



# OFFICE of the REGULATOR

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## ORDER OF THE REGULATOR NO. 2014/T01

### APPROVAL OF NEW PROPOSED RETAIL TARIFFS FOR DIGICEL SERVICES

On the 30<sup>th</sup> October 2013 the Regulator advised Digicel Samoa Limited (“Digicel”) that the tariffs set out in the Order No. 2013/T09 Approval of Promotional Retail tariffs for Digicel are in effect only for a period of three months and are to be replaced with approved rates for all relevant services.

Digicel pursuant to the Order of the Regulator 2006/06 is the dominant service provider in the cellular radio services market and on the 24<sup>th</sup> of February 2014 submitted its new proposed plans for retail price changes for the Regulator’s approval, in accordance with section 40 of the Telecommunications Act 2005 (“Act”).

This Order sets out the retail tariffs approved by the Regulator for the specific services provided by Digicel.

The retail tariffs set out herein have been approved by the Regulator in consideration of:

- 1) Digicel’s request for implementation of various retail tariffs effective 1<sup>st</sup> April 2014;
- 2) The objectives of the Act;
- 3) Provisions of the Act regarding tariffs;
- 4) Recent reductions in the interconnection rates for mobile termination; and
- 5) Order of the Regulator No. 2013/T09 Approval of Promotional Retail Tariffs for Digicel Services.

The Regulator advises that:

- 1) All tariffs and rates for services provided by a dominant service provider for the services for which they have been determined or deemed dominant must first be approved by the Regulator;
- 2) The approved tariffs will apply to those services for which the provider has been deemed dominant;
- 3) The tariffs and rates will apply until such time as the present Order is revoked or amended by the Regulator;
- 4) Digicel should apply for new tariffs within 10 months for new tariffs to apply effective 1<sup>st</sup> April 2015;
- 5) On-net/off-net price discrimination for the regulated services will be subject to an industry wide consultation;
- 6) New tariff will apply automatically for all subscribers for the regulated services;



- 7) Tariffs and rates for (1) Digicel Standard and Default Rates; (2) Digicel DigiFixed Plan and (3) International Rates will apply automatically for all subscribers with the option to "Opt-in" for any other plan or rates approved by the Regulator.
- 8) The approved tariffs are the maximum retail rates, such rates being above the mobile termination rate approved by the Regulator in August 29<sup>th</sup> 2013.
- 9) Promotions for the same or similar offers affecting the regulated services are not to exceed three months within a one year period.

Accordingly, the Regulator issues this Order No. 2014/T01 to replace Order of the Regulator No. 2013/T09.

**The following maximum Tariffs and Rates are approved:**

**(1) Digicel Standard and Default Rates**

- **Forty-five sene (.45)** per minute for calls at peak and off peak periods for Digicel Mobile calls to:
  - a) Digicel Mobile calls;
  - b) Other Mobile network;
  - c) DigiFixed;
  - d) Other Fixed Network; and
  - e) International "Band 1" calls.

**(2) Digicel DigiFixed Plan**

- **Twenty-nine sene (.29)** per minute for calls at peak and off-peak periods for Digicel DigiFixed calls to:
  - a) Digicel Mobile calls;
  - b) Other Mobile network;
  - c) DigiFixed; and
  - d) Other Fixed Network
- **Forty-five sene (.45)** per minute for calls at peak and off peak periods for Digicel DigiFixed calls to International band 1 calls.

**(3) International Rates**

- **Fifty-nine sene (.59)** per minute for calls to Group 1 [American Samoa, Fiji, Tonga, Papua New Guinea, and Digicel Pacific Network];
- **Seventy-nine sene (.79)** per minute for calls to Group 1b [Australia and New Zealand];
- **Ninety-nine sene (.99)** per minute for calls to Group 2 [USA, China and Most of Europe];
- **One Tala and ninety-nine sene (\$1.99)** per minute for calls to Group 3 [Rest of the Pacific and the World not including those in Group 4];





- **Four Tala and forty-nine sene (\$4.49)** per minute for calls to Group 4 [Wallis and Fortuna Islands, Seychelles, East Timor, Congo DRP (Zaire), Cape Verde, Latvia, Niue and Solomon Islands].

#### Digicel “OPT IN” Plans

##### (4) Digicel Freedom Offer

- **Sixty Tala (\$60)** per month for 200 minutes of voice calls plus 200 SMS plus 100 MB of Data
- **One hundred and twenty Tala (\$120)** per month for 430 minutes of voice calls plus 430 SMS plus 200 MB of Data
- **One hundred and eighty Tala (\$180)** for 600 minutes of voice calls plus 600 SMS plus 300MB of Data
- **Two hundred and seventy Tala (\$270)** for 1000 minutes of voice calls plus 1000 SMS plus 400 MB of Data
- **Four hundred Tala (\$400)** for 1550 minutes of voice calls plus 1550 SMS plus 500 MB of Data

##### (5) Data Add on Options

- **Thirty –nine Tala (\$39)** for additional 500MB data (Tablet and DIGIMODEM)
- **Fifty –nine Tala (\$59)** for additional 1GB data (Tablet and DIGIMODEM)
- **Ninety –nine Tala (\$99)** for additional 2GB data (Tablet and DIGIMODEM)
- **One Hundred and ninety–nine Tala (\$199)**for additional 4GB data (Tablet and DIGIMODEM)

##### (6) Freedom and Data Add Options

- **Ninety-nine Tala (\$99)** for 200 minutes of voice calls plus 200 SMS plus 600 MB of Data (Tablet and DIGIMODEM)
- **Two hundred and nineteen Tala (\$219)** for 430 minutes of voice calls 430 SMS and 2.2 GB of Data (Tablet and DIGIMODEM)

##### (7) Digicel Classic Flex Plan

- **Sixty –five sene (.65)** per minute for call at peak periods for Digicel Mobile to:
  - a) Digicel Mobile calls;
  - b) Other Mobile network;
  - c) DigiFixed; and
  - d) Other Fixed Network.
- **Thirty four sene (.34)**per minute for calls at off-peak periods for Digicel Mobile to:
  - a) Digicel Mobile calls;
  - b) Other Mobile network;





- c) DigiFixed; and
- d) Other Fixed Network.

### VAGST

All of the above rates are VAGST inclusive.

### Peak periods

Peak periods for the purposes of this Order will be between 8:00 am and 7:59 pm on weekdays while off peak period would be 8 pm to 7:59 am on weekdays and all day on Saturdays and Sundays.

### Billing

Minutes are to be accumulated in increments of up to six (6) seconds.

### Application of the Order

- 1) The approved tariffs will apply to those services for which the provider has been deemed dominant;
- 2) The tariffs and rates will apply until such time as the present Order is revoked or amended by the Regulator;
- 3) Digicel should apply for new tariffs within 10 months for new tariffs to apply effective 1<sup>st</sup> April 2015;
- 4) On-net/off-net price discrimination for the regulated services will be subject to an industry wide consultation;
- 5) Tariffs and rates for (1) Digicel Standard and Default Rates; (2) Digicel DigiFixed Plan and (3) International Rates will apply automatically for all subscribers;
- 6) Subscribers will have the option to "Opt-in" for any other plan or rates approved by the Regulator;
- 7) The approved tariffs are the maximum retail rates, such rates being above the mobile termination rate approved by the Regulator in August 29<sup>th</sup> 2013.
- 8) Promotions for the same or similar offers affecting the regulated services are not to exceed three months within a one year period.

### Duration of the Order

The Order will expire on the earlier of:

- 1) The Regulator revoking this Order; or
- 2) The making of a new Order by the Regulator for Digicel's retail rates for its cellular radio services.

### Ongoing monitoring of Digicel's Cellular Radio Services

Consistent with the Regulator's functions and duties under section 25 and section 40 of the Act, the Regulator will continue to monitor retail tariffs for Digicel's cellular radio services.

This Order becomes effective on the 01<sup>st</sup> day of May 2014.

Dated this 30<sup>th</sup> day of April 2014.

A handwritten signature in black ink, appearing to read 'D. Defreitas', written over a horizontal line.

Donnie Defreitas  
Regulator