



United Arab Emirates



هيئة تنظيم الاتصالات  
TELECOMMUNICATIONS REGULATORY AUTHORITY

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## Determination No. (4) 2013

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# Remedies for *Ex Ante* Regulation of the UAE Telecommunications Sector

Version 1.0

REDACTED

Issue Date: 28 November 2013

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**1 Confidential information**

1.1 This Determination contains information that is confidential to Etisalat and du. Therefore, two versions of this Determination have been produced: one for Etisalat and du, and one for other interested Stakeholders (i.e. the version published on the TRA's website). In instances where information has been redacted, the applicable text has been:

- highlighted black (and is therefore not visible) in the versions of the document from which that information has been redacted (the “public document”); and
- highlighted grey (and is therefore visible) in the versions of the document from which that information has not been redacted (the “Etisalat and du document”).

**2 Definitions & Abbreviations**

2.1 The terms, words and phrases used in this Determination shall have the same meaning as is ascribed to them in the Telecommunications Law, the ex ante Competition Safeguards<sup>1</sup>, the Guidelines<sup>2</sup> and the other elements of the Regulatory Framework unless this Determination expressly provides for otherwise, or the context in which those terms, words and phrases are used in this Determination requires otherwise. For the purposes of this Determination, the following terms and words shall have the meanings ascribed to them below:

<b>Access Provider</b>	The Licensee who provides access/interconnection to another Licensee.
<b>Access Seeker</b>	The Licensee who seeks access/interconnection from another Licensee.



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<b>Dark fibre</b>	Optical fibre already deployed in ducts but not active i.e. without any electronics/optoelectronics operating at both ends.
<b>Duct</b>	An underground pipe or conduit used to accommodate cables of either core or access networks.
<b>Equivalence of Input (Eol)</b>	The provision by an Access Provider of exactly the same wholesale inputs for an access product to its retail Entity as well as to other Entities, e.g. the same terms and conditions, the same systems and process.
<b>Equivalence of Output (EoO)</b>	The provision by an Access Provider of comparable access products to its retail Entity as well as to other Entities. The products are comparable in terms of functionality and price. However, they can be provided using different systems and processes.
<b>Regulatory Framework</b>	The licences, policies, regulations, directions, orders, decisions, procedures, guidelines or other regulatory instruments which have been issued by the TRA and may be amended from time to time.
<b>Terminating Segment</b>	The terminating segments of a leased line refer to the part of the leased line from the Customer to the local exchange and correspond to the local access part of the network.
<b>Trunk Segment</b>	The trunk segment of a leased line refers to the core network infrastructure part of the line i.e. between exchanges or other network nodes.

### 3 Legal background

- 3.1 Article 12 of Federal Law by Decree No. (3) of 2003 regarding the organization of the Telecommunications Sector, as amended (the “**Telecommunications Law**”) established the TRA as the “...*competent body to oversee the telecommunications sector in the State and all Licensees...*”.



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- 3.2 Article 14 of the Law stipulates that the TRA shall have the competence to issue regulations, instructions, decisions and rules “...*regulating and ensuring competition in the telecommunications sector...*”
- 3.3 Article 2.3 of the TRA’s *ex ante* Competition Safeguards Regulatory Policy, Version 1.1 issued 30 September 2010, provides that the purpose of the TRA’s “*ex ante Regulatory Policy is to institute a framework for the TRA to define relevant retail and wholesale telecommunications markets in the UAE, and to undertake a competition assessment of these relevant markets for the purpose of determining Market Power*”.
- 3.4 In Determination No (1) of 2011, Relevant Markets for Telecommunication Services and Related Products in the UAE, dated 23 January 2011, the TRA defined the Relevant Markets for ex ante regulation.
- 3.5 In Determination No (1) of 2012, Competition Assessment Version 1.0, dated 29 March 2012, the TRA identified Licensees with Market Power in the Relevant Markets.
- 3.6 Article 6.1 of the *ex ante* Competition Safeguards provides that: “Any Entities designated as having Market Power in a Relevant Market may be subject to ex ante obligations additional to those in place under the Regulatory Framework at the time of designation”.



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## **4 History**

- 4.1 On 29 March 2012, the TRA issued the Competition Assessment<sup>3</sup> which set out which, if any, Licensee or Licensees were found to have Market Power in each Relevant Market as defined in Determination No. (1) of 2011, *Relevant Markets for Telecommunications Services and Related Products in the UAE*, issued 23 January 2011.
- 4.2 Based on the Competition Assessment, the TRA published a consultation on the remedies that each Licensee with Market Power would be required to implement. This was published on 13 December 2012 (the "Consultation") to provide Stakeholders with an opportunity to comment on the remedies proposed by the TRA to address Market Power in the Relevant Markets.
- 4.3 In response to the consultation, the TRA received comments on 28 February 2013 from two parties:
  - Emirates Telecommunications Corporation ("Etisalat"), and
  - Emirates Integrated Telecommunications Company ("du").
- 4.4 Both Etisalat and du also provided comments to the TRA on each other's responses on 28 March 2013.
- 4.5 On 27 June 2013, the TRA issued a Consultation Response Document responding to the submissions from the Licensees, and on 25 July 2013, the TRA issued a draft Determination for consultation relating to remedies for ex ante regulation of the UAE telecommunications sector. The stated purpose of this consultation was to enable Stakeholders to review the draft Determination for errors, omissions, or inconsistencies.
- 4.6 Subsequent to issuing the draft Determination for consultation in July 2013 and prior to responses from Stakeholders being received, a number of areas were identified in which changes to the draft Determination were required. The TRA therefore considered it appropriate to withdraw the consultation with a view to issuing an updated version of the draft Determination for consultation. The updated version of the consultation was issued on 26 September 2013.
- 4.7 The TRA received responses to the updated consultation from Etialat and du on 7 November 2013. The TRA made a number of updates to the draft Determination to reflect some of these comments.



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## **5 The Determination**

- 5.1 Having considered and, where appropriate, taken into account all relevant comments received during the consultation phase, the TRA hereby issues this Determination. In this Determination the TRA sets out the ex ante obligations to be imposed on Licensees with Market Power in the Relevant Markets in the UAE.
- 5.2 The remedies in this Determination consist of:
- currently imposed obligations that, based on the findings of the Competition Assessment<sup>4</sup>, the TRA considers remain necessary to promote effective and sustainable competition and to protect the interests of Consumers; and
  - new obligations to be implemented.
- 5.3 The remedies specified within the Determination are those that the TRA considers to be appropriate based on current market conditions. However, for the avoidance of doubt:
- the TRA does not intend to implement all of the new remedies simultaneously;
  - the TRA intends to consult with Stakeholders in relation to each new remedy prior to implementation. This is to ensure that any ex ante regulatory intervention undertaken by the TRA will be based on remedies proportionate to the issues they seek to resolve and to the market conditions that exist at that point in time; and
  - it is possible that some of the remedies specified in this Determination, which are considered by the TRA to be appropriate based on current market conditions, may not be necessary at the time the TRA considers its implementation. Any such remedies would therefore not be implemented.
- 5.4 This Determination shall form part of the TRA's regulatory framework and may be applied and interpreted in conjunction with the policies already issued by the TRA. Unless expressly stated otherwise, the provisions of this Determination do not affect or relax any provisions of the Regulatory Framework or the applicability of those provisions to any of the Relevant Markets.



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- 5.5 Remedies relating to RM6 are addressed in Determination No. (1) of 2013, *Forbearance from Certain Regulations in Relevant Market RM6 - Pre-pay Mobile Voice and Data Services*, issued 30 October 2013. Remedies relating to RM5 (Post-pay Mobile Voice and Data Services) will be further consulted upon separately and a separate Determination will be issued in due course.
- 5.6 The TRA has issued this Determination pursuant to the Guidelines<sup>5</sup>. The Guidelines describe the principles to be followed in maintaining or revising existing ex ante obligations, as well as in imposing new ex ante obligations in the Relevant Markets. The principles to be followed are transparency, consistency, targetedness, and proportionality.



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**Table 1: Obligations on Etisalat in Relevant Wholesale Markets in which Etisalat has Market Power**

MARKET NUMBER	TELECOMMUNICATION SERVICES AND RELATED PRODUCTS	REMEDIES
WM1A	Fixed call termination on Etisalat's network	<ul style="list-style-type: none"> <li>• Requirement to publish<sup>6</sup> a TRA approved Reference Offer (for interconnection and network access) as specified in the TRA's Interconnection Instructions<sup>7</sup>, as may be updated, and to update such Reference Offer on a regular basis. Without prejudice to the outcome of any future consultation, at a minimum, the TRA would expect that the Reference Offer obligation would include:               <ul style="list-style-type: none"> <li>-A requirement to provide network access on terms and conditions (including cost and quality) which are in accordance with international best practice<sup>8</sup>;</li> <li>-A requirement to meet all reasonable requests for access in a timely and efficient manner<sup>9</sup>;</li> <li>-A requirement to meet all reasonable requests for network access on a non-discriminatory basis<sup>10</sup>.</li> </ul> </li> <li>-A requirement to provide cost-based interconnection/ network access<sup>11</sup> (LRIC)<sup>12</sup>.</li> <li>• Submission of Regulatory Accounts on a HCA, CCA and LRIC basis<sup>13</sup>.</li> </ul>
WM2A	Mobile call and data termination on Etisalat's mobile network	
WM3A	Residential fixed call origination in areas where Etisalat provides direct fixed network connections to Customers	
WM4A	Business fixed call origination in areas where Etisalat provides direct fixed network connections to Customers	

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Table 1 continued

WM6A	Residential wholesale fixed broadband access in areas where Etisalat provides direct fixed network connections to Customers	<ul style="list-style-type: none"> <li>• As for WM1A-4A.</li> <li>• Requirement to offer bitstream access products with national and regional levels<sup>14</sup> of interconnection/ network access, including appropriate points of interconnection (Pols)<sup>15</sup>.</li> </ul>
WM7A	Business wholesale fixed broadband access in areas where Etisalat provides direct fixed network connections to Customers	<ul style="list-style-type: none"> <li>• Requirement to offer bitstream access products for both residential and business markets. This obligation includes: <ul style="list-style-type: none"> <li>– Requirement to offer symmetric and asymmetric wholesale bitstream access services at both Layer 2 and Layer 3 levels<sup>16</sup>;</li> <li>– Requirement to offer wholesale inputs enabling the provision of Voice and IPTV services at the retail level; and</li> <li>– Requirement for all bitstream products to be cost-oriented.</li> </ul> </li> <li>• Requirement to avoid any margin squeezing of either national bitstream or regional bitstream. The Licensee with Market Power will have to provide evidence to the TRA that there is no margin squeeze when publishing its Reference Offer.</li> <li>• Requirement of Equivalence of Input OR requirement of Equivalence of Output<sup>17</sup>.</li> <li>• Requirement to provide efficient and convenient switching processes in the Reference Offer<sup>18</sup>.</li> <li>• Requirement to establish additional Pols in locations that are economically feasible and which allow access to a majority of consumers in a defined area. These Pols should allow access to all required services offered by the access provider<sup>19</sup>.</li> <li>• Requirement to offer other types of facilities access, including, but not limited to, co-location to reach each point of interconnection unless objectively justifiable reasons exist to not offer such access.</li> <li>• Requirement to offer an active backhaul service to enable Pol on a cost orientated basis.</li> <li>• Requirement to offer Duct access or Dark Fibre services on a cost oriented basis.</li> </ul>

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Table 1 continued

WM8A	Wholesale terminating segments of fixed connectivity services in areas where Etisalat provides direct fixed network connections to Customers	<ul style="list-style-type: none"> <li>• As for WM1A-4A.</li> <li>• Requirement to offer Duct access or Dark Fibre services on a cost oriented basis.</li> <li>• Removal of current restrictions on WLL products (this can include but not be limited to the provision of unbundled Trunk Segments and Terminating Segments).</li> <li>• Requirement for all leased line products to be cost-oriented.</li> </ul>
WM8C	Wholesale trunk segments of fixed connectivity services	

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**Table 2: Obligations on Etisalat in Relevant Retail Markets in which Etisalat has Market Power**

MARKET NUMBER	TELECOMMUNICATION SERVICES AND RELATED PRODUCTS	REMEDIES
RM1A	Residential fixed line access and domestic call services in areas where Etisalat provides direct fixed network connections to Customers	<ul style="list-style-type: none"> <li>• Transparency of all prices (retail tariffs and terms and conditions)<sup>20</sup>.</li> <li>• Submission of Regulatory Accounts on a HCA and CCA basis<sup>21</sup>.</li> <li>• In Relevant Markets RM1A-4A, provision of Carrier Selection and Carrier Pre-selection services<sup>22</sup>.</li> <li>• Either i) submission of all prices to the TRA for prior approval<sup>23</sup>, or ii) submission of all prices to the TRA with self-certification or demonstration that the price:               <ul style="list-style-type: none"> <li>(a) Is not unfair or excessive;</li> <li>(b) Does not result in a Margin Squeeze;</li> <li>(c) Is not anti-competitively bundled or tied;</li> <li>(d) Does not contain an anti-competitive rebate; and</li> <li>(e) Does not result in anti-competitive customer lock-in <sup>24</sup>.</li> </ul> </li> </ul>
RM2A	Business fixed line access and domestic call services in areas where Etisalat provides direct fixed network connections to Customers	
RM3A	International calls originated on fixed networks in the UAE by residential Customers in areas where Etisalat provides direct fixed network connections to Customers	
RM4A	International calls originated on fixed networks in the UAE by business Customers in areas where Etisalat provides direct fixed network connections to Customers	
RM7A	Fixed residential broadband access services in areas where Etisalat provides direct fixed network connections to Customers	
RM8A	Fixed business broadband access services in areas where Etisalat provides direct fixed network connections to Customers	
RM9A	Business connectivity services in areas where Etisalat provides direct fixed network connections to Customers	

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**Table 3: Obligations on Etisalat in Relevant Retail Markets where Etisalat does not have Market Power**

MARKET NUMBER	TELECOMMUNICATION SERVICES AND RELATED PRODUCTS	POLICY
RM1B	Residential fixed line access and domestic call services in areas where du provides direct fixed network connections to Customers	<ul style="list-style-type: none"> <li>• Transparency of all prices (retail tariffs and terms and conditions)<sup>25</sup>.</li> </ul>
RM2B	Business fixed line access and domestic call services in areas where du provides direct fixed network connections to Customers	
RM3B	International calls originated on fixed networks in the UAE by residential Customers in areas where du provides direct fixed network connections to Customers	
RM4B	International calls originated on fixed networks in the UAE by business Customers in areas where du provides direct fixed network connections to Customers	
RM7B	Fixed residential broadband access services in areas where du provides direct fixed network connections to Customers	
RM8B	Fixed business broadband access services in areas where du provides direct fixed network connections to Customers	
RM9B	Business connectivity services in areas where du provides direct fixed network connections to Customers	

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**Table 4: Obligations on du in Relevant Wholesale Markets in which du has Market Power**

MARKET NUMBER	TELECOMMUNICATION SERVICES AND RELATED PRODUCTS	REMEDIES
WM1B	Fixed call termination on du's network	<ul style="list-style-type: none"> <li>• Requirement to publish<sup>26</sup> a TRA approved Reference Offer (for interconnection and network access) as specified in the TRA's Interconnection Instructions<sup>27</sup>, as may be updated, and to update such Reference Offer on a regular basis. Without prejudice to the outcome of any future consultation, at a minimum, the TRA would expect that the Reference Offer obligation would include:               <ul style="list-style-type: none"> <li>–A requirement to provide network access on terms and conditions (including cost and quality) which are in accordance with international best practice<sup>28</sup>;</li> <li>–A requirement to meet all reasonable requests for access in a timely and efficient manner<sup>29</sup>;</li> <li>–A requirement to meet all reasonable requests for network access on a non-discriminatory basis<sup>30</sup>.</li> <li>–A requirement to provide cost-based interconnection/ network access (LRIC)<sup>31</sup> (based on Etisalat's interconnection/ network access prices unless other prices can be objectively justified).</li> </ul> </li> </ul>
WM2B	Mobile call and data termination on du's mobile network	
WM3B	Residential fixed call origination in areas where du provides direct fixed network connections to Customers	
WM4B	Business fixed call origination in areas where du provides direct fixed network connections to Customers	

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Table 4 continued

WM6B	Residential wholesale fixed broadband in areas where du provides direct fixed network connections to Customers	<ul style="list-style-type: none"> <li>• As for WM1-4.</li> <li>• Requirement to offer bitstream access products with national and regional levels of interconnection<sup>32</sup>, including appropriate Pols<sup>33</sup>.</li> </ul>
WM7B	Business wholesale fixed broadband access in areas where du provides direct fixed network connections to Customers	<ul style="list-style-type: none"> <li>• Requirement to offer bitstream access products for both residential and business markets. This obligation includes: <ul style="list-style-type: none"> <li>– Requirement to offer symmetric and asymmetric wholesale bitstream access services at both Layer 2 and Layer 3 levels<sup>34</sup>;</li> <li>– Requirement to offer wholesale inputs enabling the provision of Voice and IPTV services at the retail level; and</li> <li>– Requirement for all bitstream products to be cost-oriented.</li> </ul> </li> <li>• Requirement to avoid any margin squeezing of either national bitstream or regional bitstream. The Licensee with Market Power will have to provide evidence to the TRA that there is no margin squeeze when publishing its Reference Offer.</li> <li>• Requirement of Equivalence of Input OR requirement of Equivalence of Output<sup>35</sup>.</li> <li>• Requirement to provide efficient and convenient switching processes in the Reference Offer<sup>36</sup>.</li> <li>• Requirement to establish additional points of interconnection (PoI) in locations that are economically feasible and which allow access to a majority of consumers in a defined area. These Pols should allow access to all required interconnection/ network access services offered by the access provider<sup>37</sup>.</li> <li>• Requirement to offer other types of facilities access, including, but not limited to, co-location to reach each point of interconnection unless objectively justifiable reasons exist to not offer such access.</li> <li>• Requirement to offer an active backhaul service to enable PoI on a cost orientated basis.</li> <li>• Requirement to offer Duct access or Dark Fibre services on a cost oriented basis.</li> </ul>

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Table 4 continued

WM8B	Wholesale terminating segments of fixed connectivity services in areas where du provides direct fixed network connections to Customers	<ul style="list-style-type: none"><li>• As for WM1-4.</li><li>• Requirement to offer Duct access or Dark Fibre services on a cost oriented basis.</li><li>• Removal of current restrictions on WLL products (this can include but not be limited to the provision of unbundled Trunk Segments and Terminating Segments).</li><li>• Requirement for all leased line products to be cost-oriented.</li></ul>
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**Table 5: Obligations on du in Relevant Retail Markets in which du has Market Power**

MARKET NUMBER	TELECOMMUNICATION SERVICES AND RELATED PRODUCTS	REMEDIES
RM1B	Residential fixed line access and domestic call services in areas where du provides direct fixed network connections to Customers	<ul style="list-style-type: none"> <li>• Transparency of all prices (retail tariffs and terms and conditions)<sup>38</sup>.</li> <li>• In Relevant Markets RM1B-4B, provision of Carrier Selection and Carrier Pre-selection services<sup>39</sup>.</li> <li>• Either i) submission of all prices to the TRA for prior approval<sup>40</sup>, or ii) submission of all prices to the TRA with self-certification or demonstration that the price:               <ul style="list-style-type: none"> <li>(a) Is not unfair or excessive;</li> <li>(b) Does not result in a Margin Squeeze;</li> <li>(c) Is not anti-competitively bundled or tied;</li> <li>(d) Does not contain an anti-competitive rebate; and</li> <li>(e) Does not result in anti-competitive customer lock-in<sup>41</sup>.</li> </ul> </li> </ul>
RM2B	Business fixed line access and domestic call services in areas where du provides direct fixed network connections to Customers	
RM3B	International calls originated on fixed networks in the UAE by residential Customers in areas where du provides direct fixed network connections to Customers	
RM4B	International calls originated on fixed networks in the UAE by business Customers in areas where du provides direct fixed network connections to Customers	
RM7B	Fixed residential broadband access services in areas where du provides direct fixed network connections to Customers	
RM8B	Fixed business broadband access services in areas where du provides direct fixed network connections to Customers	
RM9B	Business connectivity services in areas where du provides direct fixed network connections to Customers	

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**Table 6: Obligations on du in Relevant Markets where du does not have Market Power**

MARKET NUMBER	TELECOMMUNICATION SERVICES AND RELATED PRODUCTS	POLICY
RM1A	Residential fixed line access and domestic call services in areas where Etisalat provides direct fixed network connections to Customers	• Transparency of all prices (retail tariffs and terms and conditions) <sup>42</sup> .
RM2A	Business fixed line access and domestic call services in areas where Etisalat provides direct fixed network connections to Customers	
RM3A	International calls originated on fixed networks in the UAE by residential Customers in areas where Etisalat provides direct fixed network connections to Customers	
RM4A	International calls originated on fixed networks in the UAE by business Customers in areas where Etisalat provides direct fixed network connections to Customers	
RM7A	Fixed residential broadband access services in areas where Etisalat provides direct fixed network connections to Customers	
RM8A	Fixed business broadband access services in areas where Etisalat provides direct fixed network connections to Customers	
RM9A	Business connectivity services in areas where Etisalat provides direct fixed network connections to Customers	



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**6 Effective Date**

6.1 This Determination shall become effective on the date it is issued by the TRA.

**7 Acknowledgement**

7.1 Each Licensee shall notify the TRA in writing of receipt of this Determination within one (1) business day of the date it is received.

**End Notes**

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- 1 TRA Regulatory Policy, “Ex Ante Competition Safeguards, Version 1.1”, issued 30 September 2010.
  - 2 “Market Definition and Competition Assessment Guidelines, Version 1.0”, issued 30 September 2010.
  - 3 Determination No. (1) of 2012, “Competition Assessment, Version 1.0”, issue date 29 March 2012.
  - 4 Determination No. (1) of 2012, “Competition Assessment, Version 1.0”, issue date 29 March 2012.
  - 5 “Market Definition and Competition Assessment Guidelines, Version 1.0”. issued 30 September 2010.
  - 6 At this stage, the TRA is not proposing to disclose Reference Offers publicly. It is envisaged that they will be shared only with other eligible Licensees.
  - 7 Instructions, “Interconnection, Version 1,2”, issued 19 February 2006.
  - 8 As per Article 41 of Federal Law by Decree Number 3 of 2003 Regarding the Organisation of Telecommunications Sector, as amended; and the TRA’s policy “Interconnection Instructions, Version 1.2”, issued 19 February 2006.
  - 9 As per Articles 10.1.4 and 10.1.5 of Public Telecommunications License No 1/2006 between the TRA and Emirates Telecommunication Corporation (Etisalat); Article 41 of Federal Law by Decree Number 3 of 2003 Regarding the Organisation of Telecommunications Sector, as amended; and the TRA’s policy “Interconnection Instructions, Version 1.2”, issued 19 February 2006.
  - 10 As per Articles 10.1.2 and 10.1.3 of Public Telecommunications License No 1/2006 between the TRA and Emirates Telecommunication Corporation (Etisalat); Article 41 of Federal Law by decree number 3 of 2003 Regarding the Organisation of Telecommunications Sector, as amended; and the TRA’s policy “Interconnection Instructions, Version 1.2”, issued 19 February 2006.
  - 11 The TRA uses the phrase “interconnection/ network access” throughout this Determination to signify that in the future there may be separate regimes for interconnection and network access while today they are both treated in the same manner for regulatory purposes under the umbrella term “interconnection”.
  - 12 As per the TRA’s policy “Interconnection Pricing, Version 1.5”, issued 15 December 2010.
  - 13 As per the TRA’s policy “Cost Accounting, Accounting Separation and LRIC Modelling Instructions, Version 3.0”, issued 14 July 2010.
  - 14 Or other appropriate catchment areas, as will be determined by the TRA at a future date.
  - 15 To be determined by the TRA at a future date.
  - 16

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- [REDACTED]
- 17 To be decided during the implementation phase.
- 18 These processes should ensure that the transfer of retail customers from the Licensee with Market Power or the switching from a wholesale offer to another are provided without undue delay or break in the service. This obligation will be removed if EoI is implemented.
- 19 To be determined by the TRA at a future date.
- 20 As per the TRA's policies "Price Transparency, Version 1", issued 24 June 2007 and "Marketing Communications and Practices, Version 1", issued 3 January 2008.
- 21 As per the TRA's policy "Cost Accounting, Accounting Separation and LRIC Modelling Instructions, Version 3.0", issued 14 July 2010.
- 22 As per Directive No (3) of 2008 Provision of Carrier Pre-Selection Interconnection Service by Etisalat and Determination No (2) of 2011 Carrier Pre-Selection Charges, issued 22 December 2011.
- 23 As per the TRA's policies "Price Control Regulatory Policy, Version 2.1", issued 23 September 2008 and "Price Control Regulatory Procedure, Version 2.1", issued 23 September 2008.
- 24 A self-certification mechanism may be introduced by the TRA at a later date. If such a mechanism is introduced, Etisalat may be required to switch from the existing PCR procedures to self-certification although the details of this will be determined within a separate consultation process.
- 25 As per the TRA's policies "Price Transparency, Version 1", issued 24 June 2007 and "Marketing Communications and Practices, Version 1" issued 3 January 2008.
- 26 At this stage, however, the TRA is not proposing to disclose Reference Offers publicly. It is envisaged that they will be shared only with other eligible Licensees.
- 27 Instructions, "Interconnection, Version 1,2", issued 19 February 2006.
- 28 As per Article 41 of Federal Law by Decree Number 3 of 2003 Regarding the Organisation of Telecommunications Sector, as amended; and the TRA's policy "Interconnection Instructions, Version 1.2", issued 19 February 2006.
- 29 As per Articles 10.1.4 and 10.1.5 of Public Telecommunications License No 2/2006 between the TRA and Emirates Integrated Telecommunication Company (du); Article 41 of Federal Law by Decree Number 3 of 2003 Regarding the Organisation of Telecommunications Sector, as amended; and the TRA's policy "Interconnection Instructions, Version 1.2", issued 19 February 2006.
- 30 As per Articles 10.1.2 and 10.1.3 of Public Telecommunications License No 1/2006 between the TRA and Emirates Telecommunication Corporation (Etisalat); Article 41 of Federal Law by decree number 3 of 2003 Regarding the Organisation of Telecommunications Sector, as amended; and the TRA's policy "Interconnection Instructions, Version 1.2", issued 19 February 2006.
- 31 As per the TRA's policy "Interconnection Pricing, Version 1.5", issued 15 December 2010.
- 32 Or other appropriate catchment areas, as will be determined by the TRA at a future date.
- 33 To be determined by the TRA at a future date.
- 34 [REDACTED]
- 35 To be decided during the implementation phase.
- 36 These processes should ensure that the transfer of retail customers from the Licensee with Market Power or the switching from a wholesale offer to another are provided without undue delay or break in the service. This obligation will be removed if EoI is implemented.
- 37 To be determined by the TRA at a future date.
- 38 As per the TRA's policies "Price Transparency, Version 1", issued 24 June 2007 and "Marketing Communications and Practices, Version 1", issued 3 January 2008.
- 39 As per Directive No (3) of 2008 "Provision of Carrier Pre-Selection (CPS) Interconnection Service by Etisalat" issued 8 June 2008 and Determination No (2) of 2011 "Carrier Pre-Selection Charges", issued 22 December 2011.



**Determination No 4 of 2013 – Remedies for Ex Ante Regulation of the UAE Telecommunications Sector.  
Issued 28 November 2013**

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- <sup>40</sup> As per the TRA's policies "Price Control Regulatory Policy, Version 2.1", issued 23 September 2008 and "Price Control Regulatory Procedure, Version 2.1", issued 23 September 2008.
- <sup>41</sup> A self-certification mechanism may be introduced by the TRA at a later date. If such a mechanism is introduced, du may be required to switch from the existing PCR procedures to self-certification although the details of this will be determined within a separate consultation process.
- <sup>42</sup> As per the TRA's policies "Price Control Regulatory Policy, Version 2.1", issued 23 September 2008 and "Price Control Regulatory Procedure, Version 2.1", issued 23 September 2008.