



**OFFICE of the  
REGULATOR**

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**ANNUAL REPORT**

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*For the Financial Year Ended 2021*



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REGULATOR**

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## ABBREVIATIONS

### ABBREVIATIONS

Asia Broadcasting Union	ABU
Asia Pacific Telecommunity	APT
Asia Pacific Telecommunity Wireless Group	APT-WG
Automated Spectrum Management System	ASMS
Disaster Management Organization Emergency Radiocommunication Network	DMO ERN
Financial Year	FY
First Come First Serve	FCFS
Information Communication Technology	ICT
International Mobile Telecommunications	IMT
International Telecommunication Union	ITU
International Telecommunication Union – Radiocommunications	ITU-R
Information Technology	IT
Internet Exchange Point	IXP
Long Term Evolution	LTE
Maritime Mobile Service Identification	MMSI
Mind Your Own Business	MYOB
Ministry of Communication, Information and Technology	MCIT
Ministry of Education, Sports and Culture	MESC
Ministry of Finance	MoF
Ministry of Foreign Affairs and Trade	MFAT
Ministry of Works, Transport and Infrastructure	MWTI
Mobile Satellite Services	MSS
Office of the Regulator	OOTR
Quality of Experience	QoE
Quality of Service	QoS
Quality Network Appliance Provider	QNAP
Samoa Audit Office	SAO
Samoa Digital Communications Limited	SDCL
Samoa Submarine Cable Company	SSCC
Service Providers	SPs
State of Emergency	SOE
Study Groups	SG
Very Small Aperture Terminal	VSAT
World Radiocommunication Conference 2023	WRC-23
Working Groups	WG

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## 1. EXECUTIVE SUMMARY

This Annual Report for the year ended 30 June 2021 reflects on the Office of the Regulator's ongoing initiatives and growing roles and responsibilities based on the directives from the previous Corporate Plan, Approved Annual Budget and Annual Work Plan. OOTR's efforts are dedicated to the effective regulation of the Telecommunication, Broadcasting, Electricity and Postal Services sectors as mandated by legislation for OOTR to implement.

As a primary mechanism of accountability to the Parliament of Samoa, this report has been prepared in line with the mandatory reporting requirements under the Telecommunication Act 2005.

Highlighted below are key accomplishments and challenges which OOTR has achieved and encountered respectively throughout the Financial Year 2020-2021.

### Accomplishments

#### ❖ *New Corporate Plan 2020 – 2025*

One of OOTR's major achievement within this financial year is the approval of its new Corporate Plan pursuant to Cabinet Directive (21)25. In helping set the strategic direction on where the Office is heading into the next five years, it was imperative that the Office conducted a review of the industry and realign its activities and priorities according to the emerging trends and changes of the regulated services.

This new Corporate Plan focuses on three key priorities to strengthen the regulatory functions of OOTR through having a responsive regulatory framework, providing effective and efficient spectrum management that benefits all and enabling consumer confidence in ICT services and products.

#### ❖ *Stimulus Package on Electricity Tariffs*

The continuation of the Stimulus Package for affordability of electricity tariffs to assist the economy during the Global Pandemic (Covid-19).

#### ❖ *Girls in ICT 10th Anniversary Celebration*

The International Girls in ICT Day event was hosted by the OOTR with the MESC, in line with international programmes of the International Telecommunications Union (ITU). This year marked the tenth anniversary on a global scale. The aim was to create a global environment that encourage and empower girls and young women to take up careers in the growing field of Information and Communication Technology. To further commemorate the Girls in ICT Day was the launching of the Very Small Aperture Terminal (VSAT) project provided by our international partner the ITU. There were presentations from women who are well known in the ICT industry and Government including the Madam Regulator. There were also opportunities offered during the main event for the students to win special prizes.

- ❖ ***Service Coverage***  
Improvement of coverage and quality of service through Mobile Broadband and Digital TV Access , due to the increase and approval of new and co-located mobile sites by Service Providers.
- ❖ ***Type Approval***  
Samoa Type Approval Label approved, indicating telecommunications equipment compliance to regulatory standards for importation, selling and supply to our market. Manufacturers around the world are already using the Samoa label.
- ❖ ***Connectivity Project Phase Two***  
The installation and launch of VSAT project at Ministry of Education, Sports & Culture (MESCC) Headquarters.
- ❖ ***Complaint Handling***  
All official consumer complaints received were resolved.
- ❖ ***Promotion Pilot Period***  
Continuous Pilot Promotion Period where preapproval of Regulator on promotional offers and tariffs in the market was not required. Notably, increase in data offer and free voice minutes and text messaging on-network by both mobile operators and any network by Vodafone.
- ❖ ***Reduction in Interconnection Rates***  
Decrease in the Termination Rates for telecommunication services.
- ❖ ***Co-location Negotiations and Agreements***  
Improved co-location negotiations between both mobile operators
- ❖ ***Legal Disputes***  
There were no issues referred to the Tribunal for intervention which is a result of a well-regulated sector.

## **Challenges**

- ❖ ***Office Space***  
The OOTR after the fire incident in April 2020 operated from a small and confined Office space at the 2AP Office in Mulinu. The working environment was not suitable for a workforce of twenty (20) employees. Nonetheless, staff quickly adapted and remained resilient throughout the eight (8) months period it operated from 2AP Office.
- ❖ ***Fire loss and emotional after support***  
The Office faced consequential loss from the fire not only in terms of damaged official records and assets but also the damage caused to staff personal belongings including two private vehicles parked in front of the building. One of the concerns OOTR realized after the fire was the real need for a professional support service for the staff in order to deal with any emotional and mental effects. However, such service was not available to the staff but also there was no time for the staff to

process their emotions given the sheer need of initiating the Office recovery process straight away.

❖ ***Interference***

Interference of the Digital TV service was caused by the Disaster Management Organization Emergency Radiocommunication Network (DMO ERN).

❖ ***Unauthorized Use***

Maritime Mobile Service Identity for Satellite and Callsign unauthorized utilization by the international vessels, operating as oil tankers, bulk carriers, general cargo vessels, and fishing vessels.

❖ ***Lack of Adequate Technical Equipment***

Spectrum tools and Software including spectrum monitoring vehicle processor; antenna utilities for Rhode and Schwarz PR100 Spectrum receiver; Rhode and Schwarz FSH4 Spectrum analyser; ASMS database server and UPS. Most of these were burnt in the fire.

❖ ***Covid-19 Restrictions***

Covid-19 restrictions and foreign country lockdowns delayed shipment of Service providers' equipment for infrastructure builds and upgrades on network coverage

❖ ***Reshuffling of Priorities***

Covid-19 restrictions and SOE orders shifted priorities for handling regulatory matters like digital TV tariff, designation dominance in the Internet market.

❖ ***Identity Crisis***

The status of OOTR – neither a Ministry nor an SOE remains a challenge.

❖ ***Underserved areas***

There are still areas in Samoa where access to mobile services is very poor in both data and voice services. OOTR continues to work with all service providers to address concerns in these grey areas.

### **Corporate Services Division**

The Corporate Service Division continues to provide finance, human resource and administrative support services in the Office of the Regulator to ensure effective and efficient provision of all services offered by the technical and key divisions within the OOTR.

In this reporting period, Corporate Service has been working in collaboration with the Samoa Audit Office (SAO) on the reconstruction assignment which focuses on rebuilding of OOTR records and reinstallation of its MYOB system.

### **Electricity Division**

The Electricity Division continues to develop policies, assess licenses applications and relevant rules, standards and regulations for the regulation of the electricity sector. With the impact of COVID-19, the Government upon advice of the Sector granted a Stimulus Package to decrease the price of electricity tariffs during this financial year. The Electricity Division continues with reviewing energy charges for electricity tariffs every month. This



process is an ongoing function of OOTR pursuant to Part IV Section 20 of the Act. The Electricity Division continues to advise the Regulator on new developments in the Sector so that efficient regulations are done accordingly.

### **Legal Division**

In this financial year the Legal Division has been engaged in reviewing and re-drafting Rules and Regulations to be in line with the demand of the Office of the Regulator. The Legal Division has been implementing and enforcing the legislation through advising the Regulator on legal issues pertaining to the regulated services. The Legal Division continues to work with the community in carrying out awareness programmes to all members of the community on the Online Safety Awareness Campaign with not only schools but including parents and church communities.

### **Regulatory & Consumer Services Division**

The responsibility and focus of the Regulatory and Consumer Services (RCS) is premised on the Corporate Plan 2014 -2019. The division is responsible for regulatory oversight, market activity analysis and consumer affairs functions in the regulated sectors within the mandate of the organization. The RCS oversees licensee compliance, market monitoring, managing issues arising from anti-competitive behaviour, access and interconnection, consumer complaint resolutions, quality of service and universal access.

The RCS key focus is to ensure the markets being regulated experience growth and benefits the public. It is also the focus of the division to protect the interests of consumers and promote sustainable competition in each sector.

### **Spectrum & Technical Division**

The roles and responsibilities of the Spectrum Management and Technical Division (“SM&TD”) continues to increase due to the rapid changes of technology in the telecommunications and broadcasting market in Samoa and Worldwide. SM&TD is focusing on capacity building to counter the fast growth of technology globally. Monitoring of the Digital TV Project is a major undertaking to achieve the composite coverage percentage for television signal and maintain quality of service. SM&TD also engaged in managing of preparatory work for the World Radiocommunication Conference 2023 this FY20/21, to ensure the Satellite services on the C-Band, L-Band and other commercial spectrum bands are secured not only for Samoa but for all the Small Island Developing States (SIDS). There is continuous monitoring and consultations with the Telecommunication and Broadcasting service providers in compliance with the office’s Policies, Rules and Regulations required by the Acts. Moreover, the office has built a new Local Area Network with procuring new equipment and installed after the fire destroyed the OOTR Building in April 2020.

### **Financial Review**

As at 30 June 2021, OOTR recorded total revenue of \$1,966,651 and had incurred expenses of \$2,009,423 and therefore realized a net loss of (\$42,772). However, revenue recorded excludes license fees revenue of \$3,426,601 which was off-set by payment to government expenditure for the same amount.

The Office operated on an approved budget of \$2,012,723 and was able to collect and transfer \$3,426,601 revenue to the Ministry of Finance in the current financial year.

## **2. CORPORATE SERVICES**

The Corporate Services Division in the OOTR provides and consolidates all support activities that are required for the proper administration and functioning of the Office. These include finance and administration, human resource management, asset management and development activities.

### ***2.1. Staffing***

As at 30<sup>th</sup> June 2021, twenty (20) out of twenty three (23) positions were filled, one (1) of the Principal Legal Officers position is still on hold with the remaining two (2) positions being vacant due to staff advancing to higher positions.

### ***2.2. Resignations***

The following staff members resigned from the Office of the Regulator during the period:

- Ms Faalelei Sua resigned from the position of ACEO Corporate Services effective 31<sup>st</sup> July 2020

The OOTR acknowledges with great appreciation the work carried out by former staff.

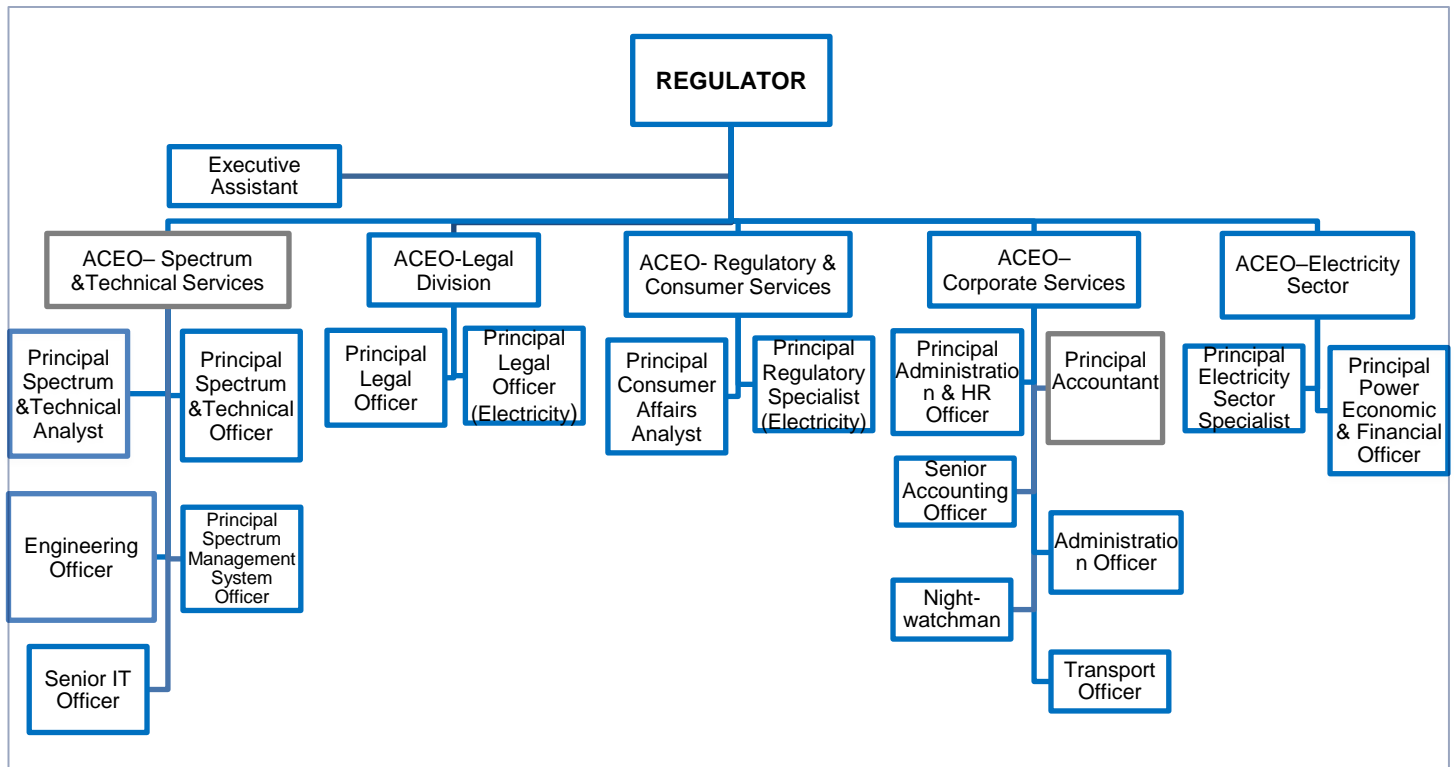
### ***2.3. New Appointments***

The following appointments were made during the period under review:

- Mrs Lematua Gisa Fuatai Purcell was appointed to the Regulator position effective 17<sup>th</sup> November 2020
- Mr Moepogai Seumanutafa was appointed/promoted to the ACEO Spectrum & Technical Services position effective 17<sup>th</sup> August 2020.
- Mr Unaena Lameko was appointed to the position of Principal Accountant effective 21<sup>st</sup> December 2020
- Ms Vanessa Tanuvasa-Pelenato was appointed/promoted to position ACEO Corporate Services effective 9<sup>th</sup> February 2021
- Mr Alex Ah Poe was appointed/promoted to the position of Principal Spectrum & Technical Officer effective 8<sup>th</sup> March 2021.

### ***2.4. Organisational Structure***

The approved Organisational Structure is reflected in **Figure 1** below and has been updated to reflect all current positions as at 30<sup>th</sup> June 2021.



*Fig. 1 Organisational Structure of the Office of the Regulator at 30 June 2021*

## **2.5. Institutional Strengthening**

The Office of the Regulator strives to seek funding for Institutional Strengthening and Capacity Building to improve the effectiveness of OOTR human resource and the need for technical equipment that was lost in the fire incident.

### **2.5.1. Funding Assistance**

OOTR continues to seek funding assistance from its development partners specifically World Bank (WB) under the Samoa Connectivity Project to provide much needed capacity building and training for its staff members as well as technical equipment. OOTR submitted proposals to World Bank for approval in order to utilize savings from the Project on initiatives that will benefit OOTR and the industry in the long run.

### **2.5.2. Capacity Building**

There is always a critical need to expand and deepen OOTR staff capabilities to create highly skilled and relevant workforce that enables OOTR to continue operating from a position of strength. COVID-19 presented the biggest challenge of all; staff were not able to attend overseas face to face trainings however with technological advancements and communication networks nowadays, it has created opportunities for trainers and trainees to meet and participate virtually online. In addition to online courses, staff also participated in trainings and workshops offered locally.

Trainings and workshops were provided through the International Telecommunications Union (ITU); the Asia Pacific Telecommunity (APT) and the Asia Broadcasting Union (ABU).

OOTR's efforts to enhance workers' skills continue through its in-house knowledge sharing workshops in order to drive a culture of continuous learning and adaptability amongst employees.

**Table 1: Number of meetings and trainings attended by staff during the reporting period**

Online Training Programs during the year:	7
Online Meetings during the year:	20
Local training based on relevance to job description:	5
<b>Total Trainings and Meetings Attended during the reporting year:</b>	<b>32</b>

### **2.6. Public Interaction & Awareness**

The Office continues to focus on upgrading interaction with the public through an improved website and making its process of public consultation and internal processes more interactive and consumer friendly.

Moreover, part of OOTR's efforts to interact actively with the general public is through its official Facebook page which OOTR also uses to monitor certain activities on social media to ensure quality of service (QoS) around Samoa and quality of experience (QoE) for all customers.

### **2.7. Occupational Health and Safety (OHS)**

After the fire incident, OOTR occupied part of 2AP Building at Mulinuu from April 2020 until late December 2020. The condition of the building was a matter of serious concern as it was not suitable for a workforce of twenty (20) employees. There was limited space to house not only the employees but also Office records and newly acquired assets. Nonetheless, the Office quickly adapted to ensure the smooth continuation of its services to the public and its clients.

OOTR leased an Office space with MKR Apartments at Savalalo which was a huge improvement considering the safety of OOTR staff including its records and assets. OOTR had a full alarm system installed in its new Office space with testing successfully completed.

OOTR's efforts to promote OHS in the workplace offered four (4) staff members the opportunity to attend a First Aid training conducted by Samoa Red Cross Society and was a huge success. OOTR now has four certified first aid respondents to perform first aid care in the event of an emergency or injury at work.

### **2.8. Records Reconstruction**

Since the fire incident, OOTR worked in close collaboration with Samoa Audit Office (SAO) to reconstruct its financial records and reinstalled its MYOB system.

In February 2021, OOTR received Audit Office first interim report on the reconstruction assignment detailing critical areas in which OOTR needs to address in moving forward.

This is a crucial and huge task given the severity of the incident that took place and OOTR is appreciative of the continuous assistance from SAO.

### 3. ELECTRICITY DIVISION

#### 3.1. Tariff Setting

Pursuant to Part IV Sections 19, 20 and 21 of the Electricity Act 2010 ('Act'), the Regulator is responsible for setting, changing and reviewing all tariffs charged by electricity licensees in Samoa.

The three (3) main components of the tariff namely; 1.) Debt charge 2.) Usage charge 3.) Energy charge. These components remain whereas the electricity tariff structure changes for the FY under review.

For the Electricity Sector, the Government through the Electric Power Corporation approved in Parliament a Stimulus Package to assist electricity consumers with the impacts of COVID-19 Pandemic. This stimulus package became effective from April 2020 and ended in May 2021.

**Table 2: COVID-19 Stimulus Package Tariff**

<b>Stimulus Package -Tariff Assistance COVID -19</b>				
<b>PREPAID METERS</b>				
<i>Structure</i>	<i>Usage Charge</i>	<i>Debt Charge</i>	<i>Energy Charge</i>	<i>End Tariff</i>
<b>Domestic</b>	sene/kWh	sene/kWh	sene/kWh	
1 to 100 kWh	0.09	-	0.42	0.51
101 kWh >	0.23	-	0.42	0.65
<b>Non-Domestic</b>				
All kWh	0.23	-	0.42	0.65
<b>POSTPAID METERS</b>				
<i>Structure</i>	<i>Usage Charge</i>	<i>Debt Charge</i>	<i>Energy Charge</i>	<i>End Tariff</i>
<b>Domestic</b>	sene/kWh	sene/kWh	sene/kWh	
All kWh	0.23	-	0.42	0.65
<b>Non-Domestic</b>				
All kWh	0.28	-	0.42	0.70

With this COVID-19 Stimulus package, consumers were satisfied given the cheap and affordable electricity tariffs for thirteen (13) months which lightened the burden of expense on electricity. However, there was a major change of the tariff structure effective September 2020 due to major effects proposed by EPC in order to achieve their Key Performance Standards and also their obligation in meeting other Government requirements as a State-Owned Enterprise.

The major change of the Structure was approved in the Regulator Order No. 2020/E74 for the Multi Year Tariff annual review whereby the tariff structure for domestic cash power tier has changed from 1-100 units (kWh) & 101 units and above to a new structure for 1-50 units and 51 units and above.

**Table 3: New Tariff Structure**

New Tariff Structure effective September 2020				
PREPAID METERS				
Structure	Usage Charge	Debt Charge	Energy Charge	End Tariff
<b>Domestic</b>	sene/kWh	sene/kWh	sene/kWh	
1 to 50 kWh	0.09	0.07	0.43	0.59
51 kWh >	0.23	0.07	0.43	0.73
<b>Non-Domestic</b>				
All kWh	0.23	0.07	0.43	0.73
POSTPAID METERS				
Structure	Usage Charge	Debt Charge	Energy Charge	End Tariff
<b>Domestic</b>	sene/kWh	sene/kWh	sene/kWh	
All kWh	0.23	0.07	0.42	0.72
<b>Non-Domestic</b>				
All kWh	0.28	0.07	0.42	0.77

Noticeably, the change has raised the electricity tariff compared to the previous financial year as reflected by the table below. The change in the structure along with very high fuel prices every month were the major contributing factors behind the increase in the end-use electricity tariffs for the current financial year.

**Table 4: Financial Years 2019/20 and 2020/2021**

CATEGORIES	FY 2019/20	FY 2020/21	
<b>DOMESTIC</b>	kWh/\$sene	kWh/\$sene	% Change
<b>Induction Meters</b>			
All units	<b>0.65</b>	<b>0.73</b>	<b>11</b>
<b>Cash Power Meters</b>			
1 to 50		<b>0.59</b>	
50>		<b>0.79</b>	
1 - 100	<b>0.51</b>	<b>0.65</b>	<b>22</b>
101 >	<b>0.65</b>	<b>0.79</b>	<b>18</b>
<b>NON DOMESTIC</b>			
<b>Induction Meters</b>			
All units	<b>0.70</b>	<b>0.77</b>	<b>9</b>
<b>Cash Power Meters</b>			
All units	<b>0.65</b>	<b>0.72</b>	<b>10</b>

Overall, with these changes in electricity tariffs the Regulator continues to review and monitor the energy charge on a monthly basis to ensure changes in electricity tariff by EPC are reasonable. Thus, Regulator continues to work in collaboration with EPC in determining an affordable tariff for everyone.

## 4. LEGAL DIVISION

This part of the Annual Report provides a brief overview of the Legal Division's ("Legal") work for the period as of 1 July 2020 – 30 June 2021 (FY2020/2021).

During this period, the Legal provided various legal advices, prepared and reviewed legal instruments (including but not limited to legislation, orders and licences).

### 4.1. Advices

The following table contains major advices provided by Legal for this financial year:

**Table 5: Legal advices**

Granite Power and Electric Power Corporation ("EPC") Dispute
Office of the Regulator Fire: Claim for third liabilities and staff
Social Media Closure
Netvo Samoa Limited Free Wi-Fi Project
Misleading Telemarketing Campaign, between Vodafone and Digicel
Notice of Court Proceedings (USA) - Global Eagle Entertainment Inc.
Office of the Regulator Trademark application to Ministry of Commerce Industry and Labour
Netvo Samoa Business Plan and affiliation with Kacific
New Broadcasting Licence Regime: Apia Broadcasting Corporation Limited (TV3)
New Broadcasting Licence Regime: Samoa Broadcasting Corporation Limited (TV1)
Interference between Ministry of Natural Resources and Environment Emergency Response Network and Samoa Digital Communication Ltd
Change of Netvo company name Bluwave and E2 Trust
Digicel v Vodafone: False and Misleading advertisement
Advice on charging fees for Type Approval
Complaint on no audio output for Government channel on Digital platform
Advice on revised Go Big Data Tariff Application
Computer Services Limited Telecommunications Fees
Advice on Digicel's advertisement: Ta'avale mo le Aiga
Office of the Ombudsman Questionnaire
Notice of the Office of the Regulator on use of Drones and the need for licensing and type approval
Office of the Clerk of Legislative Assembly Broadcasting issues
Advice on the allocation of Spectrum
Vodafone's complaint on unlawful use of Spectrum
Name change for Bluwave Wireless Ltd to Bluewave Wireless Ltd
National Digital Identification System Legal and Technical Policy
Advice to the Ministry of Commerce Industry and Labour on Satherd Samoa Limited
Advice on Student Sim Offer
Vodafone Samoa request for new number range
Progressive Insurance Valuation and Claim of Office of the Regulator Building
Telecommunication Levy
SDCL Suspension of Telecommunications Licence
Broadcasting Standard (Content)
OOTR Corporate Plan 2020-2025

## 4.2. Licence

The following is the list of Broadcasting, Electricity and Telecommunication licences in force, (\*: indicates Licences issued within this Financial Year); exclusive of Spectrum Licences.

**Table 6: List of all service licenses**

<b>Broadcasting</b>	
<b>Individual Licence (TV)</b>	<b>Individual Licence (Radio)</b>
1) South Pacific Broadband Co. Limited *	1) Samoa Media Services *
2) Beta Multimedia Investments Co *	2) Samoa Quality Broadcasting
3) National University of Samoa TV *	3) Salafai Radio
4) Digicel TV (Subscription)	4) Talamua Media
5) Good News Trust	5) TV2 Network Company Ltd (FM Radio)
6) Kingdom TV	6) Worship Centre (Uaga o Fa'amanuiaga)
7) Moana Communications Ltd (Subscription)	7) Youth for Christ (Laufou)
8) Samoa Digital Communications Ltd	8) Catholic Media Communication (Radio)
9) TV2 Network Company Ltd	9) Good News Trust (Radio)
10) Catholic Media Ltd	10) Radio Polynesia Limited (Radio)
11) Apia Broadcasting Ltd	11) Power FM (Radio)
12) Samoa Quality Broadcasting TV	12) National University of Samoa (Radio)
	13) Island Base (Radio)
	14) MCIT (2AP)
	15) R&M Meredith Family Trust (Radio)
<b>Electricity</b>	
<b>Generation Licences</b>	
1) Samoa Trust Estates Corporation*	5) Sun Pacific Ltd
2) Secretariat Pacific Regional Environment Programme*	6) Granite Power Samoa Ltd
3) Green Power Samoa Ltd	7) Solar for Samoa Ltd
4) Electric Power Corporation	
<b>Telecommunications</b>	
<b>Individual Service Licenses</b>	
1) Computer Services Ltd	6) Samoa Submarine Cable Company Limited
2) Digicel (Samoa) Ltd	7) South Pacific Broadband Co Limited
3) Lesa's Telephone Services	8) Vodafone Samoa Limited
4) Samoa American Samoa (SAS) Cable Limited	9) Samoa Digital Communication Limited (suspend)
5) Bluewave Wireless Ltd	

## 4.3. Power Purchase Agreements

- i. Samoa Trust Estate and Electric Power Corporation;
- ii. Secretariat of the Pacific Regional Environment Programme and Electric Power Corporation



#### **4.4. Agreements**

- i. MKR Apartments and Office of the Regulator Lease Agreement;
- ii. Agreement for Payment OOTR Laptop by Temukisa Toomata;
- iii. Bond Agreement for Professional Development- Unaena Lameko, Etenauga Tanielu-Toimoana and Peti Farani.

#### **4.5. Bills, Legislations, Regulations, Rules**

- i. No Bills, Regulations or Rules passed in the last financial year; however the legislation and subsidiary legislation under the mandate of the Office of the Regulator are under review for reform.

#### **4.6. Orders**

- i. The following Orders were issued in the FY2020/2021 in relation to the regulation of all the sectors under the jurisdiction of the Regulator:

##### **4.6.1. Electricity Sector**

**Table 7: A total of 6 Electricity Orders were issued within FY2020/2021**

No.2020/E73: Tariff Approval Requirements During Disasters or Emergencies
No.2020/E74: MYT Annual Review 2020
No.2020/T75: Electric Power Corporation to cease roll out of Smart Meter Project
No.2020/T76: Approval of Energy Charge Adjustment
No.2020/T77: Approval of Energy Charge Adjustment
No.2020/T78: Change in Tariffs

##### **4.6.2. Telecommunications & Broadcasting Sector**

**Table 8: A total of 5 Telecommunications Orders were issued within FY2020/2021**

No.2020/T03: Termination Rates for Telecommunication Networks in Samoa
No.2020/T04: Netvo Samoa Ltd to Cease Satellite- Wifi Project
No.2021/T01: Submission of Audited Financial Statements for Determination of Digital TV Tariffs
No.2021/T02: Office of the Regulator Label Requirement for Type Approval Equipment
No.2021/T03: Termination rates for Telecommunication Networks in Samoa

#### **4.7. Projects**

- i. The following Projects were implemented or developed under the care of Legal within FY2020/2021:
  - OOTR Legislative Review and Reform Project;
  - OOTR Broadcasting Regime;
  - Online Safety Awareness Campaign

#### **4.8. Proposals**

- i. The following Proposals were implemented or developed under the care of Legal within FY2020/2021:
  - Samoa School Connectivity Project (VSAT)

### **5. REGULATORY & CONSUMER SERVICES**

Regulatory and Consumer Services division (RCS) undertakes the regulatory oversight, market analysis and consumer affairs functions in telecommunications, broadcasting, electricity and postal. The responsibilities of the division include overseeing licensee compliance, market monitoring, managing issues arising from anti-competitive behaviour, price regulation, access and interconnection, consumer complaint resolution, quality of service and universal access.

Activities and tasks for the division during the reported period focussed primarily on completing the aspects of the regulatory framework detailed below:

- i. Convergence - To review all ICT licences to ensure that they reflect pro-convergence principles
- ii. Consumer Protection - To ensure that disputes between service providers and consumer complaints are addressed transparently, fairly and in an efficient manner
- iii. Effective competition - To institute market monitoring for anti-competitive behaviour
- iv. Availability of and Access to services – (i) to facilitate improvement of/and network coverage and services extension; (ii) To review price levels and price regulation and the operation of markets in driving prices lower
- v. Industry Development - To ensure that the development of regulated sectors must comply with the established criteria for the grant of services license.

#### **5.1. Convergence**

Final Licensing Rules (Rules) and New Telecommunication License Fee Regulations 2018 are available on the OOTR website. The Rule is in force and implementation actions have been underway through awareness campaigns. There is continuous monitoring of licensees' activities for compliance as per license requirements and conditions as well as OOTR sanctions in place.

#### **5.2. Consumer Protection**

Consumer complaints play a valuable role in helping the OOTR to monitor for QoS, service providers compliance to approvals and sanctions in place.

The regulatory process for handling consumer complaints on the approved services and products of the Service Providers (SPs) was premised on the functions and powers of the Regulator stipulated in the Telecommunications Act 2005 and the Broadcasting Act 2010 (Acts). The objectives of the Acts on principles of natural justice and fair process are to be administered.

The RCS resolved six (6) official complaints from consumers and SPs in the period under review. The complaints concerned quality of service, devices, advertisements and accused anticompetitive behaviour of Samoa Submarine Cable Company. All the complaints have been resolved by the Regulator in accordance with the legislative framework of the OOTR. The table below provides a summary of complaints received and resolved.

*Table 9: Summary of complaints received and resolved*

	<b>1<sup>st</sup> Quarter (Jul-Sept 20)</b>	<b>2<sup>nd</sup> Quarter (Oct – Dec 20)</b>	<b>3<sup>rd</sup> Quarter (Jan – Mar 21)</b>	<b>4<sup>th</sup> Quarter (Apr – Jun 21)</b>
<b>Official Customer Complaints (letter)</b>		Poor Internet coverage (1)		Glued Sim Cards (1)
<b>Service Provider Complaints</b>	Anticompetitive Practices (1)	Misleading & False Advertisements 100 sites (1)		
<b>General Complaints ( &amp; social media)</b>		Data Usage (1)	Post-paid plans for devices (1)	

The Telecommunications (Customer Protection) Rules 2017 (“the Rules”) has been in full force and implementations well underway. In March 2021, the OOTR took part in the World Consumer Right Day 2021 commemoration coordinated by the Ministry of Commerce Industry and Labour in Salelologa, Savaii. OOTR presented on consumer protection issues relating to regulated services in order to build awareness on the role of OOTR in dealing with such matters.

### **5.3. Effective Competition**

The OOTR had to take into account the implications that the COVID-19 pandemic has had and may continue to have on how the market is working. Some SPs have commented that their customer base and business activities have significantly been affected. The shift from traditional communication to online and virtual interaction has increased in the business and the general communities.

The OOTR exercised a light hand approach on regulations by way of implementing a Pilot Period for SPs promotions. SPs were not required a preapproval on their promotional offers in the market rather a notification was suffice. The early Covid-19 restrictions on keeping distance in workplace transformed the scheme into a test of trust for the SPs on their obligation to comply with its license conditions and regulatory promotion guidelines in place.

The Order of Regulator 2018/T50 also took into full effect whereby under any declared State of Emergency (SOE) period, service providers are not required to file for an approval from the Regulator but a notification of the proposed tariffs would suffice. The tariffs remain effective only in the period of the SOE until lifted. If SPs wish for these tariffs and services to continue in the market they are required to resubmit these in applications for approval. The revised order to Order of Regulator 2021/T04 eventuated in August 2021 due to a shift in the supply of the telecommunication services.

The Order of Regulator 2020/T03 was issued for the approval of Termination Rates for Telecommunication Networks in Samoa. The new mobile termination rates between the two telecom providers decreased by half from \$0.10sene to \$0.05sene while fixed termination rates decreased also to \$0.05sene.

This reporting period saw the first monitoring of Facebook for consumer complaints and compliance of SPs with regards to approved services and tariffs. The consumer complaints are concerns generally raised on approved services and its terms and conditions. The objective is to have these concerns addressed and resolved before consumers officially lodge their complaints to the OOTR.

At the end of the reporting period in overall observation no SP was perceived to be operating in any anticompetitive manner.

#### ***5.4. Availability of and Access to Services***

##### ***5.4.1. Network and service extension facilitation***

The OOTR and SPs took a co-operative approach with the objectives to improve the quality of service, universal access and quality of experience of customers. The telecommunication and broadcasting services coverage via Digital TV project improved notably during this financial year as compared to the previous ones. The details for telecommunication with regards to mobile and digital TV coverage can be read in the Spectrum and Technical section of this report.

The co-operative initiative brought the SPs together for a sector site visit in the eastern side of Upolu and across Savaii in June 2020. Areas needing improvement and coverage were effectively identified and the SPs wilfully worked together to do the needful and improve on their co-location agreements without any further hesitations and interventions required from the OOTR. The follow up site visit took place respectively in the first quarter of the period under review.

Samoa Digital Communication Ltd (SDCL) continued with the Digital TV project coverage roll out The OOTR provided its Digital TV tariff information paper in the first quarter of the reporting period to Minister of Communications, Information and Technology followed by a Digital TV tariff recommendation in the second quarter to Minister MCIT and Prime Minister. New directions and meeting outcomes were later developed in the third quarter with the Digital TV tariff determination to remain a work in progress.

The OOTR also carried out its review of the Wholesale International Internet Broadband Market for designation of market dominance in accordance to Section 26 of the Telecommunications Act 2005.

The designation of dominance will enable the OOTR to better regulate the said market with respect to prohibiting abuse of dominance and anticompetitive behaviour and importantly to stimulate healthy market competition. The determination was yet to finalize in the reporting period.

#### ***5.4.2. Retail Tariffs and Pricing***

The RCS remain heedful in determining availability of good, services and product offers from SPs for our people's best interest (affordability)

The OOTR received fifty (50) promotional applications of which 20% pertains to Digicel Samoa Ltd (Digicel) and majority for Vodafone Samoa Ltd (Vodafone) at 80%. This is a slightest change in business activities from the previous year. Vodafone continuous to stay active in the market by trying to find the perfect balance in the service offers against consumer preference and demand.

A decrease was noted in the applications received for short codes from the SPs recording a 41% from the previous year. Digicel holds 57% and Vodafone 43% of the short codes in this reporting period.

Vodafone continues to dominate market activity with changes in tariffs during the SOE recording a 73% as compared to Digicel's 27% tariff activity.

### ***5.5. Industry Development***

#### ***5.5.1. Applications for Services License***

The RCS is responsible for coordination of license evaluations and assessment of the financial criterion for Telecommunication and Broadcasting Service License. In this financial year being reported here, OOTR received and approved the following twelve (12) applications for Telecommunication Service License and Electricity Generation License during the reported period:

- i. 4 x Spectrum License (Land Mobile) - Taxi Stands
- ii. 4 x Broadcasting License - South Pacific Broadband Ltd, TV 5 BETA and NUS (TV & Radio)
- iii. 2 x Electricity Generation License - STEC and SPREP
- iv. 1 x Radio Spectrum License - Digital Samoa Ltd Radio
- v. 1x Telecom License - Samoa Pacific Broadband Co. Ltd (ISP)

Applications have been approved by the Regulator within the required timeframe under OOTR Evaluation Criterion for Services License.

## 6. SPECTRUM & TECHNICAL SERVICES

The Spectrum and Technical Division will report on all Spectrum management and technical issues as well as internal ICT services. This is to address the need to improve managerial capacity and knowledge sharing for the continuous development of internal services. More importantly how it affects the OOTR's external stakeholders, and services corresponding to the spectrum in terms of planning, implementation and monitoring.

Following the crisis period OOTR faced in the previous financial year, we managed to recover (procured) a portion of the Equipment(s) and tools that were damaged, using the Office's budget savings. These include the ASMS PC Client, SMS Vehicle Laptop Clients, LAN server, etc.

Temporary spectrum which was assigned to support our Telecommunications Service Providers from the previous financial year (FY19/20) had been continuous to the FY20/21 due to the extension of the SOE. In addition to the temporary spectrum from the LTE1800 bands, OOTR encouraged the use of available spectrum above 1800MHz as approved to Digicel Samoa Limited and Vodafone Samoa Limited to enhance and improve performance of mobile broadband system and coverage.

### 6.1. Radio Spectrum Management

Radio spectrum is a scarce resource for information and communication technology (ICT) applications such as broadcasting, satellite communications, broadband wireless communications, maritime services, aeronautical services and so forth. Like the previous years, the FY20/21 noted the high demand from service providers in spectrum utilization for mobile wireless communications to meet their customer's needs and expansion of LTE/4G coverage. The below table depicts a significant impact of such demand during this financial year, more sites installed, coverage has improved and lastly facility sharing or co-location sites have increased.

**Table 10: Mobile Network Statistics**

<b>Mobile Sites (BTS)</b>	<b>FY19/20</b>	<b>FY20/21</b>
Digicel Samoa Limited	77	81
Vodafone Samoa Limited	92	101
<b>3G /4G coverage (% national population)</b>		
Digicel Samoa Limited	93%	97%
Vodafone Samoa Limited	95%	98%
<b>Tower Co-Location</b>		
Digicel Samoa Limited	8	10
Vodafone Samoa Limited	4	7

Moreover, the COVID-19 outbreak still impacts consumer behaviour resulting in a rapid peak of Internet usage for online professions and services including; e-education, e-health, emails, remote offices network or working from home, virtual meetings, e-agriculture, e-

payments and even entertainment. As such, the Spectrum and Technical Services Staff attended as many regional and international meetings on spectrum planning, modification and utilization to represent Samoa’s position on the radio spectrum globe. The Spectrum and Technical Team have submitted input papers for Samoa to support the Office of the Regulator position on the International Telecommunication Union – Radiocommunication meetings and Asia Pacific Telecommunity meetings for the next World Radio Communication Conference-23 (WRC-23). The purpose is to voice and protect our existing services plan and enable effective use of frequency spectrum, whilst ensuring compatibility technology and service neutral to guarantee continuous sustainability locally, regionally and on a global scale. A detailed summary of matters discussed at the virtual meetings are presented in the sections below.

## **6.2. Spectrum Licensing**

Approved applications for Radio Spectrum Licence were granted based on the successful satisfaction of all the criteria pertaining to the OOTR Criteria for Licences. A total of twenty three (23) new spectrum licensees were approved in this financial year. Types of radio spectrum licence issued include:

**Table 11: Type of Licences**

<b>Type of Licence</b>	<b>Total</b>
Amateur	3
Land Mobile	3
Fixed Service	1
Broadcasting FM	1
Ship Station	10
Aeronautical Station	5
Satellite Earth Station (SES) TX/RX	0
WiMAX Broadband	0
Wi-Fi Broadband	0
GSM 900	0
LTE 700	0
LTE 1800	0
LTE 2100	0

The above table noted a reduction in licences issued this financial year due to unpaid invoices and instalment payment arrangements by the licensees. Approved exemptions of spectrum for community service applications (radio broadcasting) and Unmanned Aircraft Vehicles (Drones) are also contributing factors to the reduction of licenses issued.

As mentioned above, SOE continued from the last financial year in response to the COVID-19 pandemic situation, putting Internet access as the forth runner on the most feasible means of integral communications for online professions and services. In addition to the temporary spectrum from the LTE1800 bands, OOTR encouraged the use of available spectrum above 1800MHz to enhance and improve performance of mobile broadband service and coverage.

### ***6.3. Spectrum Monitoring (Telecom & Broadcasting Transmission Coverage)***

Spectrum occupancy and active use is an integral part of owning a Spectrum Licence. These are articulated in the Terms and Conditions section of the Spectrum Licence and the Radio Spectrum Rules 2018. The Technical team conducts Spectrum monitoring exercises to monitor, plan, manage, and report on the existing utilization of the Radio Spectrum including QoS for improvement of services such as mobile broadband and fixed wireless access coverage.

With reference to our Spectrum & Technical Work Plan 20/21 the Technical team successfully completed the spectrum monitoring task within the specified timeframe. As the Spectrum Monitoring System Vehicle was under repairs the monitoring task was conducted using the Rhode and Schwarz Portable Receiver (R&S) PR100 Unit and Mobile Smart Phones for Internet Speed Test - QoS.

During the monitoring exercise, the team noted the difference in spectrum activity pertaining to the Telecommunication Service. For example, one Telecom Service Provider was not fully utilizing the 3G spectrum bandwidth allocated to them, another was confirmed its active use of the complete allocated spectrum including the LTE2100. The monitoring report concluded with an overall improvement from the Telecommunication Provider's service. The significant increase in the number of mobile cell sites resulted with coverage of 3G and LTE services have expanded to areas which were previously identified as low and no coverage areas. However, there are still a few areas requiring immediate attention for mobile broadband coverage as reported.

Further to the above monitoring, the office received a complaint letter from the village mayor of Tapatapao regarding poor Mobile Broadband Internet access. This was a long standing issue and consultations with the Telecom Service Providers were conducted to provide an immediate solution. Even though, there were challenges encountered by the service providers with regards to uneven landscapes and elevated terrains around the area, a temporary solution was provided by one of the company's pending the long-term plan to improve Internet connectivity within the area.

There had been significant improvement of Television Broadcasting Service around Upolu and Savaii since the introduction and implementation of Digital Terrestrial Television service. Eighteen (18) DTTV Transmission Sites in Upolu were active during the monitoring providing 99.9% coverage.

Therefore the monitoring for the financial year 20/21 depicted an improvement in the mobile broadband and fixed wireless access services as well as digital television broadcasting services.

### ***6.4. Frequency Spectrum Audit***

The OOTR as the custodian of spectrum conducts audit exercises of radio frequencies used by all licensees to ensure the efficient utilization of these resources and secure availability for future applications. The collected data is reconciled and verified with OOTR records for any unauthorised use of spectrum.



In July 2020, the Spectrum and Technical team conducted the Frequency spectrum audit exercise as planned and met with all licensed spectrum users and organisations to collect the required data. The spectrum licensees include government ministries and private sector companies.

The Audit exercise noted some slight differences between the collected information and the current OOTR records. For example, some taxi stands were no longer using handhelds, land mobile equipment or base station yet the frequencies are still registered in our records. The team advised to submit a formal letter to inform non-operation of services and request to de-register from the OOTR licensing system.

### ***6.5. Interferences***

For the management of the radio spectrum, OOTR does not discriminate on any basis no matter who the licensee is or what type of services occupying the spectrum. There are times when some service takes precedence compared to others in the same or adjacent bands. However such cases are enunciated in the terms and conditions of the Spectrum Licence when distinguishing between Primary and Secondary Service (Shared Frequency Band), especially when interference occurs.

Spectrum interference is a critical issue, and demands immediate response from the Technical division to resolve as soon as they are reported to OOTR. For the FY20/21, only one radio frequency interference occurred between the MNRE-DMO Emergency Radio Network (ERN) and the Digital Terrestrial Television Network. It is often the cases that the necessary levels of protection are not in place or outdated systems are used which cause these problems. Generally, this was experienced on the ERN system. After numerous troubleshooting exercises and discussions, the matter was resolved with the ERN system at Olomanu site being switched off and advised the custodian for an upgrade.

### ***6.6. Diplomatic Clearance***

OOTR continues to collaborate with the Ministry of Foreign Affairs and Trade (MFAT) on the temporary authorisation and approval of spectrum to be used by foreign vessels that enter Samoa's territorial waters and air space. In summary, the Technical team received and approved a total of seventeen (17) foreign vessels to use Radio Spectrum Frequency for aeronautical and maritime radio communication. Subject to spectrum fee, this is exempted in reference to the nature of the application and period of operation.

### ***6.7. Radio Spectrum Fees***

This financial year, the Legal Division requested assistance from the Spectrum and Technical team on the Regulatory Framework Review including the existing Radio Spectrum Fees Amendment Regulations 2015 and 2018 for Samoa. In doing so, the Technical team provided modifications on the draft Regulation based on technology trends, emerging technologies, economic and market behaviour. Due to such challenges faced by OOTR over the years the OOTR implemented the current practices of First Come First Serve (FCFS). This practice underpins the approach to assigning spectrum flow by OOTR. Example of modifications include, maintain of annual charges for non-commercial services and increase application fee, removal of certain fees as they are no longer required including

studio link for broadcast TV services, and so forth. Regional and international regulatory authorities were consulted during this exercise to determine a best practice approach for Samoa

The major change is the review on satellite services for both commercial and non-commercial services and applications. This was widely based on the trend of technology, technical aspects of this service, and cost-wise users especially from the perspective of academic, health, and for personal operation. Nevertheless, the main objective is for the development of our country, facilitate and promote the best interests of consumers and participants and keep Samoa aligned with regional and international Regulatory Frameworks. The report also recommended the new process for charging of Spectrum Licence on a pro rata basis for all spectrum license approved. The report was submitted to the Legal Division to review the particulars of the draft Radio Spectrum Fees Amendments Regulations 2021 proposal for Regulator and Management's consideration.

### ***6.8. Telecommunication Equipment Type Approval***

Type Approval is a crucial process in which all radio equipment are assessed and certified for product compliance to international standards which Samoa adopts and authorises to use in accordance to Telecommunication Act 2005 Sections 8 & 23 and Telecommunications (Radio Equipment Technical Standards and Type Approval) Rules 2018. The standards include health and safety measures, radio frequency compatibility and electromagnetic compatibility levels for the devices to follow. For the FY20/21, OOTR issued a total of ninety eight (98) type approval certificates.

### ***6.9. Samoa Type Approval Label***

In this financial year the Samoa Type Approval Label was approved and implemented as per Order of the Regulator No.2021/T02. The Order concerns manufacturers and importers intending to sell and supply telecommunications equipment to the market in Samoa. The label or trademark should only be used by the manufacturers or importer once the Type Approval Certificate is granted with the approved Type Approval number. The trademark must be highlighted on the packaging, warranty forms, instructions manual and leaflets, websites and equipment or device. An electronic labelling was also recommended for products with in-built display. This is the first time Samoa has moved on to use Approval Label as per international best practice. The purpose is to ensure Samoa has given its type approval for products.

### ***6.10. Number Management***

The Spectrum Management and Technical Division is responsible for implementing the Samoa National Numbering Plan (SNNP) to ensure equitable distribution and management of the numbering resource. Applications for use of any number or number range are only submitted by Telecommunication Providers. Overall, management of numbers is an ongoing development and the numbering audit is conducted every financial year.

#### ***6.10.1. Short Code and Toll Free Number***

For this financial year, a total of ten (10) short codes for various promotions were approved. The constant requests for the codes from each service provider depicted ongoing

competitions on the market with proposed ideas or promotions to attract customers. With FY20/21 the OOTR approved toll free number(s) to the Office of the Electoral Commission (OEC) for preparation and support of the Samoa General Election held in April 2021.

#### ***6.10.2. Samoa MMSI and Callsign – Unauthorised Use***

The Technical Team monitored the use of Maritime Mobile Service Identification (MMSI) and Callsigns allocated by the International Telecommunications Union (ITU) to Samoa's administration (OOTR). The exercise found an alarmingly high unauthorized use of Samoa's MMSI and Callsign by the International Vessels and has increased in numbers since it was first recorded and captured in 2019. Approximately 158 MMSI and 17 Callsign codes are illegally used by International Vessels operating as oil tankers, bulk carriers, general cargo vessels, fishing vessels, or high speed crafts. This matter was discussed with the Ministry of Works Transport and Infrastructure (MWTI) as they administer the Samoa Vessel registration (Maritime Service). Investigation is still ongoing and possible solutions have been identified to resolve this issue. This issue is also been investigated by the ITU.

#### ***6.11. Preparations for World Radiocommunications Conference 2023 (WRC-23)***

The next ITU Radiocommunications Sector (ITU-R) World Radiocommunications Conference will be held in the year 2023. In preparations for the WRC-23, the Spectrum and Technical team has been actively participating in regional and international Study Groups (SG) and Working Groups (WG) virtual meetings on issues related to the WRC-23 agenda items. For example: ITU-R SG 4 which is responsible for satellite services, ITU-R SG 5 responsible for terrestrial services, APT Conference Preparatory Group for WRC-23 (APG-23), and APT Wireless Group (AWG).

The Spectrum and Technical team raised concerns from Samoa and supporting Pacific administrations including Vanuatu (Republic of), Solomon Islands, Palau (Republic of) on protection of existing services on the L-Band and C-band from International Mobile Telecommunications (IMT) services. Samoa extensively uses these bands for mobile-satellite service (MSS), aeronautical services, meteorological satellite communications and disaster communications. The input paper proposed for ITU-R Working Party to provide administrations with guidance on how to implement IMT in the 1 427-1 518 MHz band in a way that ensures the continued availability and protection of current and future MSS operations. Additionally Samoa requested AWG members to support the protection of MSS in the L-bands from 1518 MHz to 1559 MHz in ITU-R Recommendations and ensure the Recommendations include measures for protection of land terminals since these are used for logistical and disaster operations during the period of emergencies on Islands. The Spectrum and Technical team will continue to participate in the SG and WP meetings following the existing calendar of events from ITU and APT.

#### ***6.12. Connectivity Project***

The OOTR continues discussions with relevant parties for opportunities to improve technology communication in schools and rural health sectors. VSAT project is one of the initiatives under the ITU where Samoa sought assistance through OOTR to promote education in the rural communities. The second phase of this project was launched at the MESC Headquarters where one of the VSAT has been installed. The event was further

celebrated with the commemoration of the Girls in ICT Day. There is ongoing discussion with Kacific Broadband Satellite Company and relevant stakeholders on the execution of the project to our local schools and medical health centres.

### ***6.13. Digital TV Project***

There has been significant improvement of Digital Television Service around Upolu and Savaii since the introduction and implementation of Television. This financial year recorded fourteen (14) active DTTV Transmission Sites in Upolu and four (4) in Savaii, providing 99.9% coverage across the country. A tremendous accomplishment from this project is the extension of television reception to the residences of Sauano ma Saletele and Uafato Fagaloa for the very first time, since this service was introduced in 1993. The Digital TV project provided a much-needed coverage for television services and naturally elevates access to a variety of programs.

### ***6.14. Samoa Internet Exchange Point (IXP) Policy***

After the transition of the SIXP Policy over to the MCIT to lead, OOTR continued to be contacted by international stakeholders seeking our input and assistance on the matter. The Spectrum and Technical with the Legal team participated in local and regional meetings on the Internet Exchange Point policy for the region. The countries involved in the discussion of the Pacific IXP policy include Samoa, New Zealand and Fiji.

### ***6.15. IT Services***

Subject to the new Office location, new equipment(s) and software(s) were procured during this FY20/21 to ensure the efficiency of the office work and information. These include a Quality Network Appliance Provider (QNAP) file server and Dell server which were successfully installed and configured to store and share the office's information securely among the staff.

Information Technology (IT) Policy was developed and revised by the Spectrum and Technical Team in this financial year and it is therefore crucial that an IT Security Policy and Guidelines is to protect the Organisation's data and also ensure that OOTR adheres to the government's IT requirements. Below are some areas that were considered:

- Network Security
- Server Security
- Data Backup
- Non Staff Access
- Internet Usage
- Information Management System
- Monitoring
- Confidentiality
- Software
- Hardware
- Copyright
- Emails
- Disaster Recovery

The implementation of this Policy for OOTR provides a variety of electronic communications system used in carrying out its business. All communications and information transmitted by, received from or stored in these systems are the property of OOTR and as such, are intended to be used for job-related purposes only. A backup proposal was drafted and reviewed and this document proposed 3 backup solutions to further improve the security and disaster recovery of the offices data. The offices email services are still stored using Microsoft Cloud based services (Office365).

The Office also requires a new Uninterruptible Power Supply (UPS) system due to the current one not having enough capacity to cater for the new additional LAN Servers. This has been noticed during the EPC Power outages and fluctuation.

## **7. FINANCIAL REVIEW**

As at 30 June 2021, OOTR recorded total revenue in the amount of \$1,966,651 and had incurred expenses of \$2,009,423 and therefore realised a net loss of (\$42,772).

Revenue recorded excludes \$3,426,601 revenue for license fees which is off-set by payment to government expenditure for the same amount (paid to the MoF).

### ***7.1. Budget***

Government initially approved a budget of \$2,012,723 expenditure and \$4,172,709 revenue for the period July 2020 to June 2021.

### ***7.2. Revenue***

Revenue recorded by the Office of the Regulator in the current financial year comprise of grants from government, telecommunications license fees, radio spectrum license fees, broadcasting license fees and electricity license fees.

#### ***7.2.1. Government Grant***

Government grant represent OOTR's approved budget for the year transferred from the MoF on a monthly basis for OOTR's operations.

#### ***7.2.2. Telecommunications Licence Fees***

The Office issued invoices for telecommunications license fees of \$1,925,545 for the year ended 30 June 2021. Telecommunications licence fees comprise of fees payable to OOTR by licensed telecommunications services providers in accordance with the Telecommunications Licence Fee Regulations 2018.

#### ***7.2.3. Radio Spectrum Fees***

The total amount invoiced as radio spectrum fees for the year was \$1,078,360. It comprises fees payable by licensed radio spectrum users to OOTR in accordance with the Radio Spectrum Fee Amendment Regulations 2018.

#### 7.2.4. Broadcasting License Fees

The total amount invoiced as broadcasting license fees for the year was \$13,303. It includes fees payable to OOTR by licensed broadcasters (TV/FM/AM) in accordance with the Broadcasting (Licence Fees) Regulations 2015.

#### 7.2.5. Electricity License Fees

The total amount invoiced as electricity license fees for the year was \$406,153. It includes fees payable to OOTR by licensees for electricity generation and electricity network services in accordance with the Electricity Fees Regulations 2017.

### 7.3. Expenditure

In 2020/2021, the usage of the Office's spending was primarily limited to operating expenses.

As reflected in **Figure 2**, most of the Organisation's expenses for the year, equivalent to 64% is represented by Personnel Expenses.

Depreciation accounts for 17% and the 2% of professional fees expenditure represents audit fees paid.

The segment labelled "Other", which accounted for approximately 16% of the total expenditure; include payments towards advertising, electricity charges, internet costs, loss on disposal of fixed assets, bank charges, subscription to publications, training and course fees, customs duty costs and other miscellaneous operating expenses.

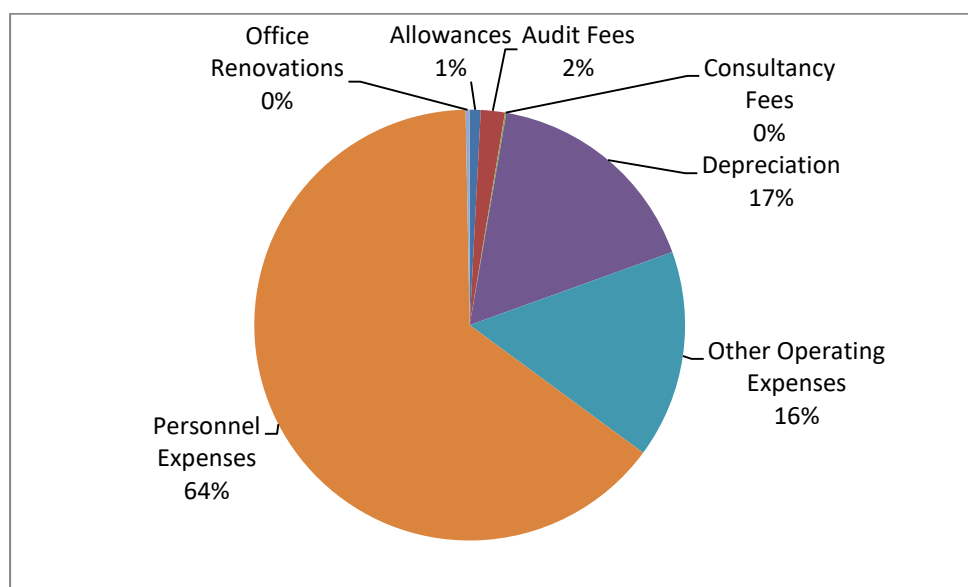


Fig. 2: Distribution of expenses for the year ended 30 June 2021

#### 7.3.1. Payment to Government

As mentioned above, payment to government expenditure has been off-set by license fees revenue. Payment to government is the sum of all invoices issued by the Office during the financial year and should be transferred to the MoF once fees have been collected.

OOTR managed to collect revenue of \$3,426,601 and forwarded this amount to MOF during the year.

#### ***7.4. Audited Financial Statements***

The report of the Audit Office, Government of Samoa, is attached in *Appendix A* of this report.

# APPENDIX



# APPENDIX A

## **AUDITED FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2021**