

**The Hashemite Kingdom of Jordan**

**TELECOMMUNICATIONS REGULATORY COMMISSION**



**Public Consultation Document on  
Interconnection, Infrastructure Sharing and Mobile  
National Roaming Instructions**

08 August 2024

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## Introduction

The Telecommunications Regulatory Commission (“TRC”) is the independent regulatory authority responsible for the regulation of the telecommunications, information technology and postal sectors in Jordan.

Article (6e) of the Telecommunications Law No. 13 of 1995 (The “Law”) requires the TRC to, among other duties, *stimulate competition in the telecommunications and information technology sectors, relying on market forces, and so regulating them as to ensure the effective provision of telecommunications and information technology services and to ensure that its regulation is sufficient and effective to forbid or curtail illegal competitive practices or prevent any person with a dominant position in the market from abusing his position, and to take all necessary steps in this regard.*

In line with this obligation, the TRC in 2020 concluded a comprehensive analysis of the telecommunications market in order to assess the level of competition. Based on this analysis the TRC has found that some regulatory measures should be adopted or amended in order to create the environment for effective competition and to minimise regulatory barriers to entry.

The TRC first issued Interconnection Guidelines in 2002. These were replaced by the Interconnection Instructions which were amended in 2010. The TRC has now undertaken an exercise to update its Interconnection Instructions.

The General Policy states that *ready access to essential resources and infrastructure at an economically justifiable cost is essential to ensuring that the telecommunications sector evolves. ... hence ..., the sharing of towers, masts, ducts and other physical infrastructure and the grant of rights of way are vital enablers. [28]* and *The Government requires the TRC to determine what changes to the regulatory regime are necessary and sufficient for infrastructure sharing to take place, and to make those changes. Government requires the TRC to enforce its decision regarding mandatory infrastructure sharing. [44]*

The TRC issued its Instructions for the construction and modification of radio Sites for the purpose of using frequencies by public telecommunications service providers. The TRC indicated in Article (C) that it would actively encourage mast sharing and other relevant facilities for wireless telecommunication Sites.

On 5 March 2005 the TRC issued a statement on the implementation of infrastructure sharing and national roaming for mobile Telecommunications operators in Jordan. The TRC decided to regulate the provision of Infrastructure Sharing under interconnection instructions and when found

feasible will issue the terms and conditions under which it will be provided, thus the issuance of these Instructions. In addition, the TRC indicated therein that the regulation of Mobile National Roaming will help to encourage mobile Licensees to reach an agreement on the provision of National Roaming between them according to the provisions of their respective licenses and that such agreement shall be approved by the TRC.

To ensure transparency, the TRC is undertaking this public consultation process to invite the Licensees and other relevant stakeholders to comment on the draft updated Interconnection Instructions annexed to this document. The final updated Instructions will be published following this public consultation process, following which the current Interconnection Instructions will be superseded by these Instructions.

## Objectives and scope of this consultation process

### Rationale for review

It is important that any regulation or frameworks adopted by the TRC remain up-to-date and fit for purpose. Recognising the changes that have taken place in the telecommunications sector in Jordan since the Instructions were published, the TRC has now undertaken an exercise to update the provisions of the Interconnection Instructions to better reflect the state of the market in the present day, including changes in technology.

In addition to these factors, there are also a number of legal and regulatory factors that require TRC to update the Instructions. In particular, pursuant to the ICT Policy of Jordan, the Government requires the TRC to review its instructions and regulatory decisions periodically and, where market conditions allow and where, in the judgment of the Commission it is appropriate, to amend such instructions and regulatory decisions in line with these conditions.

### Scope of the updated Instructions

As part of these amended Instructions, the TRC has reviewed the original Instructions to ensure that they align with and reflect the market review decisions for fixed markets, mobile markets, and dedicated capacity markets. Specifically, the outcome of those market reviews identified markets susceptible to *ex ante* regulation and provided a number of remedies to be applied to licensees found to be dominant on those markets. Those remedies included obligations of **transparency** and **non-discrimination** which are relevant to the interconnection and access markets and are central to the requirements of these updated Instructions.

The Instructions also set out additional guidance to licensees both dominant and non-dominant. In particular:

- The updated Instructions include IP interconnection services and updated technology to reflect the current status of the market.
- The updated Instructions have been revised to provide a level of future-proofing with regards to future market reviews as well as reflecting technological and regulatory developments in telecommunications markets through the use of international best practices.
- The updated Instructions clearly identify areas of the Instructions that are remedies from the Market Review decisions and therefore only applicable to Designated Licensees

In addition, the TRC published a consultation on draft instructions for Infrastructure Sharing and National Roaming in 2019.

Article (44) of the General Policy for the Information & Communications Technology and Postal Sectors 2018 states that *Government requires the Commission to determine what changes to the regulatory regime are necessary and sufficient for infrastructure sharing to take place, and to make those changes. Government requires the Commission to enforce its decisions regarding mandatory infrastructure sharing.*

To achieve this outcome the TRC has updated and amended the infrastructure sharing Instructions aligning it with the decisions of the market review and other relevant regulations in order to promote competition in the telecommunications market and to achieve the strategic objective of maintaining efficient regulation of the market.

In carrying out its review of the infrastructure sharing and national roaming instructions, the TRC has taken into account:

- the market review and ensures that the instructions align and do not contradict with the Market Review Decisions.
- Licensee's comments provided to the TRC during the last consultation process, where appropriate and acceptable.
- International regulatory best practices regarding infrastructure sharing and national roaming.

As a result of its detailed review of the Interconnection Instructions as well as consideration of the industry consultation on the Infrastructure Sharing Instructions the TRC has concluded that there is substantial benefit in providing a single set of instructions that cover:

- Interconnection;
- Infrastructure Sharing, and
- National Roaming.

The TRC's rationale includes that all three areas are covered by the same regulatory framework and therefore providing a single set of instructions, albeit with separate sections for each of the types of services, provide greater clarity and certainty for Licensees as well as providing a single regulatory framework, set out in a single document, that allows the TRC to regulate these important issues.

## The Public Consultation Process

This Public Consultation Document will be available on the TRC website. Interested parties are invited to provide comments and observations to the TRC within a period of 30 working days as of the publication of this document.

Any comments provided in response to this Public Consultation Document should be provided in hard and soft copy with a cover letter (both in PDF and Word format) to the following address:

Bayader Wadi Al Seer District Deir ghbar Area Extension of Alshaheed Mohamad Al Zoghoul Street. Building No (13) P.O.Box: 850967 Amman 11185 Jordan

**E-mail to: [interconnection-consultation@trc.gov.jo]**

The TRC invites comments on this consultation from all interested parties. The TRC encourages respondents to support all comments with relevant arguments and if relevant, data, analysis, benchmarking studies and information based on the national situation or on the experience of other countries. Indeed, it may give greater weight to comments supported by such evidence.

The TRC welcomes any comments/observations regarding any matter of relevance in the draft Instructions. In doing so, respondents should indicate the Article number of the draft Instructions to which their comment refers.

The TRC also appreciates that some of the issues raised in the Public Consultation document might require that respondents provide confidential information in support of their comments. Respondents are therefore requested to identify clearly any such confidential material and to include it in a separate annex to their response.

The TRC is under no obligation to adopt the comments of any respondent.

The TRC will complete this Consultation process by publishing a Position Statement which will set out the TRC's response to the more substantive comments identified across the consultation responses, along with the final updated Interconnection Instructions.