



**Consultation on Draft QoS Policy and Draft QoS Regulatory Framework**

# **Consultation Document**

**6 March 2014**

**Communications Regulatory Authority**

Comments in response are due by 20<sup>th</sup> April 2014

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## 1 Context

One of the roles of the Communications Regulatory Authority (CRA) is to set criteria for Quality of Service (QoS) and to monitor the compliance of providers of telecommunications services in Qatar (Service Providers) with respect to QoS obligations. QoS regulation is a major aspect of telecommunications regulation.

There are several major concerns about the current situation in the telecommunications markets of Qatar with respect to QoS:

- The quality expected by end-users has not been achieved;
- QoS obligations set in the Service Providers' licenses differ significantly from Service Provider to Service Provider, and are not always met;
- The QoS obligations set in the Service Providers' licenses are not technology neutral, and do not take into consideration the latest innovations and services; and
- Qatar needs to meet international best standards in order to comply with its commitments in hosting the FIFA World Cup in 2022 and to meet Qatar 2030 objectives. Qatar's ICT National Plan indeed states that *"Over the next five years, we will build a world class ICT infrastructure with the capacity and speeds that set us apart in the region"* and that *"Consumer complaint processes will continue to be enhanced, with a core focus on transparency for both the consumer and the service provider"*.

On the 22<sup>nd</sup> of July 2013, the Regulatory Authority of the Supreme Council of Information and Communication Technology (ictQATAR) published a consultation document on "Instruction on the Setting of Quality of Service (QoS) Parameters and the Methodology for the Assessment of Coverage"<sup>1</sup> and requested comments from the industry. In that document, the Regulatory Authority expressed and justified the need for a revision of the existing QoS and coverage requirements prescribed in the Service Providers' licenses. The Regulatory Authority proposed new Key Performance Indicators (KPIs) and associated targets. The consultation period ended on the 15<sup>th</sup> of September 2013 and 3 respondents provided comments: Ooredoo, Vodafone Qatar and Qnbn.

Since the end of that consultation, the Regulatory Authority has been refining its views on how QoS shall be regulated in Qatar by:

- launching a project on QoS which aims at developing a QoS policy, a new comprehensive QoS regulatory framework, a methodology to assess and validate QoS measures and new internal and external processes. The Regulatory Authority met Ooredoo, Vodafone Qatar and Qnbn in September at the start of the project. The project involves *inter alia* technical experts to assist the Regulatory Authority;
- establishing a comprehensive benchmark on QoS regulation which covers 13 countries (Austria, Bahrain, Canada, France, Germany, Ghana, Jordan, Morocco, Norway, Oman,

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<sup>1</sup> <http://ictqatar.qa/en/documents/document/instruction-related-quality-service-qos-parameters>.

Saudi Arabia, Singapore and the United Arab Emirates). This benchmark<sup>2</sup> has enabled the Regulatory Authority to identify best practices and study how regulatory authorities act and react depending on each specific local circumstance. It also enabled the Regulatory Authority to identify a list of KPIs which were commonly used and to observe forward-looking approaches for QoS regulation; and

- reviewing the comments from the 3 respondents to the draft “Instruction on the Setting of Quality of Service (QoS) Parameters and the Methodology for the Assessment of Coverage”<sup>3</sup>. These comments enabled the Regulatory Authority to better understand the potential difficulties associated with proposed KPIs as well as to acknowledge the need for more precision on KPIs.

Based on these activities, CRA has prepared a Draft QoS Policy and a Draft QoS Regulatory Framework for Qatar. These provide a more precise, improved list of KPIs and are intended to give Service Providers the clarity they requested during the consultation on Draft QoS instructions. When finalized, the QoS Regulatory Framework will replace Annexure E of Service Providers’ Licenses.

To assess the impact of this Draft QoS Policy and this Draft QoS Regulatory Framework on the telecommunications market in Qatar, CRA is launching hereby a second round of consultation on QoS.

All stakeholders and interested parties (e.g. customers, government entities, academia, etc.) are invited to review this consultation document and the annexed QoS Policy and QoS Regulatory Framework documents and submit comments to CRA following the procedures set out in Section 4.

## **2 Legal basis**

The following legal provisions provide the basis for the QoS Policy and the QoS Regulatory Framework documents, but not exhaustively.

Article 4(8) of the Telecommunications Law of 2006 (“the Law”) empowers CRA to safeguard the interests of customers, including the setting of tariff regulation and criteria for QoS, and monitoring the terms and conditions of telecommunications services provision.

Article 101 of Executive By-Law 1 of 2009 for the Telecommunications Law (“Executive By-Law”) prescribes that CRA shall set the minimum QoS parameters and may have them amended following consultation with the related Service Providers. CRA may include those criteria in the licenses, or issue them by an order from it, which shall include reporting obligations.

The above-mentioned licenses authorize the Service Providers to provide the specified telecommunications networks and services in accordance with the terms and conditions of the licenses, relevant legislation, and any regulations, including instructions issued by CRA before or after the effective date of the licenses. Accordingly, CRA may from time to time issue additional

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<sup>2</sup> See Annex 3: Quality of Service Benchmark Report.

<sup>3</sup> See Annex 5: QoS Instruction Consultation - Summary of the Comments Received and the Response of the Regulatory Authority.

requirements as part of the terms and conditions of the licenses which are binding on the Service Providers.

The considerations listed above justify without any doubt the need for CRA to set policies and a regulatory framework with respect to QoS.

CRA considers that the Telecommunications Law may evolve in the future. In this context, any future amendments to the Telecommunications Law shall apply to the QoS Policy and to the QoS Regulatory Framework.

### 3 Questions

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|-------------|--|
| Question 1  | With respect to QoS policies (detailed in Annex 1 – Draft QoS Policy), are there any other QoS policies that should also be considered in the specific context of Qatar?   |
| Question 2  | Do you think that CRA’s proposed strategy in the short/medium term (as detailed in Annex 2 – Draft QoS Regulatory Framework) is the most appropriate one? If not, how should it be changed?                      |
| Question 3  | Do you think that CRA’s proposed strategy in the long term (as detailed in Annex 2 – Draft QoS Regulatory Framework) is the most appropriate one? If not, how should it be changed?                              |
| Question 4  | Should any of the KPIs (as detailed in section 3 of Annex 2 – Draft QoS Regulatory Framework) be deleted as not useful or too expensive? If so, please explain your reasoning and propose alternatives.          |
| Question 5  | Should any other KPIs be added to the list? If so, please describe such KPIs and explain your reasoning?   |
| Question 6  | Are the KPIs proposed sufficiently precise to allow comparison between operators? If not, how should they be changed?  |
| Question 7  | Are any of the targets proposed too demanding to be achieved within one year? If so, please detail the reasons why the proposed targets are too demanding and propose appropriate deadlines to meet the targets? |
| Question 8  | Do you have any other comments about the KPI descriptions, measurement methods, and the minimum acceptable performance levels? Please explain your comments.   |
| Question 9  | Do you have any comments about the proposal to report and publish QoS measurement results as set out in section 4.1 of the Draft QoS Regulatory Framework? What changes would you like to see if any?            |
| Question 10 | Do you have any views on the proposal to validate and audit measurements as set out in section 4.2 of the Draft QoS Regulatory Framework? What changes would you like to see if any?                             |
| Question 11 | Comments are invited on the proposed procedure when targets are not met as set out in section 4.3 of the Draft QoS Regulatory Framework.   |
| Question 12 | Are the proposed fines sufficient to deter Service Providers from not meeting the proposed targets? Please explain your reasoning.   |

- Question 13 Do you have any views on CRA’s intention to promote the use by customers of applications enabling them to test their own QoS?
- Question 14 Are the estimated costs and benefits detailed in Annex 4: “Impact Assessment in Relation to the Quality of Service Regulatory Framework” reasonable? If not, please provide inputs to update the estimated costs and benefits.

## **4 Instructions for responding to the consultation**

### **4.1 Consultation procedures**

All interested parties are invited to submit responses to the questions specifically identified in this document and to provide their views on any other relevant aspects. Comments should reference the number of the question being addressed or the specific section and document if not responding to a particular question.

CRA asks that, to the extent possible, submissions be supported by examples or relevant evidence. Any submissions received in response to this consultation will be carefully considered by CRA when progressing to finalize the QoS Policy and QoS Regulatory Framework. Nothing included in this consultation document and its Annexes is final or binding. However, CRA is under no obligation to adopt or implement any comments or proposals submitted.

Comments should be submitted by email to [raconsultation@ict.gov.qa](mailto:raconsultation@ict.gov.qa) on **20<sup>th</sup> April 2014 at the latest**. The subject reference in the email should be stated as "Consultation on QoS Policy and Regulatory Framework". It is not necessary to provide a hard copy in addition to the soft copy sent by email.

### **4.2 Publication of comments**

In the interests of transparency and public accountability, CRA intends to publish the submissions to this consultation on its website at [www.ictqatar.qa](http://www.ictqatar.qa). All submissions will be processed and treated as non-confidential unless confidential treatment of all or parts of a response has been requested.

In order to claim confidentiality for information in submissions that stakeholders regard as business secrets or otherwise confidential, stakeholders must provide a non-confidential version of such documents in which the information considered confidential is blacked out. This “blacked out” should be contained in square brackets. From the non-confidential version it has to be clear where information has been deleted. To understand where redactions have been made, stakeholders must add indications such as “business secret”, “confidential” or “confidential information”.

A comprehensive justification must be provided for each and every part of the submission required to be treated as confidential. Furthermore, confidentiality cannot be claimed for the entire or whole sections of the document as it is normally possible to protect confidential information with limited redactions.

While CRA will endeavor to respect the wishes of respondents, in all instances the decision to publish responses in full, in part or not at all remains at the sole discretion of CRA. By making submissions to CRA in this consultation, respondents will be deemed to have waived all copyright that may apply to intellectual property contained therein.

For more clarification concerning the consultation process, please send your queries by email to [raconsultation@ict.gov.qa](mailto:raconsultation@ict.gov.qa) or contact Mr. Ahmad Sultan, Regulatory Policy Section Manager, on +974 4499 5415.

## **5 Next steps**

After the publication of this consultation document on Draft QoS Policy and Draft QoS Regulatory Framework:

- A workshop / public hearing will be organized on the 7<sup>th</sup> of April 2014 to present the Draft QoS Policy and Draft QoS Regulatory Framework to stakeholders and interested parties.
- Responses from stakeholders and interested parties must be received by CRA before the 20<sup>th</sup> of April 2014.
- CRA will review the responses from stakeholders and interested parties and will issue the final versions of the QoS Policy and QoS Regulatory Framework.

## **6 Annexes**

- Annex 1: Draft Quality of Service Policy
- Annex 2: Draft Quality of Service Regulatory Framework
- Annex 3: Quality of Service Benchmark Report
- Annex 4: Impact Assessment in Relation to the Quality of Service Regulatory Framework
- Annex 5: Summary of the Comments Received and the Response of the Communications Regulatory Authority (RA) in relation to the consultation on the draft “Instruction on the Setting of QoS Parameters and the Methodology for the Assessment of Coverage” (consultation document published on 22 July 2013).