



COMMERCE COMMISSION

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Next step underway for mobile co-location standard terms determination

On 8 February 2008, the Commerce Commission issued a notice to Vodafone to prepare a standard terms proposal for mobile co-location. This proposal will specify the non-price terms and conditions on which the co-location should be available to mobile network operators.

The issuing of the notice follows the Commission's industry scoping workshop on 31 January 2008.

Vodafone is required to submit the standard terms proposal by 5pm, 28 April 2008.

The Telecommunications Act specifies that, following receipt of a standard terms proposal, the Commission seek submissions from parties to the determination before issuing a draft standard terms determination. Following the release of the draft determination, the Commission will seek further industry consultation, after which a final determination will be made.

Once finalised, the mobile co-location standard terms determination will set the non-price terms on which the equipment of mobile telephone network operators will be able to be co-located on the transmission sites of other mobile telephone network operators.

Background

A copy of the notice is available on the Commission's website www.comcom.govt.nz under Industry Regulation / Telecommunications / Standard Terms Determinations / Mobile Co-location Service

'Co-location on cellular mobile transmission sites' ('the Mobile Co-location Service') is a specified service under Part 3 of Schedule 1 of the Telecommunications Act 2001.

The Mobile Co-location Service allows the mobile equipment of a network operator to be installed on another operator's site. This can reduce the costs associated with the setting up of cell sites by sharing facilities, such as towers, between mobile network operators. As this is a specified service, the Commission is only able to set the non-price terms and conditions on which the service must be supplied. Non price terms and conditions can include processes for ordering and provisioning of the service, fault management, and service levels.

On 22 December 2006, the Telecommunications Act was amended to incorporate a process for the Commission to make a standard terms determination on which a designated access or specified service must be supplied by access providers to all access seekers requesting the service.

It is intended that a standard terms determination should be comprehensive enough and contain sufficient detail so that there is no need for an access seeker and access provider to enter into a separate agreement for provision of the service within the specified timeframe.

The Act specifies that the following steps must take place before a standard terms determination may be made by the Commission:

- Initiation of the determination process
- At least one scoping workshop
- Commission issues notice to provide a standard terms proposal
- Access provider submits a standard terms proposal
- Submissions from access seekers on the standard terms proposal
- Commission issues draft standard terms determination
- Parties to provide submissions on the draft standard terms determination
- Commission issues standard terms determination

The standard terms determination processes for the Mobile Co-location Service was initiated on 21 December 2007.

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