

2006/1

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Government of Samoa

Office of the Regulator

Private Bag, Apia, Samoa

ORDER DESIGNATING A DOMINANT SERVICE PROVIDER

Whereas:

The Telecommunications Act 2005 sets forth specific requirements for designation of dominant service providers in telecommunications markets in Samoa. In particular:

Paragraph 15(1)(d) requires the Regulator to make orders designating dominant service providers in relevant markets based on market share and other factors determined in accordance with Section 26.

Sub section 26(1) states that every service provider whose gross revenue in a specific telecommunications market constitute forty per cent of the total gross revenues of all service providers in that market shall be designated a dominant service provider in that market

Sub section 26(4) specifies that Orders designating dominant service providers shall specify and define the relevant markets for which a service provider is designated to be dominant and the circumstances relied on by the Regulator to support and findings regarding dominance.

Sub section 34(2) states the Regulator may issue an order to designate a service provider as being a dominant service provider for interconnection purposes in one or more telecommunications markets.

Order establishing SamoaTel Limited as a Dominant Service Provider:

Pursuant to the requirements of the Telecommunications Act 2005 set forth above:

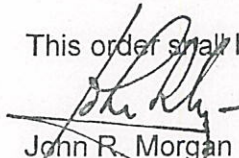
SamoaTel Limited

Is hereby designated a dominant service provider in the **public fixed line telephony market** where the public fixed line telephony market is considered to include provision of telephone services via fixed lines or via radio systems operated in a fixed line configuration.

SamoaTel Limited is also designated as a dominant service provider for **interconnection to fixed line networks** in the public fixed line telephony market pursuant to Section 34 of the Telecommunications Act 2005. Reference interconnection offers shall be provided in accordance with Paragraph 37(1)(a) of the Telecommunications Act 2005 and clause 8 of the Interconnection Order dated 21 March 2006.

The designation of SamoaTel Limited as a dominant provider in these areas is based on the fact that SamoaTel Limited is the only supplier of fixed line telephony services in Samoa.

This order shall become effective on Monday, 4 September 2006


John R. Morgan
Regulator