



National Information and Communications Technology Authority

## Public Notice

### PUBLIC INQUIRY– POTENTIAL RETAIL SERVICE DETERMINATION IN RELATON TO VOICE AND DATA SERVICES – ON-NET/OFF-NET VOICE AND MESSAGING SERVICES

On 18 March 2022, the National Information and Communications Technology Authority (NICTA) commenced a Public Inquiry into a potential retail service determination in relation to voice and data services.

#### The terms of reference of the inquiry are to consider:

- whether or not a recommendation should be made to the Minister under section 159 of the National Information and Communications Technology Act 2009 (the Act) that:
  - national voice services supplied by Digicel;
  - mobile data services supplied by Digicel; and
  - fixed data services supplied by Telikom.should be subject to retail service determinations to control price levels, and, in the case of (a) to prohibit price discrimination between on-net and off-net calls; and, if so;
- the appropriate terms of such a retail service determination; and
- the extent to which those terms would meet the retail regulation criteria in section 158 of the Act.

Following the first phase of the Public Inquiry, and taking into account comments in submissions from operators and other interested parties, and having regard to new competitive entry into the market, NICTA decided not to proceed with any form of price capping for these services. However, the issues associated with price discrimination and differentials between on-net and off-net voice and messaging services were raised. The second phase of the Public Inquiry has now commenced into whether a draft retail service determination that NICTA has prepared is appropriate to address the issues raised.

A discussion paper for the purposes of Section 232 of the Act is available on NICTA's website ([www.nicta.gov.pg](http://www.nicta.gov.pg)) from **Friday October 21, 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](mailto: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](http://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](mailto:plume@nicta.gov.pg).

This notice fulfils the requirements of Section 231 of the Act

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Chief Executive Officer