



National Information and Communications Technology Authority

Public Notice

Public Inquiry: Mobile & Fixed Terminating Access Services

The National Information and Communications Technology Authority (NICTA) has decided in accordance with Section 127 of the National Information and Communications Technology Act 2009 (the Act) to conduct a public inquiry under Section 230 of the Act into whether recommendations should be made to the Minister to declare certain wholesale services. A wholesale service determination is a regulation that is made by the Minister, based on a recommendation from NICTA, which can specify the terms of access to the service by licensed operators and also to impose a non-discrimination obligation on the provider of that declared service.

The terms of reference of the inquiry require NICTA to:

- (a) analyse the extent of competition in domestic telecommunications markets with a particular focus on the geographical areas outside the provincial capitals where practicable and appropriate; and
- (b) form a view as to whether or not those markets are effectively competitive; and, if any is not,
- (c) consider whether the declaration by the Minister of any particular wholesale service or services in that market would satisfy the declaration criteria specified in section 128 of the Act; and
- (d) determine whether or not NICTA should recommend to the Minister that one or more wholesale services in that market be declared under section 130 of the Act; and, if such are commendation should be made, and
- (e) specify the recommended terms of the declaration(s) and the recommended expiry date(s) for any such declaration(s).

A discussion paper for the purposes of Section 232 of the Act is available on NICTA's website (www.nicta.gov.pg) from **Friday 21 October 2022**. The public inquiry shall commence from that date and end in early by or before December 2022. Up to date information on the inquiry shall be available from NICTA's website. All written submissions should be submitted by email to: consultation.submission@nicta.gov.pg by close of business, **Friday November 4, 2022**. Copies of the submissions received will be published on NICTA's Public Register consistent with the requirements under subsection 229(3) of the Act. Any respondent that wishes to claim confidentiality over information that it submits should follow the procedures set out in the current guidelines on the submission of written comments to public consultations and public inquiries, which are also available from NICTA's Public Register at www.nicta.gov.pg

For further enquiries contact Mr. Polume Lume, Acting Director, Economic, Consumer & International Affairs on telephone 3033272 during business hours or email: plume@nicta.gov.pg.

This notice fulfils the requirements of Section 231 of the Act.

Kila Gulo-Vui
Chief Executive Officer