



Public Inquiry Notice

Under the authority of section 127(2)(a) of the National Information and Communications Technology Act 2009 (the Act), NICTA has decided to inquire into and report on whether the domestic mobile terminating access service and/or the domestic fixed terminating access service should continue to be declared services under section 130 of the Act following the expiry of the existing declarations of those services on 31 December 2014.

The inquiry is expected to be conducted over a period of three (3) months, commencing with the publication of a public discussion paper on Monday, 1st September 2014. The inquiry is intended to be paper-based (i.e. rely on written submissions and evidence) and is not expected to involve any public hearings.

Terms of Reference

The terms of reference of the inquiry is for NICTA to:

- (a) analyse the extent of competition in the markets for call termination on each mobile network and on each fixed network;
- (b) consult with the Independent Consumer and Competition Commission, operator licensees, and any other relevant parties or government agencies;
- (c) form a view as to whether or not those markets are effectively competitive; and, if any is not effectively competitive,
- (d) consider whether the declaration by the Minister of any particular wholesale service or services in those markets—in particular the domestic mobile terminating access service and the domestic fixed terminating access services—would satisfy the declaration criteria specified in section 128 of the Act;
- (e) determine whether or not NICTA should recommend to the Minister that one or more wholesale services in those markets be declared, or continued to be declared, under section 130 of the Act; and, if such a recommendation should be made,
- (f) specify the recommended terms of the declaration(s) and the recommended expiry date(s) for the declaration(s).

In accordance with section 231(d) the discussion paper for this inquiry is currently available on the NICTA website (www.nicta.org.pg) and shall remain there until taken down, which, if it occurs, will not be before 1 January 2015. In addition a paper copy of the discussion paper will be available at NICTA's office from 1 September to 30 November 2014.

The notice fulfils the requirements of section 231 of the Act.

Authorised by

Charles S. Punaha
Chief Executive Office