



**OFFICE of the  
REGULATOR**

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**ORDER OF THE REGULATOR No. 2013/T05**

**CUSTOMER COMPLAINT AGAINST BLUESKY SAMOA LIMITED'S BILLING  
PRACTICES**

**WHEREAS:**

On 30<sup>th</sup> April 2013, the Regulator issued final determination and Order of the Regulator No. 2013/T04 ('Order') with regard to a complaint lodged against Bluesky Samoa Limited's ('Bluesky') billing practices by one of its fixed line customers.

Order No. 2013/T04 requires Bluesky to carry out certain actions to be completed within specified timelines. The effective date of the Order was the 5<sup>th</sup> day of June 2013.

On Wednesday 26<sup>th</sup> June 2013, the Regulator met with Bluesky with regard to this matter and during that meeting, the Regulator advised Bluesky that the Regulator would consider a variation of his decision subject to Bluesky providing clear evidence that compliance with the conditions of the Order would have a significant financial impact on Bluesky. Bluesky was also advised to provide the Regulator with a specific proposal with regard to retail rates.

On 27<sup>th</sup> June 2013, Bluesky wrote to Regulator and provided the requested information; such information has been reviewed by the Regulator and as a result of that review, the Regulator advised Bluesky in a letter dated 27<sup>th</sup> June 2013, that;

- (i) subject to confirmation from Bluesky via an undertaking that the figures provided in Bluesky's letter were true and correct, that the Regulator would revoke the Order No. 2013/T04 which required Bluesky to undergo an audit of its billing system; and
- (ii) The Regulator would issue a replacement Order specifying that Bluesky will be required to submit to the OOTR new proposed rates for the Regulator's approval as included in Bluesky's letter.

The Office of the Regulator is in receipt of confirmation from Bluesky on letter dated 28<sup>th</sup> June 2013. Accordingly, the Regulator issues this order to revoke Order of the Regulator No. 2013/T04

**ORDER REVOKING THE ORDER OF THE REGULATOR No. 2013/T04**

Pursuant to section 8(1)(r) of the Telecommunications Act 2005 ('Act'), the Regulator hereby revokes Order of the Regulator No. 2013/T04.

In accordance with section 40 of the Act, Bluesky is ordered to submit to the Office of the Regulator its proposed retail rates for all its fixed services; such proposal to be submitted by 4pm on Monday 15<sup>th</sup> July 2013.

Bluesky shall not charge any rates associated with its fixed services where such rates have not been given prior approval by the Regulator.

Effective date of this Order: 9<sup>th</sup> July 2013

Date of Order: 9<sup>th</sup> July 2013



Donnie De Freitas  
REGULATOR

