

Revised Proposal for Streamlining the Arrangements for Filing and Publication of Interconnection Agreements

Telecommunications Regulatory Affairs Advisory Committee

11 June 2020



Current Arrangements



On Filing

- Section 36A(5A) of the TO: file a copy of interconnection agreement with the CA within 14 days, unless being waived

On Publication

- Section 36A(5C) of the TO: the CA may publish all or any part of an interconnection agreement filed with it
- Only Type I, Type II and blockwiring interconnection agreements are published



TRAAC Meeting in November 2019

At the last TRAAC meeting, Members were consulted on the proposal of publishing a reference interconnection offer (RIO) by operators as an alternative to filing and publication of all interconnection agreements not covered by the existing waiver

Among the respondents –



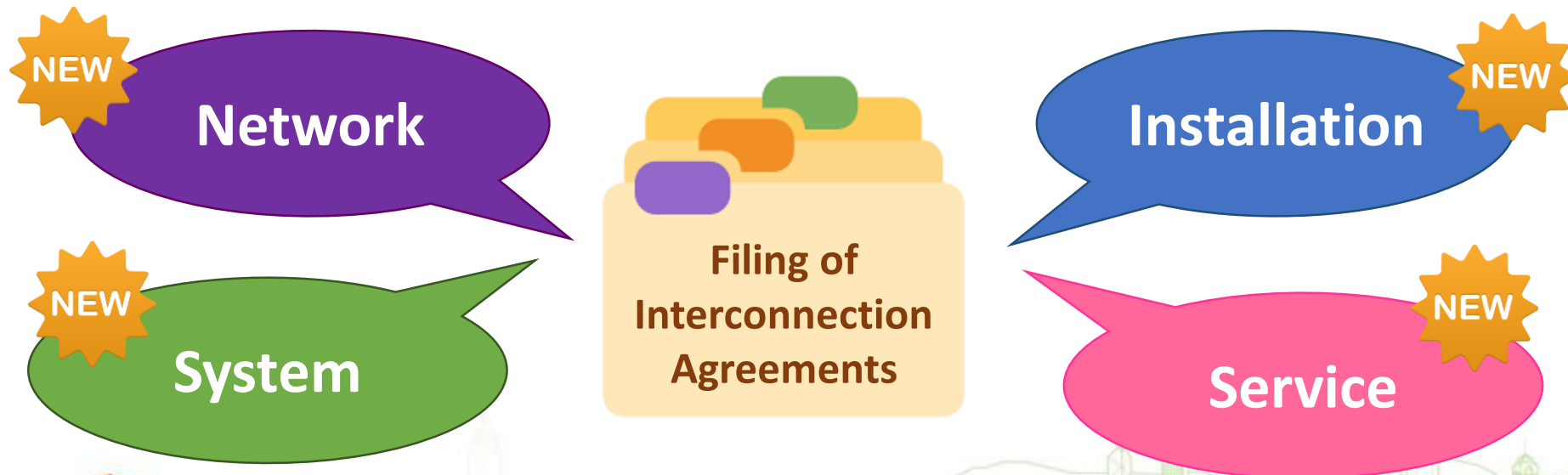
There were general support to further streamline the current arrangement



But some network operators expressed reservation on the RIO proposal as they doubted whether it could indeed reduce their compliance cost

Revised Proposal

To extend the scope of the existing waiver to cover all interconnection agreements among carrier licensees, **except** interconnection agreements involving any network(s), system(s), installation(s) and/or service(s) which is/are of a new type or contain(s) substantive element(s) which is/are new to anyone of the interconnecting parties



New Interconnection Agreements of which Filing is Required

New Services

Agreements for interconnection of a **new telecommunications service** (e.g. 5G services) where interconnection agreements covering the same (or similar) services have not been filed by anyone of the interconnecting parties before



New Types / Elements of Interconnection

Agreements for a **new type** of interconnection (e.g. those involving the use of new technologies) or an existing type of interconnection with substantively **new element(s)** (e.g. those involving substantively new terms and technical arrangements) which have not been filed by anyone of the interconnecting parties before



Implementation of the Revised Proposal

- ❖ In accordance with section 36A(5A) of the TO, relevant parties are required to file a new interconnection agreement which is not covered by the extended waiver within 14 days of it being made
- ❖ OFCA will arrange publication of the agreements filed taking into account any proposed redaction by interconnecting parties

- ❖ The CA will continue to reserve the power to require filing of agreements upon making a written request to an interconnecting party. The CA may exercise the reserve power under circumstances such as the following:

to facilitate transparency and prompt and efficient interconnections among licensees;

to carry out CA's functions, such as market surveillance and regulatory oversight; and/or

to fulfil HKSAR's international obligations, such as those under the WTO and GATS

Merits of the Revised Proposal

Innovative interconnection arrangements will continue to be available for stakeholders' reference



Reduce industry's costs of compliance with the filing and publication requirements



The Objectives of filing and publication of interconnection agreements would continue to be served



Way Forward

Members' comments are invited



Subject to any comments from Members, OFCA would formulate a draft revised waiver under section 36A(5B) of the TO

OFCA will consult the relevant licensees on the draft revised waiver before finalising them for consideration and approval by the CA



Thank You

