 the Telecommunications Regulation Commission (TRC) issued Interconnection Instructions by TRC Board Decision No. (2-1/2005) dated (5/1/2005) and amended by TRC Board Decision No. (18-11/2010) dated (15/6/2010). These Instructions, as may be amended from time to time, contain obligations to monitor the Designated Licensees compliance with its obligations.
2. In 2020, TRC issued its Regulatory Decisions on the Fixed and Mobile Markets Review by TRC Board Decisions No. (14-12/2020) dated (30/9/2020) and No. (6-12/2020) dated (30/9/2020) amended by decision No. (15-1/2021) dated (31/01/2021) . The ex-ante regulatory obligations contained in the Decision are made in the compliance with the TRC's duties and responsibilities under the Telecommunications Law and the Government's General Policy for the Information & Communications Technology and Postal Sectors, 2018.
3. The Decisions' Non-discrimination obligation requires a Designated Licensee to:
 - Provide products, services and associated facilities in the relevant market without discrimination on any price or material non-price elements, and offer equivalent conditions, prices and quality in equivalent circumstances for all licensees seeking access from the Designated Licensee.
 - The Designated Licensee must provide information to the TRC on a set of Key Performance Indicators (KPIs) to be specified by the TRC following a consultation. Their purpose will be to demonstrate that the Designated Licensee is compliant with its access and non-discrimination obligations.
 - The Designated Licensee must provide an annual Statement of Compliance with its above non-discrimination obligations, to be signed by an appropriate signatory within their organisation. The minimum content of a Statement of Compliance shall be further specified by the TRC.

4. These Instructions provide a framework for the measurement and reporting of Key Performance Indicators (KPIs) for Wholesale Services to monitor non-discrimination by the Designated Licensee based on defined parameters and measurements methodologies.
5. These Instructions are issued to compliment the Interconnection Instructions issued by the TRC in accordance with Articles 6(b), 6(j) and 12(a)(2) of the Telecommunications Law.

1.2 Scope of these Instructions

6. These Instructions apply to Designated Licensees' obligations as determined in the Market Review Regulatory Decisions.
7. These Instructions apply to all relevant Wholesale Services defined in the Market Review Regulatory Decisions and included in the Designated Licensees' Reference Interconnection Offer (RIO).
8. These Instructions provide definitions of Wholesale KPIs that shall be measured and reported by the Designated Licensees.
9. These Instructions are not an exemption from, or waiver of, any obligations defined elsewhere in the TRC's Regulatory Framework.

2. Interpretation

10. Individual Instructions containing the word 'shall' are mandatory requirements and are binding on the Licensees as explicitly expressed.
11. Individual Instructions containing the word 'should' are recommendations to Licensees but are not mandatory.
12. Individual Instructions containing the word 'may' are permissions to Licensees.

3. Definitions

13. In these Instructions, the following terms shall have the meanings assigned hereunder unless the context indicates otherwise. Terms not defined hereunder shall have the meanings assigned hereunder thereto in the Telecommunications Law (13) of 1995 as amended.
14. In the event of conflict or ambiguity between the terms defined herein and the terms defined in the Licences or in the Telecommunication Law then the following order of precedence shall apply:

- a. The Telecommunications Law;
 - b. These Instructions;
 - c. The Licence.
15. Capitalised words and phrases that appear in these Instructions shall have the meanings assigned to them in the Telecommunications Law, these Instructions and the Licences.
- a. **Designated Licensee** means a Licensee which the TRC has determined to have significant market power, or found to be dominant, in a relevant market.
 - a. **Interconnection Agreement** or **Agreement** means an agreement between two interconnected Licensees in accordance with the requirements of the Interconnection Instructions.
 - b. **License** means the authorization granted by the Commission or a contract or agreement signed by the Commission and a person to allow that person to establish, operate and manage a Public Telecommunications Network, or provide Public Telecommunications Services, or use Radio Frequencies pursuant to the provisions of this Law and the by-laws issued pursuant to it.
 - c. **Licensee** means A person who has acquired a License in accordance with the provisions of this Law.
 - d. **Operational Support System (OSS) / Business Support System (BSS)** means the systems used by Licensees to support the operation of the telecommunications network and services provided. The systems support functions including order management, service provisioning, network configuration, fault management, customer management, and billing.
 - e. **Reference Interconnect Offer (RIO)** means a publicly available document published by a Designated Licensee defining a standard set of technical and commercial terms by which the Designated Licensee offers Interconnection and Access Service to other Licensees. It forms the basis of a transparent offer by the Designated Licensee to contract with another Licensee through an Interconnection Agreement.

- f. **Telecommunications Law** or **Law** means the Telecommunications Law No 13 of 1995 of Jordan and its amendments.
- g. **Third Party** means an independent entity that is not affiliated to the TRC or any Licensee.
- h. **TRC** means the Telecommunications Regulatory Commission.
- i. **User** means a person who makes use of Public Telecommunications Services using telecommunications means.

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4. Key Principles

16. Imposing these KPIs for wholesale services (“KPIs”) should ensure that the quality of service provided by the Designated Licensee to other Licensees supports the overall user experience in relevant markets.
17. These KPIs should ensure that Services provided by Designated Licensees through their Interconnection Agreements meet the obligations placed on the Designated Licensees as determined in the Market Review.
18. The TRC reserves the right to publish any and all KPI data provided through these Instructions, so that comparative evaluation is available to all parties.

4.1 Transparency

19. The TRC aims to provide full visibility of the KPIs it will use to monitor the Designated Licensee’s Service performance including definitions, measurement methodology and potential threshold values for the KPIs.
20. By explaining the definitions, it ensures that all Licensees understand how KPIs are monitored by the TRC and to make sure that these indicators can be compared with the Licensees own measurements on a like-for-like basis.

4.2 Non-Discrimination

21. Non-discrimination is a key obligation of the Market Review. These Instructions further ensure that the principle of non-discrimination is adhered to by Designated Licensees. The TRC requires the reporting of KPIs to allow comparison between those services delivered by the Designated Licensee to its own retail service provider, or affiliated company with the performance of services that it provides to other Licensees.

5. Reporting and Monitoring

22. Designated Licensees shall provide KPI reports to the TRC twice a year (every six (6) months).
23. The reporting periods are (a) from the first day of January until the last day of June of the same calendar year, and (b) the first day of July to the last day of December of the same calendar year. Licensees are required to record data on a monthly basis and the monthly breakdown of data is to be provided in the reports to the TRC.
24. Each report shall provide monthly KPI information as well as cumulative for the six-month reporting period. Designated Licensees shall provide such reports to the TRC no later than one (1) calendar month following the end of the six-month reporting period.
25. Designated Licensee's respective reports will provide the data for each of the KPIs in a format as determined by the TRC. The TRC reserves the right to modify such reporting formats from time to time to ensure compatibility with TRC procedures and the Market Review Regulatory Decisions.
26. Each report shall include:
 - KPIs recorded by the Designated Licensee during that six-month period with the monthly breakdown per KPI;
 - KPIs for the performance of the Designated Licensee to its own affiliate business for each of wholesale Services within each relevant market as defined in the Market Review Regulatory Decision;
 - KPIs for the performance of the Designated Licensee to each of its wholesale customers (Licensee). Each Licensee shall be identified and reported separately in the report for each Service within each relevant market as defined in the Market Review Regulatory Decisions.
27. The TRC reserves the right to audit any Designated Licensee's KPIs data and/or reports that are submitted in accordance with these Instructions. Designated Licensees shall maintain all records and supplementary information necessary for the TRC to substantiate the submissions for a period as determined in the TRC related regulations.
28. The TRC has the right to request the Designated Licensees to provide any additional information including the raw data (e.g. reports and data provided

by systems, including OSS and BSS where appropriate) used to calculate KPIs. Designated Licensees shall respond to such request from the TRC within one (1) calendar month.

29. If a Designated licensee fails to submit the requested reports as detailed above in the identified timelines, the TRC has the right to impose penalties on that Designated Licensee.

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6. Key Performance Indicators

6.1 Overview

30. In determining KPIs for these Instructions, the TRC has taken into consideration international best practice and the recommendations of international standards organisations. The TRC has also considered the relevance of the KPIs for Designated Licensees and the compatibility of the indicators with the TRC's objective of ensuring that Services are provided transparently and without discrimination across all technologies by the Designated Licensee(s).
31. For all relevant services provided by the Designated Licensee, the Designated Licensee shall provide KPIs against which compliance with the non-discrimination obligation is to be measured, unless otherwise decided by the TRC.
32. The definitions of KPIs, methodology and threshold values are provided in Annex A.

6.2 KPI Thresholds

33. In these Instructions, minimum acceptable levels of performance (threshold with target value) have been defined as a guide for Designated Licensees to adhere to. These threshold target values have been defined based on international benchmarks and best practices.
34. The indicator thresholds that have been defined are indicative and primarily allow the TRC to monitor the performance of the Designated Licensees. However, if the TRC is provided with evidence of a degradation of particular indicators over a period of time, the TRC reserves the right to enforce particular KPIs (i.e. the TRC may mandate Designated Licensees to reach the defined minimum threshold for one or more specific KPI).

6.3 Changes to KPIs

35. The TRC may, at its discretion or identified market requirement, modify the criteria described in Annex A to these Instructions as well as any other reporting-related requirements.
36. The TRC may, at its discretion or as an identified market requirement, impose performance-level obligations upon a Designated Licensee for any and all KPIs upon the Designated Licensees.

6.4 Publication Specifications

37. At the TRC's discretion, the TRC may publish any and all KPI data related to these Instruction.

6.5 Audit of compliance

38. The TRC reserves the right to appoint an independent third-party company to conduct auditing activities on the measurement and reporting of KPIs by Designated Licensees.
39. The TRC may conduct, or instruct a third party to conduct, an audit to review KPIs data submitted by Licensees, to ensure accuracy and compliance. Audits can be conducted at the TRC's discretion.
40. The particular audit methodology will be determined by the TRC on a case-by-case basis.

6.6 Compliance and penalties

41. If a Designated Licensee fails to comply with these Instructions or any other TRC Regulation, and/or commits any breach of its obligations, the TRC reserves the right to impose penalties/fines as per the Telecommunication Law and the License..
42. The TRC has introduced performance-level thresholds for the KPIs defined in these Instructions. These indicative thresholds are guides for Licensees on a minimum acceptable level of KPIs for relevant wholesale services provided to other Licensees and are therefore primarily for monitoring.
43. However, if the TRC identifies evidence of non-compliance of a particular KPI(s) over a period of time, it reserves the right to enforce particular KPI(s) (i.e. mandate Licensees to provide a quality above the defined minimum threshold).
44. Degradation of service quality shall be corrected through a correction plan requested by the TRC from the Designated Licensee even if the degradation (or non-compliance or violation of the performance-level thresholds) happens only once. The TRC has the right to mandate the thresholds. If the Designated Licensee fails to provide and excute a correction plan, the TRC has the right to impose penalties on the Designated Licensee if such non-compliance is not justified.

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Annex A - Wholesale KPI definition and methodology

45. For each relevant service provided in a market that has been identified in the Market Review Regulatory Decisions as a market requiring *ex ante* regulation to remedy the identified competition problems (a relevant market) the Designated Licensee is subject to the obligation to measure and report to the TRC KPIs covering the following activities.

A.I Service Ordering and Provisioning

46. The measurement of a service provisioning time starts either at the order date or at the future start date as requested by the Licensee requesting the service. The measurement stops at the time and date that the service is provided to the Licensee requesting the service, as defined by the SLAs in the RIO.
47. The reporting of the KPIs is to be further broken down by a) each specific service type, and b) by Licensee to which the service is provided including the Designated Licensee's own affiliate business.
48. For each KPI identified below the Designated Licensee, in addition to the providing the performance against the KPI, should provide the inputs of the measurement formula (numerator and denominator) used in the calculation of each Wholesale KPI.

No.	Indicator	Definition	Methodology	Target value
A1	Percentage of Orders Rejected	Percentage of orders submitted that are rejected by the Designated Licensee in the measurement period	(Number of orders rejected) / (Total number of orders received)	< 5%
A2	Service Provision	Percentage of orders delivered within the SLA time or in agreed time set for service type in the measurement period	(Number of orders completed within the SLA or in agreed time) / (Total number of orders accepted)	> 95%
A3	Number of Orders Held over 10 Days (Waiting Orders)	Number of orders not completed within the SLA or the agreed time that have exceeded a delay of 10 Days (i.e. SLA target delivery date PLUS 10 days) in the measurement period.	(Number of orders completed more than 10 days later than SLA) / (Total number of orders exceeding SLA)	< 1%
A4	Age of Oldest Order	Age of oldest order	Number of days since order submitted for oldest order	
A5	Total Average Service Provision time	Average time to provide Service in the measurement period.	(Total time to delivery all orders in the measurement period) / (Number of Service orders delivered in the measurement period)	N/A

A6	Percentage of Order Service Availability (If an ordering portal / gateway is provided by the Designated Licensee)	Percentage of actual availability of a service ordering portal/gateway versus total committed availability of the ordering portal / gateway for service provision or service assurance, during the period in the measurement period.	(Actual availability time) / (Total committed availability)	> 99%
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A.II Service Assurance

49. The measurement of service assurance starts either at the time that the fault is reported by a Licensee taking a Service from the Designated Licensee. The measurement stops at the time and date that the Service is restored to the Licensee, as defined in the SLAs in the RIO.
50. The reporting against each of the KPIs is to be further broken down by a) specific Service type and b) by Licensee to which the Service is provided including the Designated Licensee's own affiliate business.
51. For each KPI identified below the Designated Licensee, in addition to the providing the performance against the KPI, should provide the inputs of the measurement formula (numerator and denominator) used in the calculation of each KPI.

No.	Indicator	Definition	Methodology	Target value
B1	Average Time to resolve a fault	Average time to a resolve a fault in hours and minutes in the measurement period.	(Total time to resolve all faults) / (Number of faults accepted)	N/A
B2	Percentage of New Service provision faults	Percentage of Service orders provided where a fault is reported within twenty-eight (28) calendar days of the Service being delivered, in the measurement period.	(Number of Service orders where a fault is reported within twenty-eight (28) calendar days of the Service being delivered) / (Total number of Service orders completed)	< 5%
B3	Fault Rate	Percentage of installed Service based reporting a fault in the measurement period.	(Number of faults reported per Service) / (Total installed Service base)	<10%
B4	Percentage of Repeat faults	Percentage of faults reported where further faults are reported within twenty-eight (28) calendar days in the measurement period.	(Number of repeat faults per Service) / (Total number of faults per Service)	< 5%

A.III Service Administration

52. The reporting against each of these KPIs is to be further broken down by Licensee to which the Service is provided including the Designated Licensee's own affiliate business.

53. For each KPI identified below the Designated Licensee, in addition to the providing the performance against the KPI, should provide the inputs of the measurement formula (numerator and denominator) used in the calculation of each KPI.

No.	Indicator	Definition	Methodology	Target value
C1	Percentage of Billing Complaints	Percentage of the number of billing complaints/concerns raised (by licensee) against the total number of invoices in the measurement period.	(Number of billing complaints/concerns raised) / (Total number of invoices)	< 5%
C2	Number of Service Credits Issued	Number of service credits issued owing to incorrect billing claims per billing period in the measurement period.	Number of service credits issued in billing period	N/A
C3	Billing Accuracy (Percentage of Bill Discrepancy)	Percentage of discrepancy between the "correct" billing amount and the amount originally invoiced in the measurement period.	(Total value of billing error) / (Total amount billed in the disputed invoice)	< 1%
C4	Average Time to Resolve Billing Issue	Average time to resolve a billing issue in the measurement period.	Total time (in days) for the Designated Licensee to resolve billing issues/Total number of resolved billing issues	N/A
C5	Number of Service Complaint	Service complaints (other than billing) received in the measurement period.	Total number of Service complaints received	N/A
C6	Percentage of Complaints Resolved in 14 days	Percentage of complaints (other than billing complaints) successfully resolved within fourteen (14) days of the complaint being received in the measurement period.	(Number of complaints successfully resolved within 14 days) / (Total number of complaints received)	>80%
C7	Average Time to Resolve Complaint	Average time to resolve a complaint (other than a billing complaint) in the measurement period.	(Total time to resolve all complaints successfully) / (Total number of complaints)	N/A

Annex B – Illustrative Reporting Format for KPIs

Licensee: _____

Reporting Period: From _____ to _____

KPI Reference Number: _____

KPI:

Service: _____

(one table for each Service provided by Designated Licensee)

Licensee		Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Total
	KPI							
	Numerator							
	Denominator							
	KPI							
	Numerator							
	Denominator							
	KPI							
	Numerator							
	Denominator							
	KPI							
	Numerator							
	Denominator							

Illustrative Worked Example

Licensee: **Designated Licensee A**

Reporting Period: From **January 2024** to **June 2024**

KPI Reference Number: **A1**

KPI: **Orders Rejected**

Service: **Bitstream Service**

Licensee		Jan 24	Feb 24	Mar 24	Apr 24	May 24	Jun 24	Total
Designated Licensee's own retail business	KPI	4%	4.67%	5%	5.26%	4.4%	0.95%	3.96%
	Numerator	8	7	9	10	8	2	44
	Denominator	200	150	180	190	180	210	1110
Licensee 1	KPI	1.25%	4.4%	6.67%	5%	5%	4.7%	4.5%
	Numerator	1	4	5	3	7	8	28
	Denominator	80	90	75	60	140	170	615
Licensee 2	KPI	4.2%	6.67%	4.3%	2.9%	2.5%	2%	3.7%
	Numerator	3	6	9	5	4	3	32
	Denominator	70	90	210	170	160	150	850
	KPI							
	Numerator							
	Denominator							