



# OFFICE of the REGULATOR

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## Draft Order of the Regulator No. 2013/T08

### AMENDMENT OF ORDERS OF THE REGULATOR No. 2013/T05 & No. 2013/T07

Bluesky Samoa Limited ("Bluesky") in meeting with the Regulator on Wednesday 24 July 2013 to discuss outstanding Regulatory Matters:

- i. sought clarifications on the effect of Order of the Regulator No. 2013/T05 on Order of the Regulator No. 2013/T02 and Order of the Regulator No. 2013/T03; and
- ii. presented concerns in relation to the implementation of Order No. 2013/T07 regarding:
  - (a). references made therein to peak rates, considering that peak rates were no longer offered by Bluesky and considering the setting of a maximum rate being more appropriate; and
  - (b). the inclusion of the Value Added Goods and Service Tax ("VAGST") within retail rates for Bluesky's Fixed to Mobile calls; requesting that the retail rates be VAGST exclusive in consideration of the possibility of VAGST changes which would affect the retail rates charged.

Pursuant to section 8 (1) (r) of the *Telecommunications Act 2005* the Regulator makes the following Orders-

#### Order #1: Order of the Regulator No. 2013/T05

- i. is amended by removing the heading "*Order Revoking the Order of the Regulator No. 2013/T04*" and the paragraph immediately below the heading and replacing it with the following:

**"ORDER REVOKING ORDERS OF THE REGULATOR NO. 2013/T02,  
2013/T03 and 2013/T04**

Pursuant to section 8 (1) (r) of the *Telecommunications Act 2005* ('Act'), the Regulator hereby revokes Orders of the Regulator No. 2013/T02, 2013/T03 and 2013/T04."

- ii. This amendment shall apply retrospectively from the Date of Order of the Regulator No. 2013/T05.

#### Order #2: Order of the Regulator No. 2013/T07

- i. is amended by removing the heading "*Bluesky's retail peak rates for fixed to mobile calls*" and the text immediately underneath this heading and replacing it with the following

**“Bluesky’s retail rates for fixed to mobile calls**

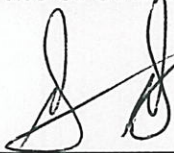
- call charges from Bluesky Fixed lines to Bluesky Mobiles to be a maximum of WST \$0.2783 + VAGST per minute, to be accumulated and billed in increments of up to 6 seconds;
- call charges from Bluesky Fixed lines to Digicel Samoa Limited Mobiles to be a maximum of WST \$0.2783 + VAGST per minute, to be accumulated and billed in increments of up to 6 seconds;”

- ii. The effective date of the order shall be amended to be 21 July 2013.
- iii. This amendment shall apply retrospectively from the Date of Order of the Regulator No. 2013/T07.

**Order #3: General Provision for Amended Orders of the Regulator No. 2013/ T05 and 2013/T07**

- i. Precluding the former provisions (that have been amended), all other provisions of the Orders shall remain in full force and effect.

**Date of Order: 31<sup>st</sup> July 2013**



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Donnie Defreitas  
Regulator