

Telecommunications Regulatory Affairs Advisory Committee

Minutes of the Third Meeting

Held on Tuesday, 24 April 2013 at 2:30 p.m.

in OFCA Conference Room, 20/F Wu Chung House

Present

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| Mr Y K Ha | Office of the Communications Authority (OFCA) (Chairman) |
| Mr Danny Lau | OFCA (Secretary) |
| Ms Agnes Tan | Wharf T&T Limited |
| Mr Raymond Chan | Hong Kong Cable Television Limited |
| Mr Joseph Leung | Hong Kong Wireless Technology Industry Association |
| Mr Peter Lam | PCCW-HKT Telephone Limited, Hong Kong Telecommunications (HKT) Limited and Genius Brand Limited |
| Mr Robert SzeTo | Hong Kong Police Force |
| Mr T L Or | SmarTone Communications Limited and SmarTone Mobile Communications Limited |
| Ms Juliana Wong | Hutchison Global Communications Limited and Hutchison Telephone Company Limited |
| Mr Vincent Lam | The Institution of Engineering and Technology Hong Kong |
| Mr York Mok | Ad personam |
| Mr Sutton Cheung | ComNet Telecom (HK) Limited |
| Mr Y H Chan | External fixed operators as a group |
| Mr Allen Law | Services-based operators (SBOs) as a group |
| Mr Raymond Wong | Paging operators as a group |
| Prof Xu Yan | Ad personam |
| Dr Andrew Simpson | Ad personam |
| Mr Stephen Chan | External telecommunications services (ETS) providers as a group |
| Mr Andrew Hung | HKC Network Limited |
| Ms Edith Wong | Towngas Telecommunications Fixed Network |

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| | Limited |
| Mr Brian Ho | TraxComm Limited |
| Ir Andy Lam | The Hong Kong Institution of Engineers |
| Mr Alex Cheng | China Mobile Hong Kong Company Limited |
| Mr Charles Yeung | Hong Kong Broadband Network Limited |
| Ms Alison Ko | CSL Limited |
| Mr Gilbert Chan | Communications Association of Hong Kong |
| Mr Richard Leung | New World Telecommunications Limited |

In Attendance

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| Mr Kenneth Kwok | ComNet Telecom (HK) Limited |
| Mr Desmond Young | CSL Limited |
| Mr W H Tang | PCCW-HKT Telephone Limited, Hong Kong Telecommunications (HKT) Limited and Genius Brand Limited |
| Mr Eric Lee | SmarTone Communications Limited and SmarTone Mobile Communications Limited |
| Mr Malcolm Leung | Wharf T&T Limited |
| Mr Chaucer Leung | OFCA |
| Mr C K Cheng | OFCA |
| Mr Sidney Tsan | OFCA |
| Mr Andy Leung | OFCA |
| Ms Peggy Kwan | OFCA |
| Mr Penny Lo | OFCA |
| Mr Wilson Lee | OFCA |

Absent with Apologies

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| Dr Victor Hung | Consumer Council |
| Mr Charles Mok | Hong Kong Information Technology Federation |

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| Mr Richard Mallett | Hong Kong Telecommunications Users Group |
| Ms Christine Lee | Mobile virtual network operators (MVNOs) as a group |
| Mr Eric Yeung | Small and Medium Enterprises |
| Ms Christy Ditchburn | Telstra International HK Limited and Telstra International Limited |
| Ms Eva Chan | Ad personam |
| Ms Fannie Cheung | Ad personam |

Item 1 Introduction

The Chairman welcomed Members to the third meeting of the TRAAC.

2. He advised that the draft meeting minutes of the second TRAAC meeting were circulated to Members for comment on 11 January 2013. There were no comments received by the deadline. With a view to expediting follow-up actions on the relevant matters discussed at that meeting, the meeting minutes had been confirmed. A copy of the confirmed minutes was circulated to the Members as well as posted on OFCA's website on 22 January 2013.

Item 2 Matters Arising

Item 6 of the Minutes of the Second TRAAC Meeting - Restriction of Certain Mobile Terminals in respect of LTE Networks

3. The Chairman informed Members that, subsequent to the second TRAAC meeting, a fixed network operator had filed in February 2013 an appeal with the Telecommunications (Competition Provisions) Appeal Board (Appeal Board), as well as an application for judicial review, against the alleged decision of the Communications Authority on the subject matter.

4. As these two cases were still on-going, the Chairman said that OFCA was unable to comment on the subject matter at this point in time.

For information of Members, a hearing would be held on 26 April 2013 by the Appeal Board as to whether or not the appeal was within the jurisdiction of the Appeal Board. Pending the decision by the Appeal Board on the jurisdiction matter, it was agreed that the application for judicial review would not be proceeded with at this stage.

5. The Chairman said that there was no other outstanding item in the minutes, other than the matter related to progress of the Telecommunications Numbering Working Group (TNWG) which would be discussed under the agenda item no. 5.

Item 3 Development of Broadband Infrastructure (TRAAC Paper No. 1/2013)

6. At the invitation of the Chairman, Mr C K Cheng gave a presentation¹ on the ongoing development of broadband infrastructure in Hong Kong as well as overseas economies including Mainland, US, UK, EU, Finland, Sweden, Japan, South Korea, Australia, New Zealand, Singapore, Israel and United Nations.

7. The Chairman drew Members' attention to the table given at Annex of TRAAC Paper No. 1/2013, which contained a summary of the national broadband strategies or development of overseas economies. Specifically, he noted that Japan, South Korea, Australia and Singapore had formulated aggressive targets, which aimed at providing broadband services of speed up to 1 Gbps to business premises and households. As regards Singapore, the Chairman and Mr C K Cheng added that the Infocomm Development Authority of Singapore (IDA) had recently completed a review and issued on 17 April 2013 the latest version of the "Code of Practice for Info-communication Facilities in Building" (COPIF 2013)² and the "Guidelines for Info-communication Facilities in

¹ The presentation slides are available at http://www.ofca.gov.hk/filemanager/ofca/en/content_757/traac01_2013_p.pdf.

² The COPIF was introduced in 2000 to ensure that developers and/or owners of buildings and developments provide adequate space and facilities for the deployment and operation of installation, plant and systems which are used for providing info-communication services to the buildings. The COPIF also specifies the duties to be observed by developers and/or owners of buildings and developments, and telecommunication licensees in relation to the provision, maintenance and utilisation of the relevant space and facilities provided, as required under COPIF. For details, please

Building’’. Two major changes were made in the COPIF 2013 –

- Pre-wiring of homes with optical fibre

The COPIF 2013 requires that an optical fibre termination point to be pre-installed in each new home. In addition, each living room and bedroom within these new homes will be provided with Category 6 cabling capable of carrying data speeds of more than 1 Gbps.

- Provision of rent-free mobile deployment space (MDS)

Developers and owners of buildings and developments will be required to provide space for the deployment of infrastructure for enhanced mobile coverage in both existing and new developments. The MDS requirements will vary, depending on the size of the developments, or the mobile coverage area of the developments.

8. On the other hand, Hong Kong had been relying on the market force on infrastructure investment. In a few years time, the Chairman expected that Hong Kong would face challenges in maintaining its current position on international rankings, when these economies roll out their national broadband networks and achieve a higher broadband penetration rate.

9. Mr York Mok said that in view of the recent report by the Audit Commission on the Government Wi-Fi (GovWiFi) Programme, an overall strategy should be developed by the Government on public Wi-Fi services. He considered that the GovWiFi network could be used to offload fixed or mobile broadband traffic, particularly in the event of emergency situations.

10. The Chairman pointed out that the GovWiFi Programme is under

refer to

<https://www.ida.gov.sg/About-Us/Newsroom/Media-Releases/2013/Code-of-Practice-for-Info-communication-Facilities-in-Buildings> &
<http://www.ida.gov.sg/Policies-and-Regulations/Code-of-Practice-and-Guidelines/Infocomm-Facilities-in-Building-COPIF>.

the purview of the Office of the Government Chief Information Officer (OGCIO) and that the issues related to GovWiFi services would be addressed under the Digital 21 Strategy³. In response to Mr York Mok's enquiry, the Chairman and Mr Danny Lau stressed that GovWiFi services were currently provided within Government premises only. The Government had no plans to invest on public networks.

11. Mr Danny Lau said that, with a view to facilitating the roll out of telecommunications infrastructure, OFCA had recently arranged several discussions with fixed and mobile network operators and Highways Department (HyD) on the installation of micro-cell base stations (MCBS) including Wi-Fi equipment on highways facilities such as lamp posts. Based on HyD's latest information, there would be as many as 10,000 lamp posts available for installation of MCBS or Wi-Fi equipment in the initial phase. Fixed and mobile operators would submit a common design of hardware that could be mounted on a lamp post for HyD's consideration. It was expected that a more solid arrangement would be available around end 2013 or early 2014.

12. In closing, the Chairman envisaged that the public Wi-Fi services and mobile data services would be improved with the above arrangement, and that these public telecommunications services and GovWiFi services would be intertwined and complement each other. OFCA would continue to monitor the market development as well as other best practices in overseas economies.

Item 4 The New International Telecommunication Regulations and the Implications to the Telecommunications Regulatory Regimes in Hong Kong (TRAAC Paper No. 2/2013)

13. Mr C K Cheng gave a presentation⁴ on the recent revision of the

³ The Digital 21 Strategy is the blueprint for the development of information and communications technology (ICT) in Hong Kong. Introduced in 1998 and updated regularly taking into account technological advancement and changing needs of the society, the Digital 21 Strategy has set out the Government's vision of developing Hong Kong into a leading digital city. For details, please refer to <http://www.digital21.gov.hk/eng/index.htm>.

⁴ The presentation slides are available at

International Telecommunication Regulations (ITRs) concluded at the World Conference on International Telecommunications 2012 (WCIT-12), as well as on the anticipated follow-up actions of OFCA.

14. The Chairman indicated that Hong Kong is a Special Administrative Region of China, which is a signatory to the new ITRs. Pursuant to General Condition 3 of their licence, he reminded that carrier and SBO licensees shall at all times perform and observe the requirements of the Constitution and Convention of the International Telecommunication Union (ITU) and the regulations and recommendations annexed to it, as are stated to be applicable to Hong Kong. The Chairman said that the new ITRs will be entered into force on 1 January 2015, and OFCA would make the necessary preparation to ensure compliance with the new ITRs.

15. In relation to Article 3.5 of the new ITRs concerning misuse of numbering resources, the Chairman pointed out that the TNWG had made a proposal to reflect the said ITRs provision. Details of the proposed amendments will be discussed under the next agenda item no. 5. As regards other ITRs requirements, the Chairman said that OFCA would continue to monitor the ITU development and follow up on matters related to calling line identification (CLI) (slide 7 of the presentation slides), security of international networks (slide 11), and accessibility (slide 14). If necessary, OFCA may establish a working group, or task an existing one as appropriate, to conduct the relevant study.

16. Mr T L Or said that he was interested in participating in the working group for the review of the CLI requirements. Mr Stephen Chan indicated that there were currently different costing levels for the delivery of international calls with or without CLI information. As the cost difference was significant, Mr Chan said that this would cause major impact on ETS operators and might eventually impact the retail price of ETS services, if CLI information must be delivered for international traffic. Mr Chan gave two examples of calls which were currently delivered without international CLI information, viz. (a) calls delivered via calling card services and using personal identification number or PIN for authentication; and (b) calls made by Skype or similar applications.

He asked whether there would be an exception to such CLI requirement under the new ITRs.

17. In response, Mr C K Cheng said that under Article 3.6 of the new ITRs, “*Member States shall endeavour to ensure that international calling line identification (CLI) information is provided taking into account the relevant ITU-T Recommendations*” (emphasis added). In this connection, he considered that a detailed study on the relevant ITU-T Recommendations would be required in order to work out the way-forward. Mr Chaucer Leung added that during WCIT-12, there had been a lengthy discussion on the subject matter. In arriving at the final wording of Article 3.6 as given above, there was consensus among Member States that CLI information should be delivered across international telecommunications networks, insofar as it was technically and practically feasible. The working group which may be established for or tasked with studying the matter, as the case may be, would look into the difficulties in CLI delivery under certain scenarios and explore any possible solutions for compliance with the relevant provision in the new ITRs. The Chairman pointed out that such a requirement on international CLI delivery would facilitate fraud prevention and malicious call tracing by Member States.

18. In conclusion, the Chairman said that OFCA would keep track of the development by ITU on the various matters, and would initiate discussions with the industry in a timely manner.

Item 5 Proposals of the Telecommunications Numbering Working Group (TRAAC Paper No. 3/2013)

19. At the invitation of the Chairman, Mr Sidney Tsan gave a presentation⁵ on the progress of the TNWG and a summary of the TNWG’s views and recommendations on various numbering issues, including –

- (a) New number blocks (“57x”) for mobile services;
- (b) Revisions to the “Code of Practice Relating to the Use of

⁵ The presentation slides are available at http://www.ofca.gov.hk/filemanager/ofca/en/content_757/traac03_2013_p.pdf.

Numbers and Codes in the Hong Kong Numbering Plan” for the new ITRs; and

- (c) Machine-to-machine (M2M) communications numbering arrangement.

20. The Chairman noted that the demand for Class 2 services using number blocks “57x” and “58x” was not high over the years. Up to March 2013, there were only some 81,000 numbers of “58x” allocated. On the other hand, the subscriber growth rate of mobile services remained at a relatively high level. If the proposal (a) was adopted, there would be an additional one million numbers available for mobile services. Such an amount would support mobile subscriber growth for about another nine to 12 months. In order to meet the long-term need, the TNWG would conduct study and explore the possibility of utilising other number blocks such as “8x”, “7x” or “4x” for mobile services.

21. On proposal (b), the Chairman pointed out that the proposed revision would be a direct reflection of Article 3.5 of the new ITRs. Once again, he reminded carrier and SBO licensees that they are required under their respective licences to at all times perform and observe the requirements of the Constitution and Convention of the ITU and the regulations and recommendations annexed to it, as are stated to be applicable to Hong Kong.

22. On proposal (c), the Chairman noted that the demand for M2M services remained low at present and there were alternative means to support the services. Given the nascent stage of the services, it did not appear to have an urgent need to allocate a 12-digit number block for M2M services at this juncture. The TNWG would keep in view the development of M2M services and would review the matter at an appropriate time.

23. As Members did not have any comment on or objection to the proposals, the Chairman said that OFCA would proceed with making the necessary recommendations to the Director-General of Communications for endorsement on the proposed amendments.

Item 6 Any Other Business

24. The Chairman said that this meeting would be the last TRAAC meeting he chaired before retirement. He thanked Members and participants for their support and advices over the past years, and encouraged them to give their continual support to his successor and OFCA.

25. The next TRAAC meeting would be convened in August 2013 tentatively. Members would be informed nearer the time.

26. There being no other business, the meeting was adjourned at 4:15 pm.

**Office of the Communications Authority
May 2013**