

15 October 2019

Mr. Charles Punaha  
Chief Executive Officer  
National Information and Communications Technology Authority  
Section 34 Allotment 19 & 20  
Frangipani Street, Hohola  
P.O Box 8444  
**BOROKO**  
National Capital District

“By email:  
[consulation.submission@nicta.gov.pg](mailto:consulation.submission@nicta.gov.pg)”

Dear Mr. Punaha,

**Submission on NICTA’s Consultation paper on Draft Rule on Telecommunications  
Quality of Service Performance Monitoring**

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We refer to the above.

The *Consultation Paper on Draft Rule on Telecommunications Quality of Service Performance Monitoring*, issued on 17 September, 2019 relating to mobile telephony services and broadband internet services have been reviewed and comments, questions and issues concerning the draft Rule are provided in “Annexure A” attached herewith for NICTA’s consideration.

If you have any query, please contact Bmobile Limited’s Legal, Regulatory and Compliance Division on 325 9400 or email [legal@bmobile.com.pg](mailto:legal@bmobile.com.pg).

Yours faithfully,



**Steven V. Saki**  
Legal Officer- Legal, Regulatory and Compliance

## Annexure A

### **Bemobile Limited's Submission on the Consultation Paper on Draft Rule on Telecommunications Quality of Service (QOS) Performance Monitoring (Consultation Paper)**

Bemobile Limited (Bemobile), as a Licensee provides mobile telephony and mobile broadband services which are subject for monitoring under this *Draft Rule on Telecommunications (Quality of Service) Rule 2019* (the **Rule**). Below are comments/questions on this draft Rule:

#### **1. NICTA's use of QOS measurement reports**

- i. The draft Rule do not make clear how NICTA will use the information received from licensees and what will NICTA do to these QOS reports.
- ii. Upon submission of these QOS measurement reports, the draft Rule do not specify what approaches will NICTA take to revert back to licensees concerning the QOS standards.
- iii. If the QOS standards required by NICTA under the *Standard and Special Conditions of Individual Licenses Rule 2011* are found not met by licensees through the QOS measurement reports, the draft Rule do not specify whether NICTA will ensure this low QOS are rectified.
- iv. The Consultation Paper proposes that QOS reports received by NICTA from licensees may in time help customers to make better choice. The draft Rule do not disclose how QOS reports will be used for public awareness/consultation.

#### **2. Areas for QOS measurements**

Bemobile services are provided by radio transmission and are therefore available only within the range of our Network's base stations. Both QOS and availability of services are affected by radio interference due to physical obstruction, geographic and atmospheric conditions and by technical faults or other defects in the Network and other circumstances which may be beyond Bemobile's reasonable control. Bemobile's concern is;

- i. Due to the above reasons that may affect the QOS, QOS may not be the same in all main centres, mid-size centres, administrative districts and other localities. The draft Rule do not specify whether QOS will be measured in each of the main centres, mid-size centres or administrative districts.
- ii. QOS Parameter can be also be affected based on the above factors.

### 3. Confidentiality

By reviewing the Rule raises the question of confidentiality of measurement reports release by Licensees under this Rule. The draft Rule do not reassure confidentiality of information released by Licensees:

- i. How will NICTA make public such confidential information without breaching confidentiality?
- ii. The Consultation Paper provided that the QOS monitoring under the Rule “may in time help customers to make better informed choices”. The Rule do not have a clear reference to question of confidentiality under Section 44 of the NICTA Act and also on how such reports are in the wider public interest to be published or disclosed by NICTA.
- iii. QOS parameter & Criteria form determines competition between services providers in areas where Licensees’ mobile network can be accessed. Provided under the draft Rule for service measurements to be provide to NICTA, the Rule does not give confidentiality undertakings that such information may not be used by the Licensee’s competitors in terms marketing strategies to draw in customers.

### 4. QOS Parameter

Given that NICTA have proposed each of the criteria which are relevant quality parameter and are standardized, that should be able give NICTA an indication of service provider’s performance and QOS. No alternate proposal for a standardized quality parameter can be provided at this time.

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