

BEFORE THE PUBLIC UTILITIES COMMISSION

In the matter of "Change in the Cellular
Charging Principle" being proposed by the
Guyana Telephone and Telegraph Company
Limited (GT&T).

L.J.P. Willems, A.A. - Chairman (ag)
Chandraballi Bisheswar - Commissioner
Badrie Persaud - Commissioner

REPRESENTATION

Guyana Telephone and
Telegraph Company Limited - Mr. Keith Massiah, S.C., Attorney-at-Law
Ms. Dawn Holder, Attorney-at-Law
Mr. Godfrey S. Statia,
General Manager, External Affairs;
Mr. G. Evelyn, Director, Rates and Tariff.

2.

Consumers Advisory Bureau
and Guyana Consumers
Association

Mr. Nigel Hughes, Attorney-at-Law

Mr. John Da Silva, President, G.C.A.

Ms. Eileen Cox, Chairperson, C.A.B.

Mr. Teni Housty, Attorney-at-Law was in attendance to assist the Public Utilities Commission.

DECISION

By way of a letter dated November 05, 1999, the Guyana Telephone and Telegraph Company Limited (GT&T) communicated to the Public Utilities Commission (the Commission), its intention to introduce by December 1, 1999, a "change in the cellular charging principle" whereby the Called Party Pays to the proposed principle of the Calling Party Pays.

On the 20th June, 1995, after public hearings on the 13th and 14th June, 1995, the Commission fixed temporary rates for cellular service provided by GT&T.

The temporary rates were fixed at 70% of the temporary rates proposed by GT&T for cellular service in their letter dated 14th June, 1995, and this temporary rate became effective from the 15th June, 1995.

By the decision of the Commission, those rates were to remain in force “until a final decision is taken by the Commission on Tariff Notice No. 2/1995 or until modified or terminated by the Commission, whichever is earlier.”

By Notice published on the 17th November, 1999 which was served on GT & T and published in the local media the Commission scheduled a public hearing for the 29th November 1999.

On the 29th November, 1999, the Commission heard representations from the Guyana Telephone and Telegraph Company Limited (GT&T), and from the Consumers Organisations and other interested parties at a public hearing of ‘the matter of “Change in the Cellular Charging Principle” being proposed by the Guyana Telephone and Telegraph Company Limited (GT&T)’.

It was raised at the hearing, that any change of rates or change of service to be made by a public utility must be approved of by the Commission upon an application being made to it in the legally prescribed manner as set out in section 41 of the Public Utilities Commission Act 1999 (No. 10 of 1999).

GT&T suggested that there be a trial period of one month during which air time charges for incoming calls to the mobile cellular radiophone network would not be charged to either party. The Caribbean Telecommunications Limited (CTL) representative present at the hearing expressed their concerns and it was agreed that the Companies should discuss the matter and find an equitable solution to the concerns raised.

The Commission finds that the Guyana Telephone and Telegraph Company Limited (GT&T) has not complied with the requirements of section 41 of the Public Utilities Commission Act 1999 (No. 10 of 1999), and hereby

ORDERS

1. That GT&T observe and comply with the provisions of section 41 of the Public Utilities Commission Act 1999 (No. 10 of 1999), should they wish to proceed in this matter.

To accommodate and smoothly expedite the process, and to ensure that nothing is done which may prejudice the resolution of this matter, it is further ordered

2. That in their filing for the change in the cellular charging principle, GT&T be guided by the requests for evidence recorded in the Transcript of this hearing, and, their undertaking to provide such evidence. A copy of the transcript shall be made available to the Company by the Commission within a reasonable time from the date of this Order.

3. That GT&T undertake a formal study of the impact of the Calling Party Pays (CPP) regime on the demand for cellular service in Guyana, which report shall be submitted along with any relevant filing the Company may make.

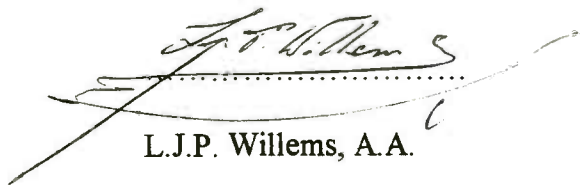
4. That there be no change in the cellular charging principle, as proposed by GT&T, by the 1st December, 1999, save as follows:

The Commission hereby permits GT&T for a period of 30 days minimum and 90 days maximum to temporarily change the Cellular Charging Principle, whereby, air time charges will not be paid for on incoming calls to the cellular radiophone network within the agreed test area. The test period and the test area shall be determined by GT&T in consultation with CTL and the Commission.

5. Upon expiry of the agreed trial period, the cellular rates and charging principles in force prior to December 01, 1999, shall continue in force until such time as it is modified or terminated by the Commission.

6.

Dated this 30th day of November, 1999.


L.J.P. Willems, A.A.

Chairman (ag)



Chandraballi Bisheswar

Commissioner



Badrie Persaud

Commissioner

The Chairman Mr. P.J. Menon A.A. and Commissioner Hugh George were not in attendance at the hearing because they were overseas.

