

Order No. 3/2001

BEFORE THE PUBLIC UTILITIES COMMISSION**In the matter of the
Public Utilities Commission
Act No. 10 of 1999****-and-****In the matter of an application by
the Caribbean Telecommunica-
tions Limited for interconnection
arrangement with the facilities of
Guyana Telephone and Telegraph
Company Ltd.****PRESENT WERE:**

Prem Persaud, C.C.H.	-	Chairman
Hugh George	-	Member
John Willems, A.A.	-	Member
Chandraballi Bisheswar	-	Member
Badrie Persaud	-	Member

APPEARANCES:

Caribbean Telecommunications Ltd.	-	Dr. Lloyd Subryan
	-	Mr. P.D. Singh
	-	Mr. Nigel Hughes- Attorney-at-Law

Guyana Telephone and
Telegraph Company Ltd.

- Ms. Sonita Jagan
- Mr. Godfrey Statia
- Mr. Gene Evelyn
- Mr. K. Massiah, S.C. –Attorney-at-law
- Mr. Rex McKay S.C.- Attorney-at-Law
- Mr. M. Fitzpatrick, S.C.-Attorney-at-Law

Guyana Consumers' Association
And Consumers Advisory Bureau

- Ms. E. Cox, Chairperson

The matter engaged the attention of the Commission and was heard on the 14th December 2000: 10th January 2001: 15th March 2001: 16th March 2001: 29th March 2001 and 23rd April 2001.

DECISION

By Order No. 4/97 dated 27th October, 1997, the Public Utilities Commission under the Chairmanship of Mr. P.J. Menon, granted interconnection to the applicant Company to operate in the Berbice Area. The Order dealt with two areas and referred to the locations for which the application was granted. As the Commission noted "CTL proposed initially to provide its services at Skeldon and New Amsterdam".

The applicant Company subsequently applied to the Commission in the year 2000 seeking interconnection in Georgetown basing its claim on the grounds that the Order 4/97 encompassed the entire country. It accordingly seeks an Order that the Commission orders GT&T to grant same, since requests to GT&T have failed to move them.

The applicant Company wants the Order for interconnection to be made, and when they have set up business, then the agreement with GT&T concerning all the relevant issues will be worked out.

This Commission is wary of such an approach. Order 4/97 stipulated that GT&T should grant interconnection facilities for CTL's Cellular Radio telephone Service, and pending a final decision CTL and GT&T shall share CTL's domestic long and net international revenues: and it went on, "when we make a final decision in the matter, adjustments found necessary in regard to sharing of revenues will be made which, if so required in the interest of justice, will be made retrospectively."

The matter was never finalised and is now in dispute between the parties. CTL is claiming that GT&T owes it about sixteen million dollars (\$16,000,000), whereas GT&T contends that this is false, but that CTL owes it instead about a half a million dollars (\$500,000).

This Commission invited CTL to pursue the claim before us and advised by Order dated 14th December 2000, that the terms and conditions be worked out between the parties, and they were at liberty to seek the assistance of staff of the Commission.

Counsel for the applicant Company explained that negotiating with GT&T was a waste of time and he did not hold out any prospect for success. He said his client will go through the motion.

GT&T has filed draft copies of an agreement, specification, index, service description, definition and tariff schedules. But despite requests to the applicant Company by the Commission to submit answers and counter proposals, none was forthcoming. They were insisting that they were entitled to interconnection per se. Their Counsel urged that they are entitled to interconnection in Georgetown; that the Commission has the power at any stage to make recommendation or to determine the rate. "But let us have connection" he urged.

At the sittings we heard important and interesting discussions and contributions from both Mr. Hughes for the applicant Company and representatives of GT&T. They touched on interconnection, rates and co-location. Counsel for CTL was maintaining that

the Commission should grant interconnection and then fix rates and other charges at a later stage.

CTL eventually submitted tariff of their proposed rates only on the 19th April, 2001, and the Commission considered that also. But CTL has not provided any information with respect to the cost to terminate a call on its network. The Commission accordingly considered the submissions by GT&T, and international benchmark for fixed and mobile networks termination.

We accordingly make the following orders:

(a) That GT&T grant interconnection facilities for CTL's Cellular Radio Telephone Service and allow switching on of CTL's Cellular Radio Telephone Service on or before 31st May 2001.

(b) that GT&T facilitate co-location of CTL's apparatus at their premises:

(c) having accepted the tariff submitted and requested by CTL, we order that the following rates be charged to CTL's customers —

(i)	Activation fee	\$4,500.00
(ii)	Re-activation fee	\$1,000.00
(iii)	Monthly access charge	\$2,150.00
(iv)	Free minutes-airtime	First 20 minutes per month
(v)	Peak hours rates	\$40.00 per minute
(vi)	Off peak hour rates	\$25.00 per minute
(vii)	Peak Hours	6.00 a.m. to 6.00 p.m. Mondays to Fridays
(viii)	Off Peak hours	6.00 p.m. from Fridays until 6.00 a.m. on the following Monday, and all public holidays,

(d) International Rates

(i) Outbound international calls

CTL customers shall pay the following rate for outbound international calls –

CTL approved airtime rates above set-out, plus the international rates approved by the Commission as hereby set out in the attachment hereto.

CTL is ordered to pay to GT&T the international settlement rate plus the interconnection charge to GT&T's fixed network for outbound international calls.

(ii) Incoming International Calls

With respect to incoming international calls to CTL's network, GT&T is ordered to split the international settlement rate in the rate of 50/50 with CTL.

There shall be no charge levied on customers for incoming international calls.

(e) For the connection and administrative charge CTL shall pay to GT&T a one time payment of US\$5000: before the interconnection is made.

(f) In terms of Section 41 of the Public Utilities Commission Act No. 10 of 1999 CTL cannot demand or receive a greater or lesser rate than the rates specified above but it shall be lawful for it, with the permission of the Commission to demand and receive from a consumer any special rates agreed by the customer and the Utility.

Interconnection Rates

CTL shall pay to GT&T the following as interconnection rates from CTL's Mobile Service:-

- from mobile to fixed **\$7.00 per minute**
- from mobile to mobile **\$7.00 per minute**

GT&T shall pay to CTL the following interconnection rates from GT&T to CTL Mobile Service, namely:-

- from fixed to mobile **\$7.00 per minute**
- from mobile to mobile **\$7.00 per minute**

All the above rates are temporary rates to be revisited within six months. They are inclusive of interconnection charges. In terms of Section 70 and 83 of the Public Utilities Commission Act No. 10 of 1999, the **Commission further orders that at the end of each month commencing June, 2001 CTL shall submit to the Commission the following:**

- (i) call minutes to its Mobile Network
 - (a) from its own mobile network
 - (b) from GT&T's mobile network
 - (c) from GT&T's fixed line
- (ii) call minutes from CTL's Network
 - (a) to its own mobile network
 - (b) to GT&T's mobile network
 - (c) to GT&T's fixed line
- (iii) amounts payable and receivable from GT&T.

- (iv) number of customers at the end of each month, and
- (v) Both CTL and GT&T must send reports to each other within fifteen (15) days of the close of each month, specifying detail type of traffic and appropriate charges, and each should settle with the other payment within fourteen (14) days of such report. **Copies of these reports must be filed with the Commission.**

Our findings reflect the current intentions of the Commission, based on information available to it at this time. They do not represent a fixed commitment and may be changed in light of new information.

We invite both parties to meet as early as possible hereafter, to work out and seek to agree to such terms and conditions necessary for a smooth working relationship between themselves and in the interest of the consumers. Should they fail to agree they are at liberty to approach the Commission who will seek to resolve their differences.

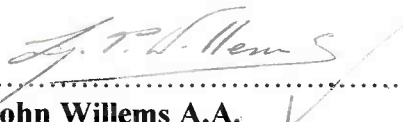
Dated this 8th day of May, 2001.



Prem Persaud C.C.H. - Chairman



Hugh George - Member



John Willems A.A. - Member



Chandrabali Bisheswar - Member



Badrie Persaud - Member



COUNTRY	PEAK RATES	OFF PEAK RATES	COUNTRY	PEAK RATES	OFF PEAK
1. AFGHANISTAN	500.9	350.63	36. CAYMAN ISLANDS	102.34	71.64
2. ALASKA	267.7	187.39	37. CENT. AFR. REP.	416.54	291.58
3. ALBANIA	189.14	132.4	38. CHAD	416.54	291.58
4. ALGERIA	441.33	308.93	39. CHILE	304.02	212.81
5. AMERICAN SAMOA	189.14	132.4	40. CHINA	473.75	331.63
6. ANDORRA	349.52	244.66	41. COLUMBIA	306.24	214.37
7. ANGOLA	363.15	254.21	42. COMORCS	416.54	291.58
8. ANGUILLA	91.68	64.18	43. CONGO REPUBLIC	439.5	307.65
9. ANTIGUA	72.24	50.57	44. COOK ISLANDS	189.14	132.4
10. ARGENTINA	344.59	241.21	45. COSTA RICA	266.98	186.88
11. ARUBA	147.76	103.43	46. CUBA	366.46	256.52
12. ASCENSION ISLS.	439.42	307.6	47. CYPRUS	266.15	186.3
13. AUSTRALIA	281.73	197.21	48. CZECHOSLOVAKIS	386.02	270.21
14. AUSTRIA	351.15	245.81	49. DENMARK	378.78	265.15
15. AZORES	377.31	264.12	50. DJIBOUTI	270.18	189.12
16. BAHAMAS	345.33	241.73	51. DOMINICA	112.49	78.74
17. BAHRAIN	336.57	235.6	52. DOMINICAN REP.	330.72	231.5
18. BANGLADESH	437.79	306.45	53. ECUADOR	329.7	230.79
19. BARBADOS	72.24	50.57	54. EGYPT	500.96	350.67
20. BELGIUM	369.74	258.82	55. EL SALVADOR	455.01	318.51
21. BELIZE	328.18	229.72	56. EQUATORIAL GIUNEA	270.18	189.12
22. BENIN	416.54	291.58	57. ERITREA	379.07	265.35
23. BERMUDA	101.41	70.99	58. ESTONIA	381.12	266.78
24. BHUTAN	270.18	189.12	59. ETHIOPIA	553.49	387.44
25. BOLVIA	417.52	292.26	60. FAEROE ISLANDS	302.11	211.48
26. BOTSWANA	378.94	265.26	61. FALKLAND ISLANDS	490.1	343.07
27. BRAZIL	271.68	190.18	62. FIJI	302.11	211.48
28. BRUNEI	405.1	283.57	63. FINLAND	357.69	250.38
29. BULGARIA	379.11	265.38	64. FRANCE	342.24	239.57
30. BURKINA FASSO	439.42	307.6	65. FRENCH GUIANA	249.8	174.86
31. BURUNDI	416.54	291.58	66. FRENCH POLYNESIA	303.75	212.62
32. CAMEROON	416.54	291.58	67. GABON	367.5	257.25
33. CANADA	134.5	94.15	68. GAMBIA	418.17	292.72
34. CANARY ISLANDS	377.31	264.12	69. GERMANY	329.38	230.56
35. CAPE VERDE	445.28	311.69	70. GHANA	412.05	288.43

COUNTRY	PEAK RATES	OFF PEAK RATES	COUNTRY	PEAK RATES	OFF PEAK
71. GIBRALTAR	334.81	234.36	106. LIBERIA	499.91	349.94
72. GILBERT ISLANDS	154.4	108.08	107. LIBYA	358.68	251.08
73. GREECE	427.36	299.15	108. LITHUANIA	322.26	225.58
74. GRENADA	91.68	64.18	109. LUXEMBORG	421.44	295.01
75. GUADELOUPE	112.49	78.74	110. MACAO	480.29	336.2
76. GUAM	302.11	211.48	111. MADERIA	270.18	189.12
77. GUATEMALA	428.48	299.94	112. MALGASY	499.91	349.94
78. GUINEA	419.81	293.87	113. MALAWI	330.72	231.5
79. GUINEA BISSAU	419.81	293.87	114. MALAYSIA	317.02	221.92
80. HAITI	341.86	239.3	115. MALDIVES	93.28	65.3
81. HAWAII	226.35	158.45	116. MALI	499.91	349.94
82. HONDURAS	372.24	260.57	117. MALTA	367.5	257.25
83. HONG KONG	288.45	201.91	118. MARIANA ISLANDS	375.67	262.97
84. HUNGARY	367.5	257.25	119. MARTINIQUE	138.65	97.05
85. ICELAND	313.56	219.49	120. MAURITANIA	499.91	349.94
86. INDIA	317.3	222.11	121. MAURITIUS	266.15	186.3
87. INDONESIA	425.54	297.88	122. MEXICO	346.72	242.7
88. IRAN	375.67	262.97	123. MICRONESIA	189.14	132.4
89. IRAQ	383.85	268.69	124. MIDWAY	330.72	231.5
90. IRELAND	418.78	293.15	125. MOLDOVIA	363.41	254.39
91. ISRAEL	411.54	288.08	126. MONACO	920.15	644.1
92. ITALY	421.14	294.8	127. MONGOLIA	189.14	132.4
93. IVORY COAST	463.23	324.26	128. MONTSERRAT	101.41	70.99
94. JAMAICA	130.59	91.41	129. MOROCCO	414.9	290.43
95. JAPAN	442.56	309.79	130. MOZAMBIQUE	419.81	293.87
96. JORDAN	372.4	260.68	131. MYNANMAR	539.14	377.4
97. KAMPUCHIA	378.94	265.26	132. NAMIBIA	477.02	333.92
98. KAZAKHSTAN	344.77	241.34	133. NAURU	154.4	108.08
99. KENYA	302.48	211.74	134. NEPAL	404.37	283.06
100. KOREA(SOUTH)	591.45	414.01	135. NETHERLANDS	402.24	281.57
101. KUWAIT	367.5	257.25	136. NETHERL. ANT.	264.72	185.3
102. LAOS	591.45	414.01	137. NEVIS	91.68	64.18
103. LATVIA	922.6	645.82	138. NEW CALEDONIA	270.18	189.12
104. LEBANON	457.06	319.94	139. NEW ZEALAND	293.46	205.42
105. LESOTHO	257.98	180.58	140. NICARAGUA	315.78	221.04

COUNTRY	PEAK RATES	OFF PEAK RATES	COUNTRY	PEAK RATES	OFF PEAK
141. NIGER	414.04	289.83	177. ST LUCIA	91.68	64.18
142. NIGERIA	305.39	213.77	178. ST MAARTEEN	405.1	283.57
143. NIUE ISLANDS	313.56	219.49	179. ST VINCENT	91.68	64.18
144. NORTH KOREA	591.45	414.01	180. SUDAN	379.3	265.51
145. NORWAY	330.72	231.5	181. SURINAMIE	139.84	97.89
146. OMAN	375.67	262.97	182. SWAZILAND	375.67	262.97
147. PAKISTAN	421.26	294.88	183. SWEDEN	372.4	260.68
148. PANAMA	368.3	257.81	184. SWITZERLAND	422.91	296.04
149. PAPUA N. GUINEA	405.07	283.55	185. SYRIA	372.4	260.68
150. PARAGUAY	364.16	254.91	186. T&T	72.24	50.57
151. PERU	347.97	243.58	187. TAIWAN	546.18	382.32
152. PHILIPPINES	494.19	345.93	188. TANZANIA	508.08	355.66
153. POLAND	421.44	295.01	189. THAILAND	457.62	320.33
154. PORTUGAL	419.38	293.56	190. TOGO	439.42	307.6
155. PUERTO RICO	226.22	158.36	191. TONGO	189.14	132.4
156. QATAR	483.56	338.49	192. TUNISIA	378.94	265.26
157. REP. OF GUINEA	270.18	189.12	193. TURKEY	365.95	256.17
158. REUNION	189.14	132.4	194. TURKS&CAICOS	138.65	97.05
159. ROMANIA	367.5	257.25	195. TUVALU ISLANDS	270.18	189.12
160. RWANDA	477.02	333.92	196. UGANDA	292.1	204.47
161. SAIPAN	270.18	189.12	197. UKRAINE	922.6	645.82
162. SAO TOME&PRIN	392.02	274.41	198. U.K	187.58	131.31
163. SAUDI ARABIA	546.18	382.32	199. URUGUAY	312.98	219.08
164. SENEGAL	424.32	297.02	200. U.A.E.	349.52	244.66
165. SEYCHELLES	439.42	307.6	201. U.S.A.	167.07	116.95
166. SIERRA LEONE	427.57	299.3	202. U.S.S.R.	343.15	240.21
167. SINGAPORE	309.92	216.94	203. VANUATU	439.42	307.6
168. SLOVAKIA	270.18	189.12	204. VENEZUELA	343.38	240.36
169. SLOVENIA	270.18	189.12	205. VIETNAM	378.94	265.26
170. SOLOMON ISLANDS	270.18	189.12	206. VIRGIN ISL. BR.	248.17	173.72
171. SOMALIA	270.18	189.12	207. VIRGIN ISL. US.	330.72	231.5
172. SOUTH AFRICA	399.7	279.79	208. WALLIS&FUTUMA	189.14	132.4
173. SPAIN	423.04	296.13	209. WESTERN SAMOA	270.18	189.12
174. SRI LANKA	302.11	211.48	210. YEMEN ARABA. REP.	412.45	288.72
175. ST. HELENA	379.07	265.35	211. YUGOSLAVIA	371.59	260.11
176. ST KITTS	91.68	64.18	212. ZARIE	483.42	338.4

COUNTRY

213.ZAMBIA
214.ZIMBABWE

PEAK RATES

342.98
372.64

OFF PEAK RATES

240.09
260.85

COUNTRY**PEAK RATES****OFF PEAK**