



Date: 5 May 2021
Reference No.: OQ/Reg-6755/2021-05

Mr. Mohammed Ali Al-Mannai
President, the Communications Regulatory Authority
P.O. Box 23264
Al-Nasr Tower B, Corniche
Doha
State of Qatar

Attention: Jens Bloch Behrendt, Consultant - Market Data Studies jbehrendt@cra.gov.qa
Cc: Michele Bellavite, Tariff & Costing Section Head

Dear Mohammed,

**Subject: Consultation on updated MDDD Reporting Template – Request for
Submission Date Extension**

We refer to the CRA's letter dated 30 of March 2021 (Ref: OB/RA/MS/047/2021) with subject "Update of the MDDD Reporting Template – Consultation" and the industry meeting held on this topic by the CRA on 4 May 2021. Ooredoo wants to thank the CRA for constructive discussion during the industry meeting and the due consideration that the CRA has given to service providers' feedback. As transpired during the meeting, while service providers do appreciate the information value that the CRA can derive from newly requested reporting data, some of these requirements do represent substantial technical challenges for service providers. During the workshop several suggestions were brought forward by individual participants how to address some of these technical difficulties and they merit some further internal feasibility investigations by service providers. We note that the initial closing date for consultation response submission was set by the CRA on 11 May 2021. In order to address the outcomes of the industry meeting and to provide more comprehensive consultation response Ooredoo would like to ask the CRA to extend the response submission date for this consultation until 3 June 2021.

Yours sincerely,

Ali Bin Jabor Al Thani
Group Chief Legal, Regulatory & Governance Officer

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February 24, 2022,

Ref: 2022/Reg/UA/2-0124

Mr. Jens Behrendt
CRA

Subject: Qnbn's No Objection on the final MDDD Reporting Template Consultation

Dear Sir,

After our review of the template and our initial feedback that has been submitted to CRA within the deadline provided, Qnbn agrees to the final template post the consultation.

We look forward to working with you in the future.

Regards
Uzair Ansari
Head of Regulatory
Qnbn

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May 24, 2021
OB/RA/MS/066/2021

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Subject: Update of the MDDD Reporting Template – Consultation – Deadline

Update of the MDDD Reporting Template

The CRA is currently conducting a consultation regarding update of the MDDD Reporting template, referring to the letter OB/RA/MS/047/2021 sent out on March 30, 2021 including accompanying documents.

Deadline

Service Providers had 6 weeks to review the consultation and must send their responses to the CRA no later than May 11, 2021. On May 4, 2021 an industry meeting was held with CRA, Ooredoo Qatar and Vodafone Qatar. On May 5, 2021, the CRA received from Ooredoo the letter OQ/Reg-6755/2021-05 asking for an extension of the deadline until June 3, 2021. Ooredoo notes that the main reason to ask for an extension is that Service Providers need more time to respond to conduct further internal feasibility investigations to assess the availability of the requested data and methods to retrieve the data. The CRA hereby grants extension of the deadline to June 3, 2021. The CRA also notes that an additional industry meeting would be beneficial to discuss the progress and invites Ooredoo Qatar and Vodafone Qatar to an MS Teams online meeting on May 25, 2021, 11 am.

Sincerely,

Sar/

Mohammed Ali Al-Mannai
President of the Communications Regulatory Authority



Date: 03 June 2021
Reference No.: OQ/Reg-6769/2021-06

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Attention: Jens Bloch Behrendt, Consultant - Market Data Studies jbehrendt@cra.gov.qa
Cc: Michele Bellavite, Tariff & Costing Section Head

Dear Mohammed,

Subject: Update of the MDDD Reporting Template – Consultation

We refer to the CRA's letter dated 30 of March 2021 (Ref: OB/RA/MS/047/2021) with above subject, in which the CRA initiated the review of report required to perform Market Definition and Dominance Designation (MDDD) process by issuing the Consultation on updated MDDD Reporting Template (Ref: CRARAC 2021/03/30). In the attachment to this letter, Ooredoo submits its response to the CRA consultation document.

Yours sincerely,

Ali Bin Jabor Al Thani
Group Chief Legal, Regulatory & Governance Officer

Attachment1/1

MDDD Reporting - Consultation - OOREDOO response

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Regulatory Management Ooredoo Q.P.S.C

03 June 2021

Ooredoo reference: [OQ/Reg-6769/2021-06]

Ooredoo Response Regarding:

**Revision of the Reporting Obligations
following the Market Definition and
Dominance Designation (MDDD) 2016.**

**Consultation on updated MDDD Reporting
Template**

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8 December 2020

Executive Summary

Introduction

1. The CRA issued a consultation (ref. CRARAC 2021/03/30) on the 11th of May 2021, with the purpose of requiring Service Providers (SPs) to significantly increase the amount of data they supply to the CRA under the pretext of Market Definition and Dominance Designations (MDDD) Reporting. The consultation requires SPs to consider providing extensive amounts of market data for 14 markets. For example, the amended reporting requirements detailed in this consultation have almost tripled the amount of required reported data, i.e. going from 267 reporting lines to be filled in with data to 748¹, which significantly increases the regulatory burden.
2. The CRA's proposals for the supply of vast amounts of the additional data even include data for competitive (mobile market for national and international services), which of course cannot be part of any MDDD requirement because this requirement relates to market dominance rather than competitive markets. In fact, the data that the CRA is now requesting that Service Providers supply for competitive markets represents almost 60% of the total data requested as part of its new reporting format measured by the number of lines.
3. CRA proposals also include data requests for non-telecoms/unregulated markets like the IT, digital media and mobile telecommunications device markets, which are also outside the scope of the MDDD reporting.
4. The rationale that the CRA uses as a means to obligate SPs to supply the updated, extensive list of data on a **quarterly basis** is on the basis that it "deems necessary." It cites technological evolution and "growing competition" the latter of which of course supports a lessening of obligatory MDDD reporting and not an increase. Ooredoo is also confused by CRA references that it needs the new quarterly data because the ITU is in the process of updating its ICT Development Index, which is unrelated to MDDD reporting requirements. The CRA further indicates that in "accordance with international practice," it has started to publish a Quarterly Report on the state of the Telecommunications Market in Qatar. We note that the CRA accepts responsibility to provide the market with reliable data and we encourage the CRA to do this

¹ Simple count of the excel lines with a value in column B of the reporting template was used for comparison of old and new MDDD reporting format.



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through establishing its own research methodologies, consumer surveys, consultancies and other data gathering activities that do not exclusively rely on the efforts of Service Providers. Indeed the recent MOTC decision to increase License fee proceeds paid by SPs provide the CRA with additional resources that can be used to fund such initiatives, while SPs face increased cost and headcount savings pressures as a consequence of this decision.

5. The CRA decision to “start monitoring access to Digital Media” is clearly outside the scope of the MDDD Reporting firstly because “digital media” is not a telecoms market and secondly because unlike the legal framework for telecoms services, there is no legal framework for “digital media” yet in Qatar.
6. Finally, Ooredoo encourages the CRA to also act in “accordance with international practices” and revise its list of MDDD reporting markets so that they only include relevant telecoms markets as per 2016 MDDD Order. For example, international practice has established that competitive markets are not included as MDDD markets and one of the aims of the 2020 EU Commission recommendations related to market dominance is in fact to progressively reduce ex-ante sector specific rules as competition in markets develops.
7. In fact, it is an imperative of elementary regulatory economics and prevailing legal practice not to impose any ex-ante regulatory obligations on a competitive market, including extensive reporting obligations such as these proposed by the CRA. Notably, the MoCI does not require retail shops in Qatar to submit detailed quarterly sales reports by individual product category. Best practices have established that any regulatory intervention in competitive markets, where deemed necessary, should be based on an ex-post competition policy framework. In fact Ooredoo is unaware of any telecoms regulator that imposes such demanding reporting requirements on competitive markets or even relevant markets to the MDDD. We are also unaware of regulators that publish such detailed statistics as part of any quarterly or annual reports. In this respect, we refer the CRA e.g. to OFCOM publication of multisector reports, which provide only a basic set of KPIs reported with annual frequency (see <https://www.ofcom.org.uk/research-and-data/multi-sector-research/cmr>).

Summary of our Key Comments

1. Ooredoo does not agree to provide any market data for non-telecoms markets as part of the

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MDDD Reporting. This does not mean that Ooredoo will not provide sector data needed by the CRA for other reasonable purposes and at reasonable costs within the capabilities of our existing systems.

2. Ooredoo does not agree to provide any market data for competitive markets as part of MDDD Reporting, or to report on markets on the basis of technology as opposed to services. A key element of the telecoms law is “technology neutrality” which is also best practice.

3. Ooredoo challenges the need to report detailed data for Copper services considering that we are actively migrating subscribers from Copper to Fiber. By the end of 2021, there will be almost no subscribers left on Copper. Thus, we suggest that there should only be one aggregate statistic reported for copper broadband service.

4. Finally, Ooredoo finds the reporting requirements for MDDD Reporting on a quarterly basis to be excessive particularly considering the fact that the CRA has not used such data to review MDDD designations in five (5) years. Thus, we ask that these reporting requirements are reduced to an annual basis, which we also note is consistent with “international practices” including the ITU’s own collection practices or practice by OFCOM, as described above.

Consultation Questions

Question 1: The CRA asks the SPs to comment on the changes in Market 1 reporting obligations. In particular the CRA asks the SPs to comment regarding the new approach regarding speed break-down reporting, to comment about data usage information, to provide insights about the number of Websites/Social Networks to be analyzed.

M1a - Retail fixed access services

Ooredoo has no issues with this. However, we would like to point out that there are no ISDN or VoIP services provided for Residential customers, so these will have zero values.

Market 1b: Retail national fixed call services

Ooredoo has no issues with this.

Market 1c: Retail fixed broadband services

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The CRA proposes to report statistics based on individual plans speeds, instead of using a range of speeds.

Ooredoo has no issue reporting these statistics, although we have concerns that if new speeds are introduced to the Market the template (number of lines) will change. As most data collected is mapped to the MDDD Line (column A in the template), we would request that this Line number is not changed and that any newly added lines have a new reference such a 100-a, 100-1 etc.

As an example of this Ooredoo plans to introduce a new set of plans as a part of our Business Broadband tariff portfolio's re-vamp, these are unique plans that offer FBB, DEL, OTV and a bundle of minutes, and these will need to be added as separate lines in the MDDD report.

Ooredoo challenges the need to report detailed data for Copper. Ooredoo is actively migrating subscribers from Copper to Fiber. By the end of 2021 there will be almost no subscribers left on Copper. Ooredoo therefore asks that there is only one aggregate statistic reported for copper broadband service.

Data consumption volume, by technology for upload/download

We note that the rationale the CRA puts forward as a justification for the need to collect upload and download data volumes is the increase in the use of video conferencing and similar use cases (e.g. interactive gaming) that call for more symmetric data speeds offers. We note that HD video streaming requires 5Mbps². Currently, all of Ooredoo's Fiber broadband plans and mobile network alike support this data upload speed, and hence we do not see any reason to provide this data statistic. More importantly, Ooredoo does not currently capture this data. The requirement to report both Upload and Download data volume will double the IT data collection effort and require additional network system investment to collect this data. We do not see any off-setting benefit that could balance these additional reporting costs. Given the negative net "benefit" of this reporting requirement, only the total volume of data needs to be reported.

Moreover, Ooredoo challenges the need to report this data for Copper based services. Ooredoo

² Refer e.g. to:

<https://help.netflix.com/en/node/306#:~:text=To%20watch%20Netflix%20in%20HD%2C%20you%20need%3A&text=A%20connection%20speed%20of%20at,set%20to%20Auto%20or%20High>

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is actively migrating subscribers from Copper to Fiber, and by the end of 2021 there will be almost no subscribers left on Copper. Thus, corresponding lines should be removed from the report. Finally, the split of the data volume between Business and Consumer customers is not available with currently available technology.

Application Usage and Web Site access – General comments

There are significant system and other challenges that make provision of the required data difficult or impossible. As discussed during the industry workshop, the CRA should explore alternative means to collect this information (i.e. made it a part of the CRA's annual customers survey). We note that this information is not required to perform the actual MDDD process and feasibility of reporting it is problematic.

For example, the provision of the Internet usage data split between Fixed and Mobile network and between Business and Consumer customers is not feasible for Ooredoo to provide. Such a reporting requirement would also trigger incremental system-related costs. Even if it becomes possible in the future to change IT systems to capture this data, the collected information will not be representative of actual customer on-line behaviour due to the use of VPN's and other mechanisms that mask the IP addresses accessed by internet users. In addition, increased use of encryption on the Internet may make any IT solution introduced today for this reporting purpose redundant in a few years. We reiterate that this data is irrelevant for the MDDD reporting. The CRA should explore alternative ways to gain insights into customer on-line behavior by e.g. engaging external agencies with expertise in this field.

The percentage of bandwidth used for video streaming, videoconferencing, gaming, VoIP, other OTT usage

Note that as of the time of writing this response document, there are approximately 2 billion websites and about the same number of mobile applications worldwide. These numbers are still growing. There are a number of websites / applications, which would fall in multiple categories outlined by the CRA (e.g. Instagram provides both video streaming and instant messaging services). There is no generally established classification of the worldwide websites that would cluster even most visited sites according to the CRA's categories. To provide these statistics, we would need the CRA to define the list of websites they want both service providers to report in each category. This list will have to be updated regularly. Moreover, as mentioned above, the



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reported data would likely not be representative of actual customer's on-line behaviour due to the use of VPN's and other IP address masking mechanisms. These facts make clear that the collection of such data that would meet the CRA objectives by SP's is not feasible in addition to being an irrelevant MDDD reporting request.

Main Websites and Main Social Networks – number of visits, minutes spent, split for mobile and fixed networks

Ooredoo is not technically capable of providing the split of this information between Fixed and Mobile networks. Moreover, our systems do not allow for reporting the minutes spent on the websites / social networks, Thus, we cannot meet such a reporting requirement and ask that it is removed from MDDD report for this reason as well as to its non-relevancy to the MDDD. Aggregate information on number of visits for main sites and SN's could be provided as a part of separate report.

Household Information

Note that the information on connected premises split between Consumers and Business is not available. We can only report aggregate figures. We also assume that this is a statistic that is tracked by the Statistics Bureau.

Question 2 The CRA asks the SPs to comment on the changes in Market 2 reporting obligations, in particular regarding the new and improved definitions.

We note that in its 2016 MDDD Order the CRA designated only sub-markets M2a and M2b, (Retail international outgoing call services at a fixed location for Residential and Business customers) as relevant markets in this category. Markets for international calling from mobile device (Residential and Business customers) were declared competitive and the market for Roaming services was not even part of the MDDD Order.

Accordingly, for Market 2 Ooredoo does not agree to provide required information for anything other than fixed telecom services as a part of MDDD reporting.

Question 3 The CRA asks the SPs to comment on the changes in Market 3 reporting obligations.

This new requirement to split Leased Lines by Speed and Technology will significantly increase

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the reporting burden on Ooredoo as a substantial amount of additional data will need to be collected.

Ooredoo considers that the number of Leased Line bandwidth ranges are unnecessarily too many and proposes these be reduced to maximum of four ranges: less than 10Mbps, between 10 and 100 Mbps, between 100 Mbps and 1Gbps, more than 1Gbps.

Moreover, to balance the additional reporting burden with the benefit derived from the information we suggest to drop the reporting by the type of the Leased Line in the report lines 227 – 231. Besides the fact that there is no clear distinction of the type of Leased Lines services between Line 500 (“OI, EI, SDN, IP VPN”) and other lines in this Market, all Leases Line services are IP based, and there is no tangible benefit to be had from detail break down by the service tariff.

Dark fiber should be excluded from this market. It does not meet the definition of telecommunication service (i.e. transmission of electronic signals) under the Telecoms Law and no SP, which is defined by law as a service provider that provides services to the public, provides this as a retail service.

Question 4 The CRA asks the SPs to comment on the changes in Market 4 reporting obligations.

The new requirement to split International Leased Lines by speed and technology represents a substantial additional data collection burden on Ooredoo, as an extensive amount of additional data will need to be collected. Similarly, as in the case of national Leased Lines services we recommend reducing the number of intervals to a maximum of four ranges: less than 10Mbps, between 10 and 100 Mbps, between 100 Mbps and 1Gbps, more than 1Gbps. We also recommend not to report by individual types of technology. The CRA failed to demonstrate what tangible value this information provides in performing the MDDD process for this Market. Furthermore, the CRA should also follow “international practices” in this regard and analyze “service” markets, which we understand is the MDDD standard for the telecoms sector and not “technology” markets.

Question 5 The CRA asks the SPs to comment on the changes in Market 5 reporting obligations, in particular regarding the improved definitions on roaming, the improved reporting on revenue, and the number of websites/social networks to be analyzed.



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As stated above, mobile telecoms market 5 is competitive and hence it must not be subject to ex-ante reporting obligations. Ooredoo does not agree to provide the detailed information required for this market as a part of MDDD report.

Subscription Revenue split and national voice traffic revenues

We note that the CRA has substantially increased the level of reporting details required for this Market without providing any tangible justification (other than saying “it deems it necessary”). The number of reporting lines for Market 5 increased from the current 56 to 176. We note that this Market is competitive. Adding further reporting burden for a Market that is not even a Relevant Market (i.e. Market susceptible to ex-ante regulation) is contrary to sound regulatory practice and appears unjustified and Ooredoo does not agree to provide this data as part of the MDDD Reporting due to its non-relevancy.

National data traffic volumes by download/upload

Similar to our comments above, this reporting data is not relevant to MDDD process and should not be a part of the MDDD report. We recommend reporting only total data volumes instead of download and upload split. Note that the current data speeds provided by 4G and 5G Mobile networks already support symmetrical video streaming applications. Moreover, the upload and download speed specification of mobile networks is defined by international standards, and telecom service providers have little influence over this specification. The CRA justification for this information requirement thus appears misplaced.

Data broadband roaming out - when customer is abroad

Considering that “Roaming Data services” (Outbound and Inbound) are outside of the scope of the MDDD Order, Ooredoo will not agree to meet these reporting requirements as a part of MDDD reporting.

App and Website usage

In addition to the same comments provided above for Market M1c, Apps and Websites are not regulated under the telecoms law and as there is no legal framework yet for such regulation, Ooredoo cannot be required to submit such data as a part of a MDDD reporting requirement.



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Question 6 The CRA asks the SPs to comment on Market 6 reporting obligations, in particular if they believe changes need to be made.

Ooredoo agrees with CRA position – i.e. no changes are required for this Market.

Question 7 The CRA asks the SPs to comment on Market 7 reporting obligations, in particular if they believe some changes need to be made.

Ooredoo agrees with CRA position – i.e. no changes are required for this Market.

Question 8 The CRA asks the SPs to comment on the proposed changes in Market 8 reporting obligations, related to the splitting of revenue in recurring/non-recurring for Market 8c, and if they believe changes need to be made in the other sub-Markets.

Ooredoo agrees with CRA position – i.e. no changes are required for this Market and its subMarkets.

Question 9 The CRA asks the SPs to comment on Market 9 reporting obligations, in particular if they believe changes need to be made.

Ooredoo agrees with CRA position – i.e. no changes are required for this Market.

Question 10 The CRA asks the SPs to comment on Market 10 reporting obligations, in particular if they believe changes need to be made.

Ooredoo agrees with CRA position – i.e. no changes are required for this Market.

Question 11 The CRA asks the SPs to comment on Market 11 reporting obligations, in particular if they believe changes need to be made.

Ooredoo agrees with CRA position – i.e. no changes are required for this Market.

Question 12 The CRA asks the SPs to comment on Market 12 reporting obligations, in particular if they believe changes need to be made.

Ooredoo agrees with CRA position – i.e. no changes are required for this Market.

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8 December 2020

Question 13 The CRA asks the SPs to comment on the changes in Market 13 reporting obligations regarding roaming.

Ooredoo has no issues with this. But would like to state again that Roaming Service is not covered by MDDD Order and hence should not be reported as a part of MDDD report.

Question 14 The CRA asks the SPs to comment on the changes in Market 14 reporting obligations, in particular regarding the new and improved definitions about roaming, which include reporting previously foreseen in Market 13.

Ooredoo has no issues with this. But we would like to state again that Roaming Service is not covered by MDDD Order and hence should not be reported as a part of MDDD report. Ooredoo again would like to point out the OTT services are a viable substitute for termination services, the fact that should be duly considered by the CRA in their upcoming MDDD process.

Question 15 The CRA asks the SPs to comment on Market 15 reporting obligations.

This is not a telecommunications Market. We note that other business entities selling the same goods and services acting on the Market do not have the obligation of quarterly reporting. Detailed split of the revenue data suggested by CRA (i.e. IT HW vs. SW) is not currently feasible.


Vodafone Qatar P.Q.S.C. submission to the CRA's

**Consultation on the Revision of the Reporting
Obligations following the Market Definition and
Dominance Designation ("MDDD") 2016 dated 30 March
2021 ("Consultation Document")**

03 June 2021

INTRODUCTION AND EXECUTIVE SUMMARY




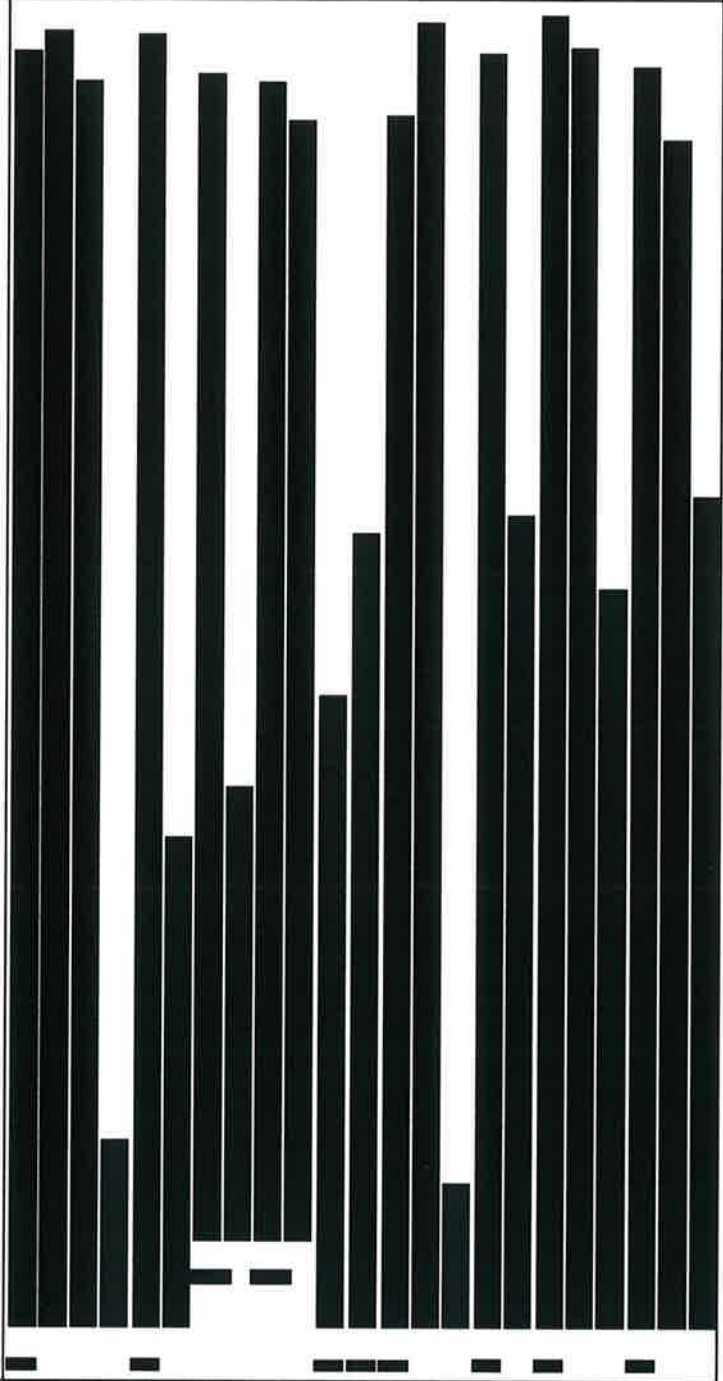
1. Vodafone Qatar P.Q.S.C (“**Vodafone Qatar**”) appreciates the opportunity to provide comments on this important consultation. We refers to the following correspondence on this matter:
 - your letter dated 30 March 2021,
 - the Consultation Document,
 - the Draft Order/Notice; and
 - the proposed new template in Excel format.

2. The salient points of our submission are summarised below:
 - **Process:** It is our view that major changes to the MDDD reporting obligation should take place after a market review has been completed due to the fact that the current reporting obligation stems from the MDDD. We therefore submit that the CRA should pause this initiative for the time being until such time as the market review is conducted. We are of course prepared to implement minor adjustments to the template in the meantime.
 - **Disproportionate burden:** It is our view that the current proposals would place a significant and disproportionate burden on both the CRA and Services Providers (“**SPs**”). Their implementation would require significant resources, time and development cost, including CAPEX just to meet the CRA’s requirements which go far beyond those of the ITU. It is also not clear what benefit these new proposed requirements would yield for the SPs.
 - **Fixed and Mobile Internet traffic:** Vodafone Qatar can provide the information requested by the ITU. However the very granular breakdown requested by the CRA cannot be provided at this point. While it could be technically feasible it would require very costly and time consuming developments which would be disproportionate.
 - **Internet usage:** We note that the CRA can easily obtain very useful and reliable information on internet usage by conducting consumer surveys as is routinely done by other regulatory bodies instead of asking SPs to invest significant resources and time in systems which would not provide the accuracy expected. The CRA also seems to ignore technical realities, such as the use of HTTPS which make traffic unidentifiable. However, we are happy to provide overall traffic exchanged between us and the largest OTT providers which we believe would be useful to the CRA.
 - 
 - **Confidential information:** All the data reported should by default be considered as confidential and not as public as indicated in the Draft Notice. The default position must be changed. Given the highly confidential and market sensitive information contained in the Template we would be grateful if the CRA could share with us the procedures and safeguards it has put in place to ensure that our confidential information is not leaked outside of the CRA, including by copying it on non-CRA laptops or disks.
 - **Compliance:** The Draft Notice contains a section on compliance wherein the CRA threatens SPs with enforcement actions in the event of non-compliance including imprisonment and fine. Vodafone Qatar does not agree with this misguided approach. Compliance with the new reporting requirement as defined by the CRA (e.g. completeness, accuracy of data) is impossible, placing SPs in a *de facto* technical non-compliance. It is unhelpful and against good regulatory practice for the CRA to define obligations that cannot be complied with.

Vodafone Qatar Comments – Alternative Proposals	
Point / Issue	
Steps to revise the MDDD Reporting	<ul style="list-style-type: none"> • The current MDDD reporting obligation was issued on 2 May 2017 as a Notice following the MDDD Notice and Orders issued on 09 May 2016 which defined the relevant markets, assessed competition therein and set regulatory obligations, including the MDDD reporting obligation. Vodafone Qatar submits that such a radical and comprehensive change to the current MDDD reporting template should take place after a market review is undertaken not before. Indeed, the changes to the template must be informed by changes in the way the CRA may (re-) define market and assess competition. • We therefore submit that the CRA should pause this initiative for the time being until such time as the market review is conducted. We are of course prepared to implement minor adjustments to the template in the meantime. • We also note that the CRA can easily obtain very useful and reliable information on certain required data (e.g. internet usage) by conducting consumer surveys as is routinely done by other regulatory bodies.
Burden on the industry and the CRA	<ul style="list-style-type: none"> • The CRA's proposals will place yet another significant additional burden on the industry and itself. The CRA is in effect increasing the number of indicators in the template by 69% (from: 265 to 439 indicators). The data will have to be provided on a quarterly basis by SPs and then consolidated, checked and analysed by the CRA. Vodafone Qatar submits that this is disproportionate and not justified. • The implementation of the proposals of the CRA would require costly and time consuming developments, including additional CAPEX, just to attempt to meet the CRA requirements which go far beyond those of the ITU. • We also note that the scope is being extended to Access to Digital Media ("ADM") and that the CRA is asking only SPs to provide information whereas other regulators carry out usage surveys for such data as this provides more meaningful and accurate information free from the inherent technical limitations that the data SPs could provide after undertaking significant developments and spending additional CAPEX just to try to meet the CRA requirements. • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • Vodafone Qatar submits that the CRA should focus its limited resources (and those of SPs) on activities which shape the market, level the playing field and provide tangible benefits to consumers. • We submit that the approach proposed by the CRA will lead to significant time and system resources on SPs being invested to satisfy the endless requirements of the CRA to "monitor" the market. It will drastically increase the risk of reporting errors, reconciliation questions and

	<p>lead to time consuming and avoidable discussions with the CRA. In turn this increases the risks of the CRA reaching incorrect conclusions based on data which is too disaggregated or not fit for purpose.</p> <ul style="list-style-type: none"> • Furthermore it is not clear whether the CRA's new requirements will yield any benefit to the Service Providers. 							
<p>Confidential information</p>	<ul style="list-style-type: none"> • Paragraph 197 of the Draft Notice says: <i>"Data provided by the SPs will not be considered confidential unless explicitly requested by the SPs. In assessing the request of the SPs for data's confidentiality, the CRA will act consistently with the provisions of the Telecommunication Law and of the Executive by Law."</i> • It goes without saying that all the data that will be reported should by default be considered as confidential and not public as indicated in the Draft Notice. The default position must be changed. • The MDDD Template contains highly confidential and market sensitive information and we invite the CRA to treat it as such. In that regards, we would be grateful if the CRA could share with us the procedures and safeguards it has put in place to ensure that our confidential information is not leaked outside of the CRA, including by copying it on non-CRA laptops or disks. 							
<p>Breakdown of fixed subscriptions by speed.</p>	<ul style="list-style-type: none"> • We submit that to ensure consistency over time while allowing the CRA to track the changing distribution of subscriptions by speed, the CRA should adopt the following ranges: 0 < 100Mbps; 100 to <500Mbps; 500 to <1000Mbps; > 1000Mbps. • The current proposal of the CRA will get messy over time and will be prone to errors, especially with the introduction of new speeds by one or two SPs which will result in change to the overall number of lines making it difficult to standardise the report and raising comparability issues over time. 							
<p>Breakdown of leased lines links by speed.</p>	<ul style="list-style-type: none"> • Vodafone Qatar recommends the below breakdown of leased lines links by speed, which we submit is better suited than the CRA proposal. <table border="1" data-bbox="959 1167 1214 1487"> <tr><td>Leased Line less than 10Mb</td></tr> <tr><td>Lease Line 10Mb- 50Mb</td></tr> <tr><td>Leases line 50Mb- 100Mb</td></tr> <tr><td>Lease line STM 1</td></tr> <tr><td>Lease line STM 4</td></tr> <tr><td>Lease line STM 16</td></tr> <tr><td>Lease line STM 64</td></tr> </table>	Leased Line less than 10Mb	Lease Line 10Mb- 50Mb	Leases line 50Mb- 100Mb	Lease line STM 1	Lease line STM 4	Lease line STM 16	Lease line STM 64
Leased Line less than 10Mb								
Lease Line 10Mb- 50Mb								
Leases line 50Mb- 100Mb								
Lease line STM 1								
Lease line STM 4								
Lease line STM 16								
Lease line STM 64								
<p>Fixed and Mobile Internet traffic</p>	<ul style="list-style-type: none"> • The CRA is requesting SPs to report the Gbyte per quarter of "national data traffic" with a very granular breakdown: the data is expected to be split between fixed and mobile, then between business and residential. Each sub-category then has to be split between upload and download with a further split by fixed technology for fixed lines and between prepaid and postpaid for mobile. 							

	<ul style="list-style-type: none"> • In the proposed Template the CRA makes further reference to the ITU code I1355ffb (Fixed-broadband Internet traffic), and I136mwi (Mobile broadband Internet traffic - within the country). Vodafone Qatar notes that the ITU is only asking for a split between mobile and fixed, i.e. 2 indicators. In contrast the proposal of the CRA requires the provision of 26 indicators: 10 for mobile and 16 for fixed. • Vodafone Qatar confirms that it can provide the information as requested by the ITU for the two indicators I1355ffb (Fixed-broadband Internet traffic) and I136mwi (Mobile broadband Internet traffic). We can also provide the split between upload and download for each indicator. Downlink/Uplink volumes information can be provided for mobile data and fixed residential and business broadband. [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • [REDACTED] • We therefore recommend that the template include the ITU indicators only.
<p>Internet usage FIXED and MOBILE</p>	<p>The CRA is also requesting very granular data regarding usage with a split between fixed and mobile. More specifically the CRA is asking SPS to report on the following indicators:</p> <ul style="list-style-type: none"> a. usage split between different categories of usage (e.g. video streaming, video conferencing, gaming, OTT services, Other WWW usage, other usage). b. the number of visits per quarter for the top 5 websites visited (excluding social networks); c. the time spent on the main 5 websites (excl. social networks) in minutes per quarter; d. the number of visits per quarter for the top 5 social networks; e. the time spent on the main 5 social networks in minutes per quarter. <ul style="list-style-type: none"> • At the outset, VA would like to make a number of observations: <ul style="list-style-type: none"> a. The new proposed indicators are not required by the ITU; and b. They are not standardised and no definitions have been provided by the CRA. A full classification of URL and app, like video streaming, conferencing, gaming, etc would need to be provided by the CRA. • We agree with the CRA that data on internet usage can be useful and we submit that this type of indicators should be collected via surveys as is done by other regulators, e.g. Ofcom https://www.ofcom.org.uk/data/assets/pdf_file/0022/208408/technology-tracker-notification-of-changes.pdf. The CRA's proposals are indeed completely not in line with international practices and do not take into account the technical limitations and issues involved which have led other regulatory bodies to rely on surveys for such indicators. • [REDACTED]

	 <p>• We believe that this could be useful information to the CRA as a complement to data from consumer surveys.</p> <p>For the reasons set out above we invite the CRA to collect internet usage data via surveys as done by other regulators. In addition we are happy to provide overall traffic exchanged between us and the largest OTT providers.</p>
	

	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
<p>Roaming retail</p>	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <ul style="list-style-type: none"> • Vodafone Qatar therefore requests the CRA to rethink this requirement.
<p>Roaming wholesale</p>	<ul style="list-style-type: none"> • In addition to our comments [REDACTED], please note that we have no issue in providing the usage and total revenue split into GCC and non-GCC. However, please note that with most of the GCC operators, we have fixed deals with "fair usage policy"; i.e. a maximum number of voice and data traffic that can be used which is measured on an annual basis. Splitting these into voice, SMS and data would be a problem. It would be a time and resource intensive exercise and it would require the provision of conversion factors by the CRA. While we could try to split the revenue based on usage, due to fixed revenue number, the result may not be meaningful to CRA as it would fluctuate over time due to seasonality for example. • Hence Vodafone Qatar query whether this requirement is proportionate and justified.
<p>Break down of revenues outside of Annexure B</p>	<ul style="list-style-type: none"> • Those are non-regulated revenues outside of the relevant markets defined by the CRA pursuant to the MDDD. If the CRA wishes to have a complete view on the revenues from the ICT sector, then such data should be asked to all market participants (e.g. IT companies, datacentres) by the CRA and not only SPs. Doing otherwise is discriminatory against SPs. • The breakdown that Vodafone Qatar can provide is to isolate the revenues from the sale of equipment and accessories while all other revenues would be clubbed in one line as "other revenues" just to match with total revenue in our financial statements.
<p>Timeline to provide the information</p>	<ul style="list-style-type: none"> • With the increased list of indicators proposed by the CRA and uncertainty with the new indicators, Vodafone Qatar is not in a position to commit to provide the data within the 4 weeks stipulated by the CRA.

Compliance

- The Draft Notice contains a section on compliance wherein the CRA threatens SPs with enforcement actions in the event of non-compliance including imprisonment and fine. Vodafone Qatar does not agree with this misguided approach. Compliance with the new reporting requirement as defined by the CRA (e.g. completeness, accuracy of data) is impossible, placing SPs in de facto technical non-compliance. It is unhelpful and against good regulatory practice for the CRA to define obligations that cannot be complied with.

Annex

- 3.1 The connection fee to join Vodafone Postpaid is QR50.
- 3.2 Customers will be charged QR50 to migrate from Postpaid to Prepaid and Postpaid to Mobile Broadband Plans
- 3.3 A Customer can choose one of the Postpaid plans below. All Customers can also purchase Extra(s) and Add Ons in addition to their Postpaid account.
- 3.4 Should a Customer exceed the allowances in their chosen Plan, charges for all excess usage will be at standard Rate card prices set out in Article 10 below.

4. Postpaid Plans

4.1 New Unlimited Plans

- Customers who join our unlimited plans will get the following benefits:

Unlimited 300	Unlimited 375	Unlimited 450	Unlimited VIP
Unlimited Local	Unlimited Local	Unlimited Local	Unlimited Local
Unlimited Data ¹	Unlimited Data ²	Unlimited Data ³	Unlimited Data ⁴
20GB of Roaming in 20 countries	5GB of Roaming in 140 countries	40GB Roaming in 140 countries	75GB Roaming in 140 countries
100 Intl minutes	100 Intl minutes	100 Intl minutes	500 Intl. minutes
-	-	-	200 Roaming Mins
-	-	- Valet Parking	VIP Valet Parking
50 Q Miles monthly	75 Q Miles Monthly	100 Q Miles monthly	200 Q Miles monthly
QR 300 Monthly rental	QR375 Monthly rental	QR450 Monthly rental	QR750 Monthly rental
Unlimited inflight roaming*	Unlimited inflight roaming*	Unlimited inflight roaming*	Unlimited inflight roaming*

- The Unlimited Plans will work on any device whether 5G enabled or not.

¹ Unlimited 300 – 20GB at full 5G speed then reduced to 2 Mbps until 500 GB

² Unlimited 375 – 50 GB at full 5G speed then reduced to 10 Mbps until 450 GB

³ Unlimited 450 – 200GB at full 5G speed then reduced to 15 Mbps until 500 GB

⁴ Unlimited VIP – 500 GB at full 5G speed

* Available only on flights with the Mobile Satellite Operators - Aeromobile and OnAir

4.1.5 Passport Packs Add-ons for all Postpaid Voice Plans

Weekly Passport Pack	Monthly Passport Pack
QR100 for 1GB + 100 minutes valid for 1 week	QR320 for 4GB + 300 min valid for 1 month

- This Add-on is valid in the same countries provided for the roaming countries for Unlimited 450 and Unlimited VIP plans.
- Inflight roaming is free with every passport activation with a FUP of 40 GB per flight

4.1.6 Bill Manager

- All existing and new Customers on Vodafone's Unlimited Plans shall automatically get the Bill Manager extra added for free.
- Bill Manager ensures that Customers are prevented from receiving excessive bills from local data and roaming usage, by automatically adding the best add-ons available. E.g. if the customer is roaming in a passport pack country, Bill Manager will automatically add the benefits of the Passport Pack for no additional charge once the customer has consumed out of bundle data or calls worth QR 100. However, in non-passport countries, Bill Manager will not be able to further optimise spending.
- For local out of bundle charges, Bill Manager will give Customers the benefits below without extra charges once the Customer has reached a certain spend threshold:

Spend Threshold	Product	Extra Value Given
>QR 20	Standard rate of 99Dhs/MB	-
QR 20	Smart Data Rate	250 MB
QR40	Smart Data Rate	250 MB
QR60	Smart Data Rate	250 MB
QR70	Internet Pack 70	5.25 GB
QR110	Internet Pack 110	4 GB
QR150	Internet Pack 150	4 GB
QR200	Internet Pack 200	6 GB
QR300	Internet Pack 300	15 GB
QR500	Internet pack 500	500 GB

- Bill Manager will send an SMS notification every time it provides best add-ons available/Extra Value (as per the table above). The best add-ons available/Extra Value will be provided without an additional charge and is non-recurring.
- All best add-ons available/Extra Value provided by Bill Manager will expire at the end of the



U Start	U Plus
<p>Choose your Data & local minutes</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid #ccc; padding: 2px;">10 GB 0 Local Mins</div> <div style="border: 1px solid #ccc; padding: 2px; background-color: #ffc107;">150 Local Mins</div> <div style="border: 1px solid #ccc; padding: 2px;">7 GB 450 Local Mins</div> <div style="border: 1px solid #ccc; padding: 2px;">8 GB 500 Local Mins</div> <div style="border: 1px solid #ccc; padding: 2px;">9 GB 550 Local Mins</div> </div> <p style="font-size: small; text-align: center;">Endless internet @ 128 kbps</p>	<p>Choose your Data & local minutes</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid #ccc; padding: 2px;">14 GB 0 Local Mins</div> <div style="border: 1px solid #ccc; padding: 2px; background-color: #ffc107;">16 GB 400 Local Mins</div> <div style="border: 1px solid #ccc; padding: 2px;">14 GB 100 Local Mins</div> <div style="border: 1px solid #ccc; padding: 2px;">12 GB 1000 Local Mins</div> <div style="border: 1px solid #ccc; padding: 2px;">10 GB 1500 Local Mins</div> </div> <p style="font-size: small; text-align: center;">Endless internet @ 512 kbps</p>
<p>Choose your International calling destination</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid #ccc; padding: 2px;">200 Minutes</div> <div style="border: 1px solid #ccc; padding: 2px;">50 Minutes</div> <div style="border: 1px solid #ccc; padding: 2px;">50 Minutes</div> <div style="border: 1px solid #ccc; padding: 2px;">80 Minutes</div> <div style="border: 1px solid #ccc; padding: 2px;">40 Minutes to Other Countries</div> </div> <p style="font-size: small; text-align: center;">Without International Minutes pay @ QR 15/less per month</p>	<p>Choose your International calling destination</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid #ccc; padding: 2px;">300 Minutes</div> <div style="border: 1px solid #ccc; padding: 2px;">100 Minutes</div> <div style="border: 1px solid #ccc; padding: 2px;">100 Minutes</div> <div style="border: 1px solid #ccc; padding: 2px;">160 Minutes</div> <div style="border: 1px solid #ccc; padding: 2px;">60 Minutes to Other Countries</div> </div> <p style="font-size: small; text-align: center;">Without International Minutes pay @ QR 15/less per month</p>
QR 115	QR 165

- U Start customers can use endless data at a speed of 128 kbps with FUP of 100 GB and U Plus the endless internet will be available at 512 kbps with FUP of 512 kbps.
- All U Plan customers can check their available balance using the direct short code*129# to receive a balance check SMS notification.
- The U plan customers who have unused Data on their account can carry forward the unused Data from the previous month for the next month and these Flex will have a validity of 1 bill cycle. Local minutes and international minutes can't be carried forward.

6. Add-Ons and Extras (Flex Plans and Unlimited Plans)

6.1 U Plan Paid Add-Ons

- Customer can add the following Add on to enhance their U plans as per their usage and requirement:

July 1, 2021
OB/RA/MS/089/2021

Sheikh Ali Bin Jabor Al Thani
Chief Legal and Regulatory Officer
Ooredoo Q.P.S.C.
P.O. Box 217
Doha, Qatar

Dr. Alexandre Serot
Head of Regulatory
Vodafone Qatar P.Q.S.C.
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Doha, Qatar

Subject: Update of the MDDD Reporting – Response to SPs' consultation responses

Update of the MDDD Reporting Template

The CRA is currently conducting a consultation regarding update of the MDDD Reporting Template (**Template**), referring to the letter OB/RA/MS/047/2021 sent out on March 30, 2021 including accompanying documents. On May 4, 2021 an industry meeting was held with the CRA, Ooredoo Qatar and Vodafone Qatar. On June 3, 2021, the CRA received responses to the consultation from Ooredoo Qatar and Vodafone Qatar (collectively **SPs**). The CRA would like to thank SPs for their feedback. After having reviewed the responses the CRA has the following comments.

General comments

Postponement of the template

Vodafone Qatar asks if the update of the MDDD Reporting Template should be postponed until a new MDDD process has been concluded. SPs note that there are a substantial number of changes in the Template and it will take time and effort from SPs to comply with the new format.

The CRA notes that the changes will remain in place irrespective of the outcome of the MDDD process. Therefore, the current efforts of SPs will prove valuable also for future MDDD reporting.

Resources required for reporting requirements

SPs express the view that some of the reporting requirements will require significant resources, investments and costs that seem too large compared to the benefits that the CRA will gain.

The CRA is of the opinion that the reporting requirements in general must be fair and reasonable. Indeed, the CRA will therefore assess SPs' feedback while ensuring that the CRA lives up to its remit. As an outcome, some requirements may be relaxed while others will remain unchanged.

Data confidentiality

Vodafone Qatar has asked the CRA to explain the procedures and principles for confidentiality of the data reported in the Template.

The CRA confirms that it does not plan to change the existing processes related to data confidentiality as established in relation to the MDDD 2016 Reporting Notice and the CRA's strict internal procedures for securing data confidentiality. Indeed, the CRA must report ICT indicators to the ITU or similar international and national organizations. This reporting is consolidated (SPs data are consolidated as a total for the market). The reporting therefore respects the data confidentiality at SP level. Since May 2020, the CRA also publishes data about the Qatari Telecom market in the quarterly telecom report. The reporting is based on SPs' MDDD Reporting and the published financial statements. Some data is reported on a consolidated basis (e.g., traffic), and some data is reported at SP level (e.g., subscriptions). Before the CRA publishes any data based on the MDDD data, the CRA performs careful consideration as to the impact of the disclosure of the information, informs the SPs and duly considers SPs' comments. Globally, the CRA works on reaching a level of disclosure that is comparable with NRAs in the region and internationally.

Extent of reporting requirements

Ooredoo Qatar has mentioned that there should be no reporting requirement of data related to competitive candidate and relevant markets, such as M2cd Mobile international voice calls, M5 National mobile services and retail roaming. Ooredoo Qatar also mentions that the frequency of MDDD reporting should be annually, not quarterly.

The Regulatory Instrument for the MDDD 2016 Reporting Notice is the Applicable Regulatory Framework for the CRA and more specifically the "Notices and Orders, Designation of Ooredoo Q.S.C and Vodafone Qatar Q.S.C. as dominant Service Providers in specified relevant markets: CRARAC 09/05/2016 A as of May 09, 2016" (**Notices and Orders**).

In the Notices and Orders, it is stated in section 6 Remedies that:

"6.2 Remedies on DSPs

The Specific Obligations imposed in each market are summarized in Table 3 below. For the avoidance of doubt these are in addition to the Standard Obligations automatically applied to DSPs (as set out in Table 2 above), and other regulatory obligations imposed on SPs unrelated to dominance (such as, competition policy, mobile site sharing, open access requirements and regular reporting requirements to the Authority), and remedies imposed on DSPs which are not specific to a particular market (such as the requirement for Ooredoo to prepare and submit Regulatory Accounting System for all its activities).

These remedies include:

Reporting requirements

The requirements for all DSPs to provide to the Authority on a quarterly basis, operational and financial data for each identified market in this MDDD process."

The CRA can confirm that the MDDD Reporting Notice 2016, CRARAC 2017/05/02 as of May 2, 2017, section 5, paragraph 29 and 29.3, states that:

"SPs are required to submit the data;(…) Using the Reporting Format attached to this Notice".

The Reporting Format includes all identified (candidate and relevant) markets and Non-Annexure B markets and the reporting frequency is quarterly. The CRA confirms that quarterly MDDD reporting for all identified (i.e. candidate and relevant markets) and Non-Annexure B markets must and will continue.

Reporting of technology

Ooredoo Qatar recommends that the CRA analyzes service markets, not technology markets.

The CRA notes that the current consultation relates to the update of the MDDD Reporting template, not the MDDD process, and the CRA will take Ooredoo Qatar's comment into due consideration when performing the MDDD process. Regarding reporting of technology for candidate and relevant markets as defined during the 2016 MDDD process, this is a natural requirement that has been applied to e.g. relevant market M1.

Monitoring of Access to Digital Media

Ooredoo Qatar mentions that the CRA decision to start monitoring Access to Digital Media is outside the scope of the MDDD Reporting.

The CRA refers to the Consultation on updated MDDD Reporting Template CRARAC 2021/03/30 issued on March 30, 2021, paragraph 9, and the draft Order and Notice issued on the same date, paragraph 162, stating that:

"The CRA decided also to start monitoring Access to Digital Media, as its specific mandate set out by Emiri Decision n. (42) of 2014, Art. 4. Consequently, the CRA has identified a set of data needed in order to carry on such monitoring. Rather than issuing a specific order, the CRA decided for a simplified approach, adding to the current template the relevant indicators."

This approach is further justified by the connectivity requirements of ADM.

Compliance

Vodafone Qatar wonders why the section regarding compliance in the draft Notice has been included. Vodafone Qatar proceeds to state that compliance with the updated reporting requirements is impossible because the requirements are too extensive, placing Vodafone Qatar in de facto non-compliance.

The CRA refers to the MDDD 2016 Reporting Notice, chapter 8, paragraph 50, where enforcement provisions are stated for non-compliance. As such, there is no material change in the principles for compliance. Vodafone Qatar's comments therefore seem out of context.

Timellne to provide the information

Vodafone Qatar does not feel in position to implement the updated reporting requirements within 4 weeks deadline.

The CRA is aware that SPs require sufficient time to implement the updated reporting requirements. The new reporting requirements will therefore not take effect until the MDDD reporting for Q4 2021 is due in March 2022.

Relevant Market 1 Retail fixed access services

M1a

Ooredoo Qatar mentions that there are currently no ISDN or VoIP services provided for residential customers.

If Ooredoo Qatar does not expect to provide these services in the future, then the CRA will delete these indicators from the Template.

M1b

SPs have no comments

M1c

Subscriptions

Vodafone Qatar notes that the proposed reporting structure with specification per offered speed will be comprehensive over time when new speeds are introduced and may be prone to errors and suggests to instead report by speed intervals which is the current structure.

The CRA can inform that the current structure with intervals has led to errors, because the introduction of new speeds necessitated the introduction of new lines in the template. As these changes were not systematically structured, it did indeed lead to errors. Therefore, the CRA maintains that the proposed structure with reporting by offered speeds will be the most efficient way of reporting and will lead to fewer, if any, errors than the current procedure.

Ooredoo Qatar has suggested that the introduction of new speeds should not affect the current numbering but should instead be numbered by adding a postfix letter or integer to the relevant indicator number.

The CRA agrees to this suggestion.

Ooredoo Qatar has proposed that there should only be one indicator for copper subscriptions as there are only few subscriptions left since customers are actively migrating to fiber.

The CRA will keep the current indicators to monitor the migration.

Data volume consumption

Both SPs remark that their current IT systems do not support the proposed split between residential and business data volume consumption and that development of this feature would be costly.

The CRA will change the Template so that there will be only one reporting category for residential and business combined.

Vodafone Qatar states that the proposed reporting structure for data volumes by technology would require very costly system developments. Ooredoo Qatar notes that data volumes for copper-based subscriptions are getting irrelevant because subscribers migrate to other technologies and the reporting requirement for copper should be lifted.

The CRA will require total data volumes across different technologies, excluding copper.

Vodafone Qatar states that they can report data volumes specified by download/upload on a total basis for fixed and mobile broadband. Ooredoo Qatar states that they do not currently capture this data and it will require additional network investments to capture this data.

In the CRA's opinion the internet and associated networks are in rapid development. New applications and technologies evolve, and cloud computing activities will support customers and machines in increasing interaction, refer e.g. to ITU's focus group on network 2030 for information¹. As a further example, reporting on data traffic for download and upload has been part of e.g. the Danish NRA reporting requirements for some time. The Danish NRA notes in a 2019 publication about broadband that increased proliferation of working from home activities and increased upload activity of video and images on social media platforms etc. will place increasing importance on upload activities. See Figure 1 below for illustration of up/download reporting for fixed broadband.

Tabel 6: Datatrafik

Fastnet	Abonnementer*	PB / halvår	GB / abn. / md.	GB / person***
Download	-	2.433	168	78
Upload	-	329	23	11
Total	252.9912	2.763	191	89

Figure 1 Example of data reporting in up/download from the Danish NRA

Source: https://erhvervsstyrelsen.dk/sites/default/files/2019-07/Rapport_Udviklingen-paa-detailmarkedet-for-bredbaand_Erhvervsstyrelsen2019.pdf pages 25-27. (the text is in Danish, abonnement means subscription)

¹ <https://www.itu.int/en/ITU-T/focusgroups/net2030/Pages/default.aspx>

Another example is the Italian telecom regulator AGCOM that publishes quarterly statistics on fixed and mobile data up/download, see Figure 2.

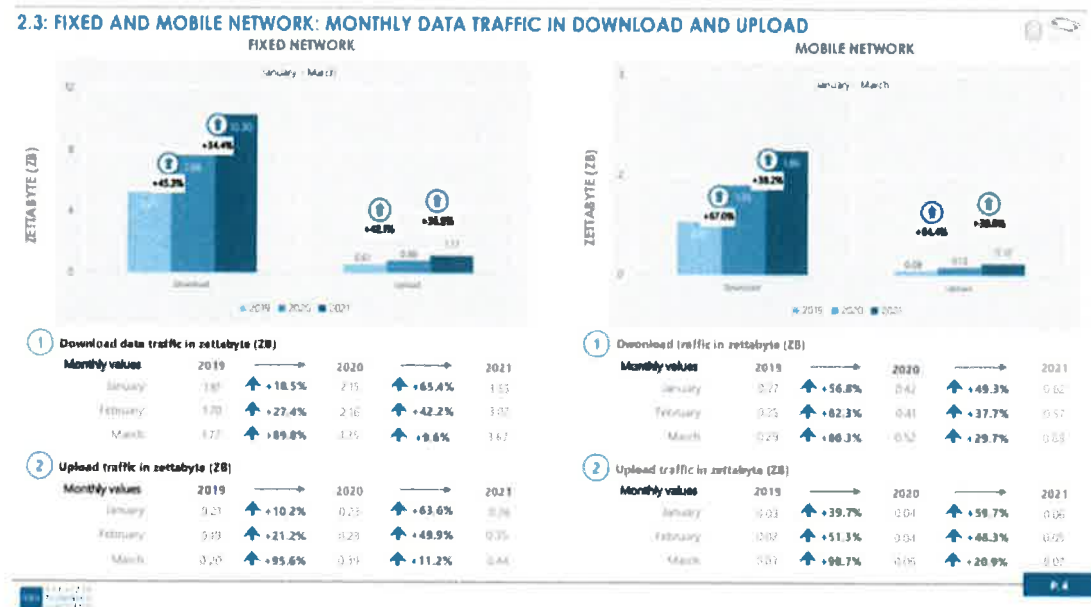


Figure 2 Example of data reporting in up/download from the Italian NRA

Source : <https://www.agcom.it/documents/10179/5218363/Allegato+25-5-2021/a6018fd3-c00d-4a6b-acc8-293d39701229?version=1.0>

Since international NRAs already require up/download reporting specified by fixed and mobile data traffic, the CRA will keep the requirement for SPs to report total data traffic in up/download activity specified for both fixed and mobile traffic.

Data usage

The reporting requirement for customers' data usage on websites, social networks and main activities (video-streaming etc.) is a new reporting requirement from the CRA which is in line with common international practice and reporting. The CRA has therefore been interested in establishing an openminded dialogue with SPs on how the reporting should be structured.

Ooredoo Qatar explains that the proposed split between Fixed and Mobile data usage and between residential and business users is not feasible to provide. Ooredoo Qatar also describes that due to encryption etc. it is not possible to obtain accurate information about data usage. Vodafone Qatar presents similar reservations and notes that usage of the HTTPS

protocol makes website traffic unidentifiable. Ooredoo Qatar adds that their systems do not allow measurement of the minutes spent on websites and social networks.

The CRA notes that among NRAs in the GCC area, TRA Oman includes reporting on social networks and Online Platforms usage², see Figure 2 below. As Ooredoo Group has operations in Oman, the Group is already reporting data of this kind to a NRA.

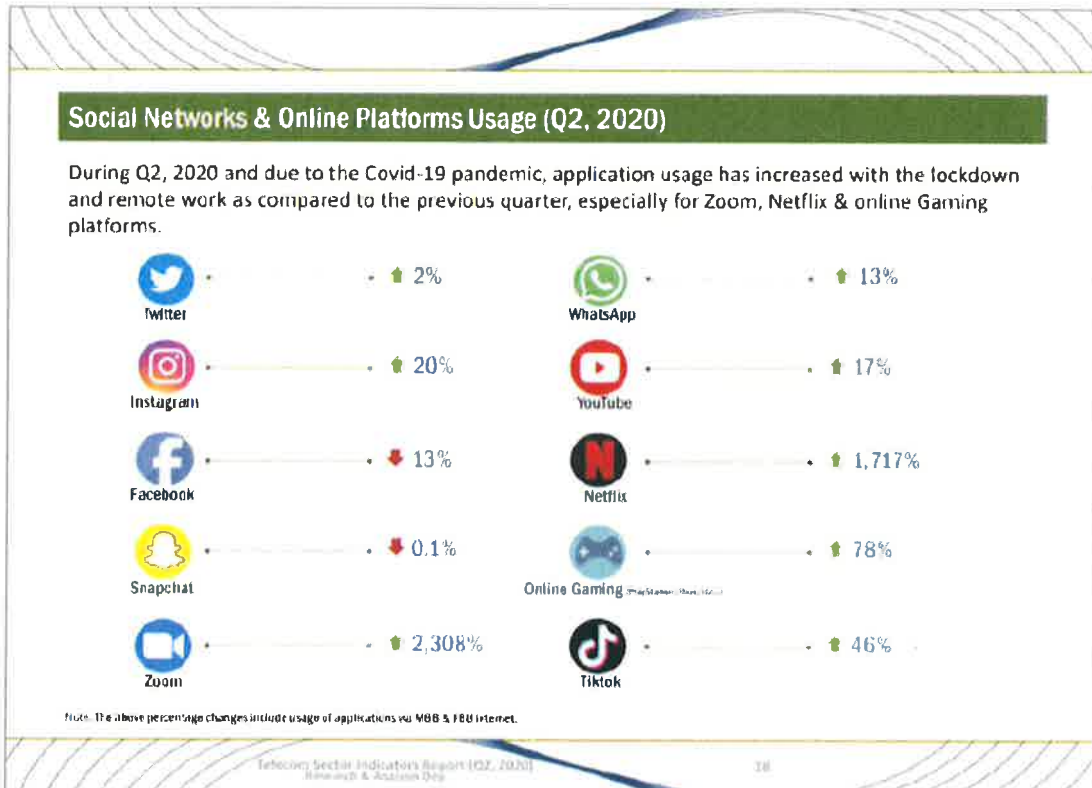


Figure 2 TRA Oman quarterly reporting for Q2 2020

Source: <https://www.tra.gov.om/En/ManageReports.jsp?menu=114>

Vodafone Qatar proposes to report the overall traffic between Vodafone Qatar and the biggest OTT providers (e.g. Google, Facebook, Netflix etc.) in % of overall throughput.

Ooredoo Qatar proposes to report aggregate information on number of visits to main sites and social networks as part of a separate report.

² <https://www.tra.gov.om/En/ManageReports.jsp?menu=114>

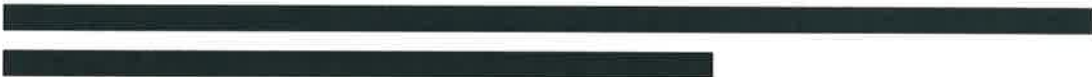
The CRA requests SPs to report on the number of visits to the main 10 sites/social networks; and the traffic throughput to the 10 biggest OTT providers in percentage of overall throughput. This reporting will be for total data usage and will not be divided into business/residential and mobile/fixed. The reporting will be part of the Template.

Household information

Ooredoo Qatar informs that they can only report aggregate figures for household connections.

The CRA will change the Template accordingly.

Relevant Market 2 Retail international outgoing call services



Relevant Market 3 Retail national leased lines services

Vodafone Qatar and Ooredoo Qatar proposes updates of the suggested speed intervals. Refer to figure 3 below for CRA's conclusion.

Ooredoo	Vodafone Qatar	CRA conclusion
Up to 10 Mbps	Up to 10 Mbps	Up to 10 Mbps
10 - 100 Mbps	10 - 50 Mbps	10 - 100 Mbps
100 Mbps- 1 Gbps	50 - 100 Mbps	100 - 500 Mbps
Above 1 Gbps	STM 1 - 156 Mbps	500 - 1,000 Mbps
	STM 4 - 624 Mbps	1 - 10 Gbps
	STM 16 - 2,496 Mbps	Above 10 Gbps
	STM 64 - 9,984 Mbps	

Figure 3 Suggested and final speed intervals for leased lines

Ooredoo Qatar adds that the proposed reporting of leased lines per technology means that a substantial amount of additional data will have to be collected. Furthermore, Ooredoo Qatar sees no need to report by tariff and technology and finds that some of the cells are ambiguous.

The CRA notes that the current reporting requirements have proved increasingly insufficient for analysis and market monitoring and the CRA has detected a need to align the reporting for relevant markets M3 and M4 with the reporting for relevant market M1c where subscriptions are detailed by speed and technology. The CRA will therefore keep the reporting requirements.

The CRA agrees to make the description of technology clearer. The added information regarding associated tariffs will remain, as this both helps the CRA in its analysis while providing a guideline for SPs in case there is doubt about where to report a service.

Ooredoo Qatar also mentions that the indicators related to dark fiber are irrelevant and should be deleted.

The CRA notes that there are two sections for reporting of dark fiber in the current Template. Indicators 126-129 relate to Vodafone Qatar and Ooredoo Qatar. Indicators 134-141 and associated revenue relate to Qnbn. The CRA will keep the reporting requirement for SPs in case it would prove relevant.

Relevant Market 4 Retail International leased lines services

Refer to comments under relevant market 3 and general comments.

Relevant Market 5 Retail national mobile voice and broadband

[Redacted text block]

[Redacted text block]

[Redacted text block]

[Redacted text block containing multiple paragraphs of blacked-out content]

Relevant Market 6-13 (Wholesale)

No specific comments from SPs. The CRA refers to general comments.

Relevant Market 14 Wholesale termination on individual mobile networks

[Redacted text block containing blacked-out content]

[REDACTED]

Revenue not related to Relevant Markets – Non-Annexure B markets – Other revenue

Both SPs have noted that they do not believe that there should be reporting on four indicators. Vodafone Qatar suggests that there should only be two indicators, one for handsets sales (this is also disclosed in the published financial statements), and one for other revenue. Ooredoo Qatar puts forward that a detailed split of the revenue as suggested by the CRA into e.g. IT hardware and IT software is currently not feasible.

The CRA will change the Template so that there are two indicators; handsets sales and other revenue.

However, it must be noted that SPs must ensure that the revenue reported in this category is correct and is reconciled with the financial statements. In the Template, total MDDD revenue must be reconciled with the revenue in the financial statements. SPs must not use this category to just include residual revenue that arises when MDDD revenue is not the same as the revenue from the financial statements. This will present a risk that revenue pertaining to relevant markets is not presented under relevant markets but instead as other revenue. The other revenue category must therefore be reconciled with internal reports that cover this kind of revenue.

Further comments

Please send your comments to Mr. Jens Bloch Behrendt (email: jbehrendt@cra.gov.qa, tel. 44994111) by July 11, 2021. The CRA will also organize an industry meeting with SPs.

Sincerely,


Mohammed Ali Al-Mannai
President of the Communications Regulatory Authority



By email

08 July 2021

Mohammed Al-Mannai
President
Communications Regulatory Authority
P.O. Box 23024 Doha, Qatar

Cc: Jens Bloch Behrendt

Dear Mohammed,

Re: Update of the MDDD Reporting – Response to SPs Consultation Response

Vodafone Qatar P.Q.S.C ("**Vodafone Qatar**") refers to the letter from the Communication Regulatory Authority's ("**CRA**") dated 1 July 2021 on the above mentioned subject. The CRA is requesting SPs for further comments on its proposed changes and our comments on the letter are as follows:

1. **Our previous comments:** We appreciate the CRA's responses, however we provided detailed and substantiated comments in our submission dated 03 June 2021, which we believe could be more fully considered and addressed by the CRA in order to strengthen the consultative process.
2. **Process:** As the CRA is aware the current MDDD template became an obligation following the last market review. From a procedural and substantive standpoint, we remain of the view that major changes to the MDDD reporting obligation/template should take place after a market review has been completed. We are of course prepared to implement minor adjustments to the template in the meantime.
3. **Resources and Burden:** We regret that the CRA has not really considered our comments regarding the resource limitations of both SPs and the CRA. The changes proposed by the CRA are far from trivial. Their implementation would require costly and time -consuming developments, including additional CAPEX, just to attempt to meet the CRA requirements which go far beyond those of the ITU.
4. **Confidentiality:** The CRA appears to have misunderstood our comments on confidentiality. The bulk of the data included in the MDDD Template is indeed market sensitive and highly confidential. However, the CRA may decide to disclose some information in an appropriate format / level of aggregation. In that regards we commend the CRA for consulting SPs prior.
5. **Scope and use of surveys:** The scope is being extended to Access to Digital Media ("**ADM**"). However, the CRA is asking only SPs to provide information whereas other regulators conduct surveys for such data as this provides more meaningful and accurate information free from the inherent technical limitations that the data SPs could provide after undertaking significant developments and spending additional CAPEX just to try to meet the CRA requirements. We do not understand why is the CRA not considering surveys, which will provide it (and SPs) with very valuable insights?

Vodafone Qatar P.Q.S.C

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A Public Qatari Shareholding Company, by virtue of Ministerial Resolution number (160) of 2008 and in accordance with the laws of the State of Qatar, having Commercial Registration number 39656. Tel: 00974 44096666, Fax: 00974 44096669. Paid-up capital QAR 4,227,000,000.



6. **Compliance:** Our comments on Compliance stand given that the proposed new reporting requirement as defined by the CRA (e.g. completeness, accuracy of data) are impossible to comply with, placing SPs in de facto technical non-compliance.. We submit that this section should be modified.
7. **Timeline for provision of data:** With the increased list of indicators, we are unable to commit to provide the data within the 4 weeks.
8. **Breakdown of fixed subscriptions by speed:** [REDACTED] However we submit that our proposal is better and will be less prone to errors. It will also facilitate comparability of issues over time. It is also consistent with the approach for leased lines. Hence we recommend the CRA to reconsider its position by on this matter.
9. **Fixed and Mobile Internet traffic:** We welcome the revised proposals of the CRA (to report total data traffic in upload/download activity specified for both fixed and mobile traffic) which are more in line with the ITU definitions (ITU code i135tfb - Fixed-broadband Internet traffic and ITU code i136mwi Mobile broadband Internet traffic - within the country) and requirements.
10. **Internet usage FIXED and MOBILE:** our detailed comments dated 03 June 2021 remain applicable. We are looking at the revised proposals of the CRA (to “report on the number of visits to the main 10 sites/social networks; and the traffic throughput to the 10 biggest OTT providers in percentage of overall throughput. This reporting will be for total data usage and will not be divided into business/residential and mobile/fixed”) and need to undertake a technical assessment of their feasibility. However, the CRA should note the unavoidable limitations with the approach of the CRA as mentioned in our previous response (e.g. prevalence of HTTPS protocol and its impact on identification of traffic). We again recommend the CRA to consider undertaking surveys as done by Ofcom, which would provide very useful insights to the CRA and SPs.
11. [REDACTED]
12. **Roaming retail:** We refer the CRA to our comments regarding splitting roaming revenue into voice, SMS and data dated 3 June 202,1 which do not appear to have been considered by the CRA.

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Conclusion

We kindly request the CRA to consider our comments in refining its proposals and to the discussing our submission and concerns with the CRA.

Yours sincerely,

Alexandre Serot
Head of Regulatory
Vodafone Qatar P.Q.S.C.

Vodafone Qatar P.Q.S.C

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Date: 11 July 2021
Reference No.: OQ/Reg-6805/2021-07

Mr. Mohammed Ali Al-Mannai
President, the Communications Regulatory Authority
P.O. Box 23264
Al-Nasr Tower B, Corniche
Doha
State of Qatar

Attention: Jens Bloch Behrendt, Market Data
Cc: Michele Bellavite, Tariff & Costing Section Head
Cc: Pascal Dutru, Legal Unit Head

Dear Mohammed,

Subject: Update of the MDDD Reporting – Ooredoo Response to CRA's Responses

Ooredoo refers to CRA's letter dated July 1, 2021 (ref. OB/RA/MS/089/2021, "Letter") including CRA's responses to SPs' responses to the consultation on the update of the MDDD reporting.

Ooredoo thanks the CRA for its responses and for the opportunity to further comment on them.

In summary, Ooredoo is not satisfied with CRA's responses. Indeed, the vast majority of CRA's responses / data requirements are:

- not sufficiently substantiated;
- not grounded in the Applicable Regulatory Framework (ARF);
- based on opinions but not on facts.

This is generally due to the CRA not disclosing the criteria and the input used for assessing the fairness and proportionality of its requirements. This leads to CRA's discretionary decisions which cannot be accepted by Ooredoo.

[Redacted]

[Redacted]

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ورأس م العا المصدر (3,203,200,000) رة.

[REDACTED]
[REDACTED]
[REDACTED]

Therefore, Ooredoo is of the view that:

- This proceeding shall be immediately put on hold;
[REDACTED]
- Only after a full MDDD process, the CRA shall start a review of the MDDD reporting obligations.

Detailed responses are included in our response document herein attached, which does not include confidential information and can be published by the CRA.

Please do not hesitate to contact Ooredoo for further information.

Yours sincerely,



Ali Bin Jabor Al-Thani
Group Chief Legal, Regulatory & Governance Officer



Attachment

1/1. Ooredoo Response Regarding Revision of the Reporting Obligations following the Market Definition and Dominance Designation (MDDD) 2016 Consultation on updated MDDD Reporting Template - Response to CRA's responses

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Regulatory Management Ooredoo Q.P.S.C

11 July 2021

Ooredoo reference: [OQ/Reg-6805/2021-07]

Ooredoo Response

Regarding:

Revision of the Reporting Obligations following the
Market Definition and Dominance Designation
(MDDD) 2016.

Consultation on updated MDDD Reporting Template -
Response to CRA's responses

Non-Confidential



1. Executive Summary

Introduction

1. The CRA issued a consultation (ref. CRARAC 2021/03/30, Consultation) on the 11th of May 2021, with the purpose of requiring Service Providers (SPs) to significantly increase the amount of data they supply to the CRA under the pretext of Market Definition and Dominance Designations (MDDD) Reporting. The consultation requires SPs to consider providing extensive amounts of market data for 14 markets. For example, the amended reporting requirements detailed in this consultation have almost tripled the amount of required reported data, i.e. going from 267 reporting lines to be filled in with data to 7481, which significantly increases the regulatory burden.
2. Ooredoo responded to the Consultation on the 3rd of June 2021 (ref. OQ/Reg-6769/2021-06).
3. On the 1st of July, the CRA issued its responses to SPs' responses to the Consultation (ref. OB/RA/MS/089/2021, Letter).

Summary of Key Comments

4. Ooredoo is of the view that the vast majority of CRA's responses are:
 - (a) not sufficiently substantiated;
 - (b) not grounded in the Applicable Regulatory Framework (ARF);
 - (c) based on opinions but not on facts.
5. This is generally due to the CRA not disclosing the criteria and the input used for assessing the fairness and proportionality of its requirements. This leads to CRA's discretionary decisions which cannot be accepted by Ooredoo.





Ooredoo Response: Revision of the Reporting Obligations
11 July 2021

[Redacted content]



Ooredoo Response: Revision of the Reporting Obligations
11 July 2021

[Redacted content]



2. Ooredoo's Specific Comments on CRA's responses

Response 1 - Postponement of the template

Vodafone Qatar asks if the update of the MDDD Reporting Template should be postponed until a new MDDD process has been concluded.

CRA's Response

The CRA responds "The CRA notes that the changes will remain in place irrespective of the outcome of the MDDD process. Therefore, the current efforts of SPs will prove valuable also for future MDDD reporting".

Ooredoo's comment

The CRA is foreclosing any future possibility to review the reporting obligations, which could amount to abuse of power.

Contrary to CRA's response, reporting obligations are **NOT** independent from the outcomes of the MDDD process as per ARF and best international practice¹.

Therefore, Ooredoo is not satisfied with CRA's response and agrees with VFQ that any update of the MDDD reporting must be postponed until:

- (a) a new MDDD process has concluded;



Response 2 - Resources required for reporting requirements

SPs express the view that some of the reporting requirements will require significant resources, investments and costs that seem too large compared to the benefits that the CRA will gain.

¹ To make this clear, CRA's response implies that if the MDDD Process decides (e.g.) to combine M2a with M2b, the MDDD Reporting will still mandate reporting obligations separately for M2a and M2b. This approach is not acceptable.



Ooredoo Response: Revision of the Reporting Obligations 11 July 2021

CRA's response

The CRA states "The CRA is of the opinion that the reporting requirements in general must be fair and reasonable. Indeed, the CRA will therefore assess SPs' feedback while ensuring that the CRA lives up to its remit. As an outcome, some requirements may be relaxed while others will remain unchanged".

Ooredoo's comment

Transparency and predictability would require the CRA to disclose in advance the criteria against which fairness and proportionality of the reporting requirements will be assessed. Such disclosure is crucial to prevent arbitrary decisions (e.g. excessive burden on the SPs with little gains for the sector.). Indeed, the CRA's response fails to do so as its reasoning remains vague.

Therefore, Ooredoo is not satisfied with CRA's response. The CRA shall disclose objective criteria against which the fairness and proportionality of the reporting requirements will be assessed. The purpose for which required data need to be collected quarterly on ex-ante basis shall also be made available. This data should also only be collected to support decisions on market dominance. The CRA has no legal authority to use the MDDD reporting requirements as a catch all opportunity to collect any type of information that it finds interesting.

Response 3 - Data confidentiality

Vodafone Qatar has asked the CRA to explain the procedures and principles for confidentiality of the data reported in the Template.

CRA's response

The CRA states "The CRA confirms that it does not plan to change the existing processes related to data confidentiality as established in relation to the MDDD 2016 Reporting Notice and the CRA's strict internal procedures for securing data confidentiality. ... Globally, the CRA works on reaching a level of disclosure that is comparable with NRAs in the region and internationally".



Ooredoo Response: Revision of the Reporting Obligations
11 July 2021

Ooredoo's comment

Ooredoo will address the issue of data confidentiality with respect to its publication on as needed basis.

Response 4 - Extent of reporting requirements

Ooredoo Qatar has mentioned that there should be no reporting requirement of data related to competitive markets, such as M2cd Mobile international voice calls, M5 National mobile services and retail roaming. Ooredoo Qatar also mentions that the frequency of MDDD reporting should be annual, not quarterly.

CRA's response

The CRA states "*The Regulatory Instrument for the MDDD 2016 Reporting Notice is the Applicable Regulatory Framework for the CRA and more specifically the "Notices and Orders, Designation of Ooredoo Q.S.C and Vodafone Qatar Q.S.C. as dominant Service Providers in specified relevant markets: CRARAC 09/05/2016 A as of May 09, 2016" (Notices and Orders) ... The Reporting Format includes all identified (candidate and relevant) markets and Non-Annexure B markets and the reporting frequency is quarterly. The CRA confirms that quarterly MDDD reporting for all identified (i.e. candidate and relevant markets) and Non-Annexure B markets must and will continue*".

Ooredoo's comment

The CRA rejects Ooredoo's requests noting that reporting obligations and their periodicity cannot be changed because they are grounded in the MDDD Notices and Orders, issued at end of the MDDD Process.

Indeed, CRA's response is contradictory: if the MDDD reporting cannot be changed, why the CRA is amending it and/or including additional indicators (even completely unrelated to the markets defined in the MDDD Notices and Orders)? And, why is the



Ooredoo Response: Revision of the Reporting Obligations
11 July 2021

CRA asking for stakeholder feedback if nothing in fact can change and these Notices and Orders are unchangeable on the basis that were once issued by the CRA?

Specifically, on the reporting frequency, the CRA failed to provide any reasoned justifications on why a quarterly reporting is needed (e.g. other than publishing a report, what else the CRA does with the quarterly data? What decisions have the CRA taken based on the Quarterly data? Etc.). For example, Agcom (the Italian NRA), often quoted by the CRA as relevant benchmark, only requires revenues on the mobile markets annually, for its Annual Report. Ooredoo is of the view that this is a more proportional approach which should be followed by the CRA as well. We remind the CRA again that the purpose of MDDD reporting requirements is to assess to market dominance. Does the CRA plan to do so on a quarterly basis?

In conclusion, CRA's response is not consistent and contradicts its own desires to amend the MDDD Reporting. This response also contravenes the telecoms law which makes clear that service providers should provide data that helps the CRA assess market power based on a review of economic and behavioral characteristics of the relevant market and an examination of the extent to which a SP, acting alone or jointly with others, is in a position to behave independently of customers and competitors (Article 72) Thus a MDDD reporting exercise is clearly not for purposes to help the CRA publish quarterly market reports.

[Redacted text block]

Response 5 - Reporting of technology



Ooredoo Response: Revision of the Reporting Obligations 11 July 2021

Ooredoo Qatar recommends that the CRA analyzes service markets, not technology markets.

CRA's response

The CRA "notes that the current consultation relates to the update of the MDDD Reporting template, not the MDDD process, and the CRA will take Ooredoo Qatar's comment into due consideration when performing the MDDD process. Regards reporting of technology for candidate and relevant markets as defined during the 2016 MDDD process, this is a natural requirement that has been applied to e.g. relevant market M1".

Ooredoo's comment

The reporting by technology is **NOT** required by the MDDD Notices and Orders (ref. CRARAC 09/05/2016) dated 9 May 2016 but by the MDDD Reporting. Indeed, the MDDD Notices and Orders defined the relevant market M1 (and ALL market) independent from the technology, as per standard international practices. Therefore, contrary to CRA's statement, the MDDD Notices and Orders is not an obstacle to change this reporting obligation.

Indeed, Ooredoo is not satisfied by CRA's incorrect response. The CRA should observe international best practices and refrain from introducing a requirement to submit data by technology, which of course leads to reporting requirements based on the constantly changing technology landscape typical of the telecommunications industry.

Response 6 - Monitoring of Access to Digital Media

Ooredoo Qatar mentions that the CRA decision to start monitoring Access to Digital Media is outside the scope of the MDDD Reporting.



Ooredoo Response: Revision of the Reporting Obligations
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CRA's response

The CRA responded referring Ooredoo "to the Consultation on updated MDDD Reporting Template CRARAC 2021/03/30 issued on March 30, 2021, paragraph 9, and the draft Order and Notice issued on the same date, paragraph 162, stating that:

"The CRA decided also to start monitoring Access to Digital Media, as its specific mandate set out by Emiri Decision n. (42) of 2014, Art. 4. Consequently, the CRA has identified a set of data needed in order to carry on such monitoring. Rather than issuing a specific order, the CRA decided for a simplified approach, adding to the current template the relevant indicators." This approach is further justified by the connectivity requirements of ADM".

Ooredoo's comment

CRA's response does not address Ooredoo's concerns. The MDDD Reporting for "telco" was introduced at the end of the MDDD process, which clarified the market definitions, designated the dominant SPs, etc. This is not the case for the ADM Reporting requirements. Ooredoo notes that the CRA has not even clarified what ADM means.

Therefore, Ooredoo is not satisfied with CRA's response and will not provide such data as part of MDDD reporting obligations. However, and only if information cannot be retrieved by the CRA using its own resources (e.g. market researches), we may provide it as part of other CRA legitimate market data requests.

Response 7 - Timeline to provide the information

Vodafone Qatar does not feel in position to implement the updated reporting requirements within 4 weeks deadline.

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Ooredoo Response: Revision of the Reporting Obligations
11 July 2021

CRA's response

The CRA states "The CRA is aware that SPs require sufficient time to implement the updated reporting requirements. The new reporting requirements will therefore not take effect until the MDDD reporting for Q4 2021 is due in March 2022".

Ooredoo's comment

CRA's response does not disclose the criteria used to determine which time is sufficient for the SPs to implement updated reporting requirements.

Therefore, this position sounds arbitrary and not fact based. Ooredoo asks the CRA to disclose the information and criteria used to conclude that SPs will be ready to implement updated reporting requirements by March 2022. [REDACTED]

[REDACTED] Moreover, as highlighted by Ooredoo our current systems do not support some of the CRA data requirements at all, e.g. time spent browsing online, and the compliance with these requirements would mean a substantial system changes. Note that SP's technical teams and financial resources are currently stretched with readying networks for the upcoming FIFA World Cup, which is clear priority for the country. The CRA must assess and duly justify the necessity of the additional system investments under these tense conditions.

Response 8 - Relevant Market 1 Retail fixed access services - M1a

Ooredoo Qatar mentions that there are currently no ISDN or VoIP services provided for residential customers.

CRA's response

The CRA states "If Ooredoo Qatar does not expect to provide these services in the future, then the CRA will delete these indicators from the Template".



Ooredoo Response: Revision of the Reporting Obligations
11 July 2021

Ooredoo's comment

Ooredoo agrees that the indicators shall be deleted from the template.

Response 9 - Relevant Market 1 Retail fixed access services - M1c – Subscriptions

Ooredoo Qatar has proposed that there should only be one indicator for copper subscriptions as there are only few subscriptions left since customers are actively migrating to fiber.

CRA's response

"The CRA will keep the current indicators to monitor the migration".

Ooredoo's comment

As stated above, Ooredoo does not support reporting by technology and neither should the CRA. Reporting by technology is simply not sustainable in the telecoms sector and thus this is why international best practice for reporting is based on services. In addition, from CRA's response it is not clear what *"monitor the migration"* means and what actions are within the remits of the CRA on such migration.

Therefore, Ooredoo is not satisfied with CRA's response and asks the CRA to include only one indicator for copper in the reporting.

Response 10 - Relevant Market 1 Retail fixed access services - M1c - Data volume consumption

Vodafone Qatar states that they can report data volumes specified by download/upload on a total basis for fixed and mobile broadband. Ooredoo Qatar states that they do not currently capture this data and it will require additional network investments to capture this data.

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Ooredoo Response: Revision of the Reporting Obligations 11 July 2021

CRA's response

The CRA states the *"internet and associated networks are in rapid development. New applications and technologies evolve, and cloud computing activities will support customers and machines in increasing interaction, refer e.g. to ITU's focus group on network 2030 for information. As a further example, reporting on data traffic for download and upload has been part of e.g. the Danish NRA reporting requirements for some time. ... Another example is the Italian telecom regulator AGCOM that publishes quarterly statistics on fixed and mobile data up/download, see Figure 2. ... Since international NRAs already require up/download reporting specified by fixed and mobile data traffic, the CRA will keep the requirement for SPs to report total data traffic in up/download activity specified for both fixed and mobile traffic"*.

Ooredoo's comment

To support its position, the CRA refers to similar data required by **two** countries. Ooredoo can easily find two other countries where such data is not required. Therefore, the small benchmark presented by the CRA has no value. In addition, the CRA did not disclose its methodology to conclude that the cost for the SPs is lower than the benefit for the sector.

Specifically, Ooredoo notes that the upload / download information published by Agcom is part of the Covid19 reporting but not of the "standard monitoring system". The Covid19 report clarifies that (emphasis added) *"The data and information illustrated in the figures below represent the result of a **specific monitoring** activity conducted by the Authority, which has the general objective of providing an information base that can contribute to a better understanding of trends and any critical **issues that may emerge from the current pandemic crisis**"*. Thus, this is an information "temporarily" required to the SPs, but not a standard one.

Moreover, the CRA has not addressed at all Ooredoo's response to the original CRA's justification of this requirement provided in the first consultation document. That is the



Ooredoo Response: Revision of the Reporting Obligations 11 July 2021

fact the current speeds of fixed and mobile networks in Qatar already support upload speeds required for HD video streaming. The major shift in customer's behavior in this respect already took place with the outset of the COVID 19 and Ooredoo demonstrated that its network is fully capable of providing adequate support to all its customers relying on symmetric data traffic services. Qatar ranks number one globally with its mobile networks' speeds and fiber networks with related tariff plans are more than adequate to service these needs. In any case, this reporting requirement is clearly outside the scope of MDDD reporting and instead seems to be a part of a CRA wish list for its own website publications.

Considering that this data is not relevant to the MDDD reporting, Ooredoo does not agree to provide it as part of this process.

Response 11 - Relevant Market 1 Retail fixed access services - M1c - Data usage

Ooredoo Qatar explains that the proposed split between Fixed and Mobile data usage and between residential and business users is not feasible to provide. Ooredoo Qatar also describes that due to encryption etc. it is not possible to obtain accurate information about data usage. Vodafone Qatar presents similar reservations and notes that usage of the HTTPS protocol makes website traffic unidentifiable. Ooredoo Qatar adds that their systems do not allow measurement of the minutes spent on websites and social networks.

CRA's response

The CRA notes that *"among NRAs in the GCC area, TRA Oman includes reporting on social networks and Online Platforms usage, ... As Ooredoo Group has operations in Oman, the Group is already reporting data of this kind to a NRA"*.

Ooredoo's comment

Ooredoo notes that this information can be acquired by the CRA through its own market research. Moreover, the technical issues mentioned by both Ooredoo and VFQ



Ooredoo Response: Revision of the Reporting Obligations 11 July 2021

for collecting such information cannot be discharged without further analysis. For example, Apple is about to introduce an IOS version with embedded a VPN access which will make data collected on the above matter not reliable.

Picking up example from other jurisdictions to justify the request is not the best possible approach. In fact, it is true that Ooredoo Oman was able to provide such data to the Omani regulator before the onset of the COVID19 pandemic because prior to this time Oman did not allow local VPNs. It is unclear as to whether Ooredoo Oman will be able to continue to provide such data going forward or to what extent, due to TRA approvals of local VPNs subsequent to the pandemic. Therefore, the reference made by the CRA to Oman is not comparable and subject to change where the number of local VPNs increase in Oman. Notably, VPNs are widely used here in Qatar by the Ooredoo customer base.

In conclusion, the question is always the same: how is this information related to the MDDD process and does the benefit of forcing SPs to collect this information outweigh substantial cost that they must incur as a result? For example, what benefits / value will consumers derive from going to the CRA website and finding out that through its quarterly reports that in Q2 the usage of Facebook has increased 10%?

Ooredoo again emphasizes that it will not report on information of interest to the CRA as part of the MDDD reporting process which is outside its scope. The CRA needs to revisit this process carefully and only request relevant information to the MDDD process.

Response 12 - Relevant Market 3 Retail national leased lines services

Ooredoo Qatar adds that the proposed reporting of leased lines per technology means that a substantial amount of additional data will have to be collected. Furthermore, Ooredoo Qatar sees no need to report by tariff and technology and finds that some of the cells are ambiguous.



Ooredoo Response: Revision of the Reporting Obligations
11 July 2021

CRA's response

"The CRA notes that the current reporting requirements have proved increasingly insufficient for analysis and market monitoring and the CRA has detected a need to align the reporting for relevant markets M3 and M4 with the reporting for relevant market M1c where subscriptions are detailed by speed and technology. The CRA will therefore keep the reporting requirements".

Ooredoo's comment

Reporting by technology is not justified by the MDDD process where markets have been defined with a technology neutral approach (ref. also Response 5 above).

Moreover, the request is only motivated by a vague statement "the current reporting requirements have proved increasingly insufficient for analysis and market monitoring". This position must be corroborated by evidences and examples that prove the CRA's activities have been affected by the lack of such information, [REDACTED]

[REDACTED] This is due for transparency. The purpose of the MDDD reporting is to solely facilitate the MDDD process. How will the CRA decision regarding the dominance designation be affected when relevant markets are defined as technology neutral set of relevant service / products substitutes? Therefore, Ooredoo is not satisfied with CRA's response. The request is neither justified by the MDDD process nor by evidence on the importance and value of such information for customers.. Indeed, this requirement must be dropped.

Response 13 - Relevant Market 5 Retail national mobile voice and broadband -

[REDACTED]



Ooredoo Response: Revision of the Reporting Obligations
11 July 2021

[Redacted content]

September 14, 2021
OB/RA/MS/134/2021

Sheikh Ali Bin Jabor Al Thani
Chief Legal and Regulatory Officer
Ooredoo Q.P.S.C.
P.O. Box 217
Doha, Qatar

Dr. Alexandre Serot
Head of Regulatory
Vodafone Qatar QPSC
P.O. Box 27727
Doha, Qatar

Subject: Update of the MDDD Reporting – MDDD Reporting Template 2nd draft

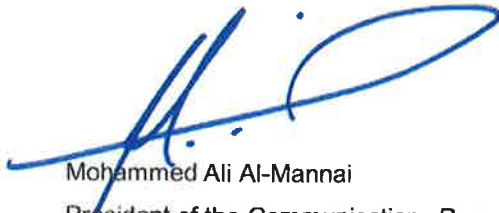
Update of the MDDD Reporting Template

The CRA is currently conducting a consultation regarding update of the MDDD Reporting Template (**Template**), referring to the letter OB/RA/MS/047/2021 sent out on March 30, 2021 including accompanying documents. On May 4, 2021, an industry meeting was held with the CRA, Ooredoo Qatar and Vodafone Qatar (collectively **SPs**). On June 3, 2021, the CRA received responses to the consultation from SPs. On July 1, 2021, the CRA sent out its response to SPs' comments. On July 8, 2021, and July 11, 2021, the CRA received SPs' comments to the CRA's consultation response. On August 23, 2021, an industry meeting was held with the CRA and SPs. The CRA would like to thank SPs for their feedback.

MDDD Reporting Template 2nd draft

The CRA encloses the 2nd draft of the Template with two new sheets, one with track changes from the first consultation draft and one clean version and SPs are invited to send their comments. SPs are requested to review if the tariffs applied to the indicators and other factual information is correct. SPs are also invited to send their comments to the draft Notices and Order as sent out by the CRA on March 30, 2021 (pages 22-31 of the consultation document). Please send your comments to Mr. Jens Bloch Behrendt (email: jbehrendt@cra.gov.qa, tel. 44994111) by October 3, 2021.

Sincerely,



Mohammed Ali Al-Mannai
President of the Communications Regulatory Authority



By email

03 October 2021

Mohammed Al-Mannai
President
Communications Regulatory Authority
P.O. Box 23024 Doha, Qatar

Cc: Jens Bloch Behrendt

Dear Mohammed,

Re: Update of the MDDD Reporting – MDDD Reporting Template 2nd Draft

Vodafone Qatar P.Q.S.C (“**Vodafone Qatar**”) refers to the letter and template in Excel format from the Communication Regulatory Authority’s (“**CRA**”) dated 14 September 2021 on the above-mentioned subject. We welcome the CRA’s approach to consult with the Services Providers (“**SPs**”) on the further amendments proposed by the CRA. Overall, we have found the revised proposals more proportionate.

We attach herewith our mark-ups and comments on the draft Notice and the Excel. [Redacted]

As far as the implementation of the new template is concerned, we recommend that it starts with Q1 CY 2022. This will allow the introduction of the new Template at the beginning of the next calendar year and will allow Vodafone Qatar to carry out the necessary developments to meet the requirements [Redacted]

Yours sincerely,

Alexandre Serot
Head of Regulatory
Vodafone Qatar P.Q.S.C.

Vodafone Qatar P.Q.S.C
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Date: 03 October 2021
Reference No.: OQ/Reg-6893/2021-10

Mr. Mohammed Ali Al-Mannai
President, the Communications Regulatory Authority
P.O. Box 23264
Al-Nasr Tower B, Corniche
Doha
State of Qatar

Attention: Jens Bloch Behrendt, Consultant, Market Data Studies
cc: Michele Bellavite, Head of Tariffs and Costing

Dear Mohammed,

Subject: Ooredoo's comments on MDDD Reporting 2nd draft and on the Draft Notices and Order

Ooredoo refers to CRA's letter dated September 14, 2021 (ref. OB/RA/MS/134/2021) asking for comments on the MDDD Reporting 2nd draft ("New Template") and on the Draft Notices and Order ("Order").

In summary:

- Ooredoo detailed comments on the New Reporting Template are included in Attachment 1 (ref. tab "New clean with comments"). We reiterate that:
 - MDDD reporting should only focus on relevant markets, i.e. reporting requirements for competitive mobile markets should be withdrawn;
 - changes to the reporting requirements should be only done after a full MDDD review;
- Ooredoo's provides suggestions for changes of draft Order in tracked changes in Attachment 2. Amongst others, Ooredoo proposes to start delivering MDDD reports based on the New Template no sooner than Q3 2022 to provide ample time to SP's to establish new reporting functionality. Moreover, we note that the Order does not require anymore the report on the profitability for the mobile markets. We definitely agree with discounting this report. Please refer to our letter dated August 25, 2021 (ref. OQ/Reg-6844/2021-08) for further details.

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ورأس مالها المصدر (3,203,200,000) ر.ق.



Rationale for the above comments are included in Attachment 3, which is Ooredoo's formal response document.

Yours sincerely,

Ali Bin Jabor Al Thani
Group Chief Legal, Regulatory & Governance Officer

Attachment 1: "2021 09 27 MDDD New Reporting - Comments on MDDD Template 2nd draft" (excel file)
Attachment 2: "2021 09 27 MDDD New Reporting - Comments on DRAFT Order" (word file)
Attachment 3: "2021 09 27 MDDD New Reporting - Ooredoo Response Document to CRA's second consultation" (word file)

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Regulatory Management

Ooredoo Q.P.S.C

03 October 2021

Ooredoo reference: [OQ/Reg-6893/2021-10]

Ooredoo Response

Regarding:

Revision of the Reporting Obligations following the Market Definition and Dominance Designation (MDDD) 2016.

Consultation on updated MDDD Reporting Template 2nd Draft – Ooredoo's Responses

Non-Confidential

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1. Executive Summary

Introduction

1. On September 14, 2021, the CRA issued the 2nd draft of the MDDD Template (“**Template**”) and invited the Service Providers (“**SP**”) to send their comments (ref. OB/RA/MS/134/2021, “**CRA Letter**”).
2. The CRA Letter also requested to comment on the draft Notices and Order (“**Draft Order**”) as sent out by the CRA on March 30, 2021.
3. The deadline to provide comments is October 3, 2021.

Summary of Key Comments on the 2nd draft of the MDDD Template

4. Ooredoo generally agrees with the changes made by the CRA, specifically with the exclusions of all the information not related to the MDDD process and scope.
5. Ooredoo's additional requests for changes are included in the file excel attached to this Response.

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

7. Indeed, we reiterate that the MDDD Template should
 - (a) only be reviewed and implemented after a full MDDD process is performed by the CRA;
 - (b) should be only focused on “non-competitive markets”, i.e. all the reporting obligations on mobile markets must be canceled.



Summary of Key Comments on the draft Order

8. We are of the view that any new requirements shall be enforced only after a full MDDD is performed. As second best, Ooredoo believes that new requirements shall be applied starting from the 3rd quarter of 2022. FIFA 2022 and other obligations will keep Ooredoo's staff very busy. Therefore, we cannot commit to an earlier delivery of the new Template.
9. We note that the Draft Order does not include anymore the requirement for the report on the profitability of the mobile markets. We agree with discounting this report. Please refer to our letter dated August 25, 2021 (ref. OQ/Reg-6844/2021-08) for further details.
10. Track change version of the Draft Order with our comment and suggested edit is attached to this response.

2. Ooredoo's Specific Comments on CRA's responses on the 2nd draft of the MDDD Template

11. Market 1A
VFQ Tariff B06 seems missing and should be added.
12. Market 3 - Definitions
We suggest to change "subscriptions" to "subscribers". Subscribers, defined as # of customers paying the bills, is a more useful information.
13. Market 3 – Number of links
Bespoke Tariffs will be included in rows from 179 to 184 according to the technology used. Therefore, rows from 185 to 189 can be deleted. One row must be added to report Bespoke Tariffs offered with technology different from those reported in rows from 179 to 184.
14. Market 3 – Revenues



**Ooredoo Response: Revision of the Reporting Obligations
3 October 2021**

An approach consistent with that proposed for the Number of Links must be implemented.

15. Market 4 - Definitions

We suggest to change "subscriptions" to "subscribers". Subscribers, defined as # of customers paying the bills, is a more useful information.

16. Market 4 – Number of links

As per CRA Order CRARAC 2020/11/02 as amended in July 2021, international leased lines are all Bespoke Tariffs.

Therefore, we cannot commit to the list proposed by the CRA. We suggest to delete rows from 218 to 220 and report all the links in row 221.

17. Market 4 – Revenues

An approach consistent with that proposed for the Number of Links must be implemented.

3. Ooredoo's Specific Comments on CRA's responses on the draft MDDD Order

18. Track change version of the Draft Order with our comment and suggested edit is attached to this response.

November 25, 2021
OB/RA/MS/178/2021

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Mr. Uzair Ansari
Head of Strategy
Qatar National Broadband
Network Q.P.J.S.C. (Qnbn)
P.O. Box 28100
Doha, Qatar

Subject: MDDD 2021 Reporting Notice

The CRA formally started the consultation on updating the MDDD Reporting Template (**Template**) with the letter OB/RA/MS/047/2021 (**Consultation Letter**) which was sent out on March 30, 2021, including accompanying documents. The CRA has now concluded the consultation regarding update of the Template. The CRA encloses the final Decision and Notice for the MDDD 2021 Reporting. The CRA would like to thank Service Providers for their cooperation.

Publication of consultation documents

The CRA has decided to publish on its website the main documents regarding the consultation in the interest of transparency and public accountability. The publication is done in accordance with section "2.2 Publication of documents" as stated in the Consultation Letter.

In order to provide an overview of the consultation process, the main dates, activities and documents will be listed below.

- On March 15, 2021, the CRA invited all relevant Service Providers to an information meeting on March 23, 2021 about the consultation on update of the MDDD Reporting.
1. [Document](#) "CRA Invitation Letter OB/RA/MS/036/2021"
- On March 23, 2021, the information meeting was held with Service Providers. The CRA presented the background for the update on a MS Teams meeting
2. [Document](#) "CRA PowerPoint presentation" as of March 23, 2021 about the main updates of the MDDD Reporting"
- On March 30, 2021, the consultation was formally started when the CRA sent out the Consultation Letter including accompanying documents to Service Providers.

3. **Document** "CRA Cover Letter OB/RA/MS/047/2021" as of March 30, 2021, regarding the consultation on update of the MDDD Reporting
4. **Document** "CRA Consultation CRARAC 2021/03/30" as of March 30, 2021, regarding the consultation on update of the MDDD Reporting and draft Notice
- On April 15, 2021 an industry meeting was held with the CRA and Qnbn.
- On May 4, 2021 an industry meeting was held by the CRA with Ooredoo Qatar and Vodafone Qatar (collectively **SPs**).
- On May 5, 2021, the CRA received a letter from Ooredoo requesting to postpone the deadline for responses to June 3, 2021.
5. **Document** "Ooredoo Cover Letter OQ/Reg-6755/2021-05" as of May 5, 2021
- On May 19, 2021 Qnbn informed the CRA by email that Qnbn had no further comments on the Reporting Template and would report accordingly going forward.
6. **Document** "Qnbn email as of May 19, 2021"
- On May 24, 2021, the CRA granted extension of the deadline until June 3, 2021, regarding the consultation on update of the MDDD Reporting
7. **Document** "CRA Letter OB/RA/MS/066/2021" as of May 24, 2021
- On June 3, 2021, the CRA received responses to the consultation from SPs
8. **Document** "Ooredoo Cover Letter OQ/Reg-6769/2021-06" as of June 3, 2021
9. **Document** "Ooredoo Response Letter OQ/Reg-6769/2021-06" as of June 3, 2021
10. **Document** "Vodafone Qatar's Response Letter" as of June 3, 2021
- On July 1, 2021, the CRA sent its response to SPs' consultation responses
11. **Document** "CRA Letter OB/RA/MS/089/2021" as of July 1, 2021, providing responses to SPs' responses
- On July 8, 2021, the CRA received Vodafone Qatar's comments to the CRA's consultation response by email.
12. **Document** "Vodafone Qatar's Response to the CRA's Response" as of July 8, 2021
- On July 11, 2021 the CRA received Ooredoo's comments to the CRA's consultation response
13. **Document** "Ooredoo Cover Letter OQ/Reg-6805/2021-07" as of July 11, 2021
14. **Document** "Ooredoo Response Letter OQ/Reg-6805/2021-07" as of July 11, 2021
- On August 23, 2021, an industry meeting was held with the CRA and SPs.
- On September 14, 2021, the CRA sent a second and updated MDDD Reporting Template for SPs' comments.
15. **Document** "CRA Letter OB/RA/MS/134/2021" as of September 14, 2021

- On October 3, 2021, the CRA received SPs' responses to the second round of consultation
 - 16. Document "Vodafone Qatar's comments" by email as of October 3, 2021
 - 17. Document "Ooredoo Cover Letter OQ/Reg-6893/2021-10" as of October 3, 2021
 - 18. Document "Ooredoo Response Letter OQ/Reg-6893/2021-10" as of Oct. 3, 2021
- On November 25, 2021, the consultation on the MDDD Reporting was concluded by issuing this very letter.

If you require any further clarifications, please contact Mr. Jens Bloch Behrendt (email: jbehrendt@cra.gov.qa, tel. 44994111).

Sincerely,



Mohammed Ali Al-Mannai
President of the Communications Regulatory Authority