

TELECOMMUNICATIONS REGULATORY COMMISSION
VIRGIN ISLANDS

TELECOMMUNICATIONS CODE - _/2010:

QUALITY OF SERVICE

CONSULTATION DOCUMENT

June 10, 2010

Reference Number: C/3/2010

The address for responses to this document or enquires regarding this document is:

Consultation – Quality of Service Regulations
Telecommunications Regulatory Commission
P.O. Box 4401 or 27 Fish Lock Road, 3rd Floor
Road Town, Tortola, British Virgin Islands VG 1110
Fax: (284) 494 6786; E-mail: consultations@trc.vg

The deadline for responses is **July 8, 2010**



Instructions for submitting a response

The Telecommunications Regulatory Commission of the Virgin Islands (“TRC”) invites comments on this consultation document from all interested parties.

Comments should be submitted by **July 8, 2010**.

Preferably responses to this document should be sent by email to consultations@trc.vg (indicating the subject: “Consultation – Quality of Service”).

Alternatively, the responses may be sent to the address (or the number) below:

Consultation – Quality of Service
Telecommunications Regulatory Commission
P.O. Box 4401 or 27 Fish Lock Road, 3rd Floor
Road Town, Tortola, British Virgin Islands VG 1110
Fax: (284) 494 6786

Responses should include:

- In the case of responses from corporate bodies (legal persons):
 - the name of the company/institution/association/other organisation;
 - the name of a principal contact person; and
 - full contact details (physical address, postal address, telephone number, fax number and email address).
- In the case of responses from individual (natural) persons, name and contact details (including email).

In the interest of transparency, the TRC will normally make all submissions received available to public, subject to confidentiality of the information received. The TRC will evaluate requests for confidentiality according to relevant legal principles.

Respondents are required to clearly mark any information included in their submission which they consider to be confidential, and provide reasons why that information should be treated

as such. Where information claimed to be confidential is included in a submission, respondents are required to provide both a confidential and a non-confidential version of their submission. The TRC will determine whether information claimed to be confidential is to be treated as such and, if so, will not publish that information. In respect of information that is determined to be non-confidential, the TRC may publish or refrain from publishing such information at its sole discretion.

Once the TRC has received and considered responses to this consultative document, it will issue a report on the consultation and the final version of Telecommunications Code – (2010: Quality of Service).

1. Introduction and Background

The TRC considers it important to ensure that competition in the telecommunications sector brings not only lower prices, but also better quality of telecommunications services. In achieving this, it is important to empower users to choose a service provider based on quality of services provided and create an environment where such service providers strive to use the quality of their services as a competitive advantage. The availability of transparent information on quality is a prerequisite for such objectives. Such availability makes providers compete not only based on the price they charge, but also on the quality of services that they provide.

In certain instances, however, the incentives described above may not be sufficient to ensure an appropriate level of quality. In such cases, transparency will allow easier identification of problematic areas and allow the TRC to take more targeted actions in relation to them.

Section 6 (p) of The Telecommunications Act, 2006 (No. 10 of 2006), mandates the TRC to establish quality of service indicators, reporting requirements for operators and service providers and otherwise monitor and protect the interests of users of telecommunications services.

It is envisioned that the implementation of a comprehensive Quality of Service framework will be a 3-phase process:

Phase I: Implementation of the requirements for public suppliers to report periodically on Quality of Service parameters based largely on internationally accepted Quality of Service. These results will be posted for public consumption.

Phase II: The TRC will determine which, if any, parameters need modification and if any additional parameters need to be added. Based on the actual level of Quality of Services, the TRC may also determine if there is a need to set specific Quality of Service targets that must be achieved by public suppliers.

Phase III: The TRC will implement mechanisms to perform independent Quality of Service measurements.

Public Consultation

2. Proposed Measure

The aim of the measure proposed is to implement Phase I of the Quality of Service framework. Once it is implemented, the TRC will separately consider (and, where appropriate, consult the public) on implementation of further phases.

Based on the above, the TRC proposes to issue Quality of Service Document (Telecommunications Code – /2010). It is proposed that this Document will be implemented as part of the Telecommunications Code, in the exercise of the TRC's power under sections 6 (p) and 91 (3) of the Telecommunications Act, 2006.

3. Consultation

The TRC hereby consults on the draft Telecommunications Code – /2009: Quality of Service, implementing the Quality of Service Document. Comments from all the interested parties are welcome. Responses should be submitted as per the instructions above.