



ORDER OF THE REGULATOR NO. 2019/T75

**APPROVAL OF RETAIL TARIFFS FOR SERVICES PROVIDED BY DIGICEL
SAMOA LIMITED**

The Office of the Regulator (OOTR) has conducted a market analysis in Samoa. "Market analysis" means a review of the various markets that exist for telecommunications services in Samoa, defined for the purposes of market regulation.

Digicel (Samoa) Limited by virtue of Order of the Regulator No. 2017/T32 has been designated dominant service provider in the following markets:

1. The retail market for national calls made from a fixed location or from a mobile service
2. The retail market for international voice call services
3. The retail mobile services market including services mobile voice and mobile data services, and ancillary services typically bundles with mobile voice and data services such as mobile broadband cellular radio services market;
4. The wholesale voice call termination market on fixed networks with each fixed network being considered as a separate market;
5. The wholesale voice call termination market on mobile networks with each mobile network being considered as a separate market.

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

- 1) Digicel Samoa's submissions and the information provided by Digicel;
- 2) The objectives of the Act;
- 3) Provisions of the Act regarding tariffs in particular section 40(3); and
- 4) Approved voice call termination rates for interconnection on Digicel's mobile and fixed networks by the Regulator in August 29th 2013 which approval has been extended until June 2019.

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) Only approved tariffs shall be applied for those services for which the provider has been deemed dominant;
- 3) Approved tariff will apply automatically for all subscribers *except when specified* for the regulated services;

On 24th April 2019 the Regulator issued Order No. 2019/T66 to amend the Schedule of tariffs (inclusive of an effective date arrangement for the implementation of such tariffs) specified in the Order of the Regulator No. 2018/T52 Schedule 1, Part 1.3(1.3.1 & 1.3.2). On the 17th June 2019, the Office of the Regulator received a new tariff application from Digicel Samoa Ltd (“Digicel”) for its **Visitor Sim Plans** for the Regulator’s review and approval.

As a result, the Regulator has seen it fit to amend the Schedule of tariffs and issues this Order No. 2019/T75 in endorsement of the tariffs and charges specified in schedules to this Order and **replace** Order No. 2016/T09, Order No 2017/T33, Order No. 2017/T40, Order No. 2018/T52 and Order No. 2019/T66

The tariffs specified in Schedules to this Order shall be the tariffs specified for the purpose of this Order until such times as it might be amended by the Regulator.

VAGST

All of the above rates are in Samoan Tala and VAGST inclusive

Peak Periods:

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

Billing in relation to voice calls:

The rates are expressed per minute, and for billing purposes they are to be applied and charged on the basis of increments of up to six (6) seconds, unless the context indicates otherwise.

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 services provided by Digicel in a market in which it has been declared dominant.

This Order becomes effective on the 21st June 2019

Date of Order: 19th June 2019



Lefaoali'i Unutoa Auelua-Fonoti
Regulator