



**NATIONAL
BROADCASTING
CORPORATION**

NBC BROADCAST HAUS
P.O Box 1359
Boroko, NCD,
Papua New Guinea
5 Mile Hubert Murray Highway Tel: 325 5233
Web: www.nbc.com.pg

Office of the Managing Director

File Ref: *nicta-001/25*

17th June, 2025

Mr. Kila GULO-VUI,
Chief Executive Officer,
National Information and Communications Technology Authority,
P.O Box 8444,
BOROKO 111,
National Capital District.

Dear Mr. Kila Gulo-Vui

**RE: RESPONSE TO NOTICE OF PUBLIC INQUIRY INTO THE POTENTIAL
DECLARATION OF CERTAIN WHOLESALE SERVICES.**

NBC acknowledges receiving your letter dated 14th May 2025, subject: **NOTICE OF PUBLIC
INQUIRY INTO THE POTENTIAL DECLARATION OF CERTAIN WHOLESALE SERVICES**
on the 15th May, 2025.

Whilst NBC appreciates the efforts of NICTA in regulating the national ICT Industry, it is of
the view such Declaration of Certain Wholesale Services should extend to cover collocation
Landing Sites and subsequent agreements that follows.

In light of the above, NBC has studied in detailed this public consultation, questionnaires and
hereby makes this submission on the due date today before 5:00 pm 11th June, 2025.

Should you have any enquiries please contact Executive Director Engineering & Technical
Services, Mr. Seloka Lewangu on email: slewangu@nbc.com.pg, slewangu@gmail.com or
mobile: **71889504 or 78011880**.

Yours sincerely,


Michael Samuga

Acting MANAGING DIRECTOR



**NATIONAL
BROADCASTING
CORPORATION**

NATIONAL BROADCASTING CORPORATION (NBC) INTEREST ANALYSIS

Public Inquiry into the Potential Declaration of Certain Wholesale Services:

- WHOLESALE INTERNATIONAL DEDICATED SUBMARINE CABLE CAPACITY SERVICE.
- INTERNATIONAL SUBMARINE CABLE FACILITIES ACCESS SERVICE.
- WHOLESALE LONG-HAUL DEDICATED CAPACITY SERVICE.
- WHOLESALE LOCAL DEDICATED CAPACITY SERVICE.
- WHOLESALE INTERNET ACCESS SERVICE.

NATIONAL BROADCASTING CORPORATION (NBC) INTEREST ANALYSIS

Public Inquiry into the Potential Declaration of Certain Wholesale Services

1. EXECUTIVE SUMMARY

- 1) National Broadcasting Corporation (NBC) carries out its legislative functions within the boundaries set by National Information Communications Technology Authority (NICTA) and it is fully aware that amendments to the Potential Declaration of Certain Wholesale Services may have an impact on its public services.
- 2) The amendments to the additional Wholesale Services require further technical evaluations and require detailed technical information.
- 3) NBC is aware that its network at the core network and its access points connect at various geographically points within the country, hence are subjected to NICTA Regulations including the subsequent Service Pricing Principles.
- 4) NBC is of the view that declared services and subsequent Service Pricing Principles be extended to cover public services offered on cost recovery basis.
- 5) Site owners where Dataco collocate for its Landing Sites, the roles of all the parties should be clearly defined in a revised formal arrangement.
- 6) Subsequent collocation lease fees in accordance with cost base pricing for respective Declared wholesale Services Land sites owned by external site owners should be clearly defined.
- 7) NBC participation in this inquiry signifies that NBC fully supports NICTA and will continue to operate its public services within set regulatory frameworks.



2. WHOLESALE INTERNATIONAL DEDICATED SUBMARINE CABLE CAPACITY SERVICE

The long haul dedicated capacity service is a network service for carrying traffic between two points of the access provider's fibre optic network within the national territory of Papua New Guinea and one point outside of Papua New Guinea as defined by the NICTA's subject discussion paper (**page 15**).

Question 1: Do you agree with this market definition. If you do not, please explain your reasons.

After analysing paragraphs 1 to 42, Yes.

The exact definition of a geographic market however must show some flexibility especially considering the wholesale service is supplied in part within the specific geographic location.

Question 2: Do you agree that the proposed declaration fulfills the declaration criteria in Section 128(a) and (b) by furthering the achievement of the competition objective. If you do not, please explain your reasons.

After analysing paragraphs 43 to 49, Yes agreed especially promoting effective competition in the downstream markets.

Question 3: Do you agree that the proposed declaration fulfills the declaration criteria in Section 128(a) and (c) by furthering the achievement of the efficiency objective. If you do not, please explain your reasons.

After analysing paragraphs 50 to 56, Yes agreed especially access or increase to the wholesale service as a consequence of declaration. However, more industry awareness is required.

3. INTERNATIONAL SUBMARINE CABLE FACILITIES ACCESS SERVICE

The international submarine cable facilities access service is a facilities access service that provides an access seeker with such access to, or use of, the facility or facilities of an access provider.

Question 4: Do you agree with this market definition? If you do not, please explain your reasons.

After analysing paragraphs 58 to 65, Yes agreed given its argument the market is within the geographic territory of PNG.

NBC request clarifications or variation to page 12 clause 6.1 Service Characteristics b) Physically collocate its facilities, if technically feasible, in any available space within the access provider's (Dataco) cable landing station; and/or. This statement is ambiguous.

Given that DATACO landing sites collocate on most National Broadcasting Corporation (NBC) sites around the country. Therefore roles of the site owners and access providers should be clearly defined through a revised formal arrangement and subsequent lease pricing.

Question 5: Do you agree that the proposed declaration criteria in section 128 (a) and (b) by furthering the achievement of the competition objective? you do not, please explain your reasons.

After analysing paragraphs 66 to 68, Yes agreed given its argument that the access provider in this scenario Dataco still has the ability to sell in the retail market therefore proposed declaration fulfills the criteria of Section 128 (a) and (b), thereby allowing increase access to the wholesale service as a consequence of declaration by the access seekers.



Question 6: Do you agree that the proposed declaration full fills the declaration in criteria in section 128 (a) and (c) by furthering the achievement of the efficiency objective? you do not, please explain your reasons.

After analysing paragraphs 69 to 72, Yes agreed given its argument achieving efficiency in the Interconnections and Wholesale Access services amongst the access providers (Dataco) and access seekers.

However some of the factos under section 124(2) of the Act that should be considered in determining whether a proposed declaration would likely achieve the efficiency objective, again given that DATACO landing sites collocate on most National Broadcasting Corporation (NBC) sites around the country. Therefore roles of the site owners and access providers should be clearly defined through a revised formal arrangement and subsequent lease pricing.

4. WHOLESALE LONG-HAUL DEDICATED CAPACITY SERVICE

In brief, the long haul dedicated capacity service is a network service for carrying traffic between two points of the access provider's fibre optic network within the national territory of Papua New Guinea.

This wholesale service involves the provision of domestic dedicated capacity from a point of interconnection to a second point of interconnection within national territory of Papua New Guinea.

Question 7: Do you agree with this market definition? If you do not, please explain your reasons.

After analysing paragraphs 73 to 87, Yes agreed given its argument Dataco, is the sole provider of this service in the territory of Papua New Guinea. No other close substitutues can compete in this market.

Question 8: Do you agree that the proposed declaration full fills the declaration in criteria in section 128 (a) and (c) by furthering the achievement of the competition objective? If you do not, please explain your reasons.

After analysing paragraphs 88 to 94, Yes agreed given its argument promoting effective competition in the retail ICT services as well as Interconnections and Wholesale Access services.

Question 9: Do you agree that the proposed declaration full fills the declaration in criteria in section 128 (a) and (c) by furthering the achievement of the efficiency objective? If you do not, please explain your reasons.

After analysing paragraphs 88 to 94, Yes.

However, under section 124(2) of the Act, amongst factors that be considered in determining whether a proposed declaration would likely achieve the efficiency objective, again given that DATACO landing sites collocate on most National Broadcasting Corporation (NBC) sites around the country. Therefore roles of the site owners and access providers should be clearly defined through a revised formal arrangement and subsequent lease pricing.

5. WHOLESALE LOCAL DEDICATED CAPACITY SERVICE.

The wholesale local dedicated capacity service is a network service for carrying traffic between two points of the access provider's fibre optic network within the limits of a city or a metropolitan area.

Dataco is the sole provider of this wholesale service.

Question 10: Do you agree with this market definition? If you do not, please explain your reasons.

After analysing paragraphs 102 to 111, Yes agreed to this market definition given its argument Dataco, is the sole provider of this service in the urban areas in the

territory of Papua New Guinea and is expected to grow in the coming years. No other close substitutes can compete in this market.

Question 11: Do you agree that the proposed declaration full fills the declaration in criteria in section 128 (a) and (c) by furthering the achievement of the competition objective? If you do not, please explain your reasons.

After analysing paragraphs 102 to 111, Yes agreed given its argument promoting effective competition in the retail ICT services as well as several retail downstream markets.

Question 12: Do you agree that the proposed declaration full fills the declaration in criteria in section 128 (a) and (c) by furthering the achievement of the efficiency objective? If you do not, please explain your reasons.

After analysing paragraphs 119 to 125, Yes agreed given its argument this increase in efficiency to increase in access thereby triggering high return on investment.

6. WHOLESALE INTERNET ACCESS SERVICE.

Wholesale internet access service is a network service for accessing the global Internet using high capacity port from any location where the access provider has a point of presence in Papua New Guinea. It provides Internet transmission capacity over the access provider's fibre optic network including internet transmit to the global Internet.

Question 13: Do you agree with this market definition? If you do not, please explain your reasons.

After analysing paragraphs 126 to 135, Yes agreed given its argument Dataco's point of presence have been growing over the years and this trend is expected to grow with the number of all 44 districts connected in Papua New Guinea. No other close substitute can compete in this market.



Question 14: Do you agree that the proposed declaration full fills the declaration in criteria in section 128 (a) and (c) by furthering the achievement of the competition objective? If you do not, please explain your reasons.

After analysing paragraphs 136 to 142, Yes agreed given its argument promoting effective competition noting Dataco and Telikom PNG which competes in the retail market are under one parent parent.

Therefore declaration is appropriate.

Question 15: Do you agree that the proposed declaration full fills the declaration in criteria in section 128 (a) and (c) by furthering the achievement of the efficiency objective? If you do not, please explain your reasons.

After analysing paragraphs 143 to 148, Yes agreed given its argument this propose declaration would not compromise the access provider's incentive for efficient investment.

ends