

**BEFORE THE PUBLIC UTILITIES COMMISSION**

**ORDER No. 3 of 2023**

**In the matter of interconnection by and between public telecommunications service providers GTT Inc. and E-Networks Inc. as prescribed by the Telecommunications (Interconnection and Access) Regulations 2020.**

**DECISION**

Section 2 (b) of the Public Utilities Act No. 19 of 2016 makes provision for the Public Utilities Commission (PUC) hereinafter referred to as the 'Commission' which is a multi-sector regulator to have regulatory oversight of telecommunications undertakings. Telecommunications undertakings is defined by section 2 (1) of the Telecommunications Act No 18 of 2016 as 'any operator, service provider or any other person whose activities are subject to the Act.'

Pursuant to individual licences issued to the Guyana Telephone and Telegraph Company Limited (GTT Inc.) and E-Networks Inc. on the 5<sup>th</sup> day of October 2020, the companies are authorized to install and operate fixed and mobile public telecommunications networks in addition to the provision of public telecommunications services.

Enshrined in the aforementioned licenses is the requirement for interconnection which is captured in paragraph 1 of the respective licences for the purpose of authorizing the companies to interconnect the Licenced Network to any other public telecommunications networks operated under a licence or exemption granted by the Minister in accordance with the Act. The tenets of the Telecommunications (Interconnection and Access) Regulations 2020 further prescribe the procedures/processes for negotiating, concluding and implementing interconnection agreements.

As part of the review and approval process for every interconnection agreement, the Commission is required to direct that all telecommunications undertakings cause the aforementioned Agreement to be 'executed by the relevant parties and come into force, and interconnection or access shall be effected, within the twenty-one-day period.' It is further mandated in the Regulations that the parties must 'submit the executed agreement and written verification of the effectiveness of interconnection or access to the Commission within the seven days following such execution and the effectiveness of interconnection or access.'

The Commission received the *GTT-E-Networks Interconnect Agreement* on the 20<sup>th</sup> day of June 2023, which was dated the 23<sup>rd</sup> day of December 2022, and which agreement contains *Annex A (Definitions)*, *Annex B (Services)*, *Annex C (Rates Schedule)*, and *Annex D (Joint Working Manual)*.

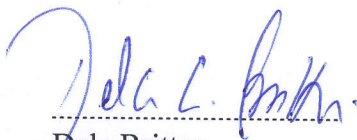
By a Directive which was dated the 23<sup>rd</sup> Day of December 2022, the Commission had determined that the charges for fixed and mobile termination rates as prescribed in the Commission's benchmark study must be applied with effect from the 17<sup>th</sup> day of February 2023 to the 16<sup>th</sup> day of February 2024. It was therefore ordered and directed that the rate for termination shall be the following:

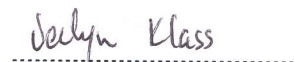
- (1) Fixed Termination Rate - \$8.71
- (2) Mobile Termination Rate - \$11.42

The Commission in its review of the Agreement notes that the rates contained in Annex C were cited as \$12 for fixed termination and \$14 for mobile termination and which were not consistent with the Commission's Directive. On the 28<sup>th</sup> day of June 2023, the Commission in keeping with its power to review the Agreement noted its concerns to GTT Inc. regarding the rates on the face of Annex C of the Agreement. GTT Inc. thereafter submitted to the Commission a notice which was dated the 18<sup>th</sup> day of January 2023 and addressed to E-Network Inc., in which E-Networks Inc. was duly notified that with effect from the 17<sup>th</sup> day of February 2023, the fixed termination charge of \$8.71 and mobile termination charge of \$11.42 will automatically apply to the Agreement.

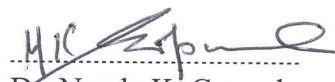
**HAVING** reviewed the *GTT-E-Networks Interconnect Agreement* and in keeping with the notice by GTT Inc. to E-Networks Inc. dated the 18<sup>th</sup> day of January 2023 regarding the corrected charges in line with the Commission's aforementioned Directive. By the powers enshrined to it under regulation 14 (11) (d) of the Telecommunications (Interconnection and Access) Regulations 2020, the Commission hereby grants its approval for the interconnection agreement, subject to the rates contained in the Commission's Directive dated 23<sup>rd</sup> day of December 2023. All other terms and conditions contained in the *GTT-E-Networks Interconnect Agreement* shall become effective on/ before the 28<sup>th</sup> day of July 2023.

**FURTHER** pursuant to regulation 14 (12) of the Telecommunications (Interconnection and Access) Regulations 2020, **the parties hereto are ordered and directed to submit an executed Agreement inclusive of the rates as mandated by the Commission together with the written verification of the effectiveness of interconnection on or before the 4<sup>th</sup> day of August 2023.**

  
Dela Britton  
Chairman

  
Verlyn Klass  
Commissioner

  
Maurice Solomon  
Commissioner

  
Dr. Nanda K. Gopaul  
Commissioner

