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**Decision No. 74/2013 regarding
Market Definition, Dominant Licensee and Remedies**

Pursuant to the Telecommunications Regulatory Act issued by Royal Decree No. 30/2002 and;

The Executive Regulation of the Telecommunications Regulatory Act issued by Decision No. 144/2008 and;

The Ex-ante regulations (Regulation of Dominance) issued by Decision No. 69/2012 and;

The Authority's report on Market Definition and Dominance in view of the revision of the telecom markets in Oman made by the Authority, the public consultations, views and feedback submitted by all the stakeholders and;

Based on the exigencies of the public interest;

It is resolved:

Article 1: without prejudice to any obligations set out in the Telecommunications Regulatory Act and its Executive Regulation, the decisions, guidelines and directives issued in implementation thereof, the table annexed to the decision shall demonstrate the relevant markets, the dominant licensees and the remedies applicable to them.

Article 2: The Authority shall issue the regulations, decisions and guidelines regarding the fulfillment of the obligations associated with dominance in the relevant markets, and shall determine the method according to which these obligations are applicable to the dominant licensees in such markets pursuant to the law.

Article 3: The licensees shall abide by all the obligations imposed upon them and in accordance with the method imposed until these are revoked, amended

or the method according to which these were imposed is amended by the Authority.

Article 4: This Decision shall come into force from the date of notifying the licensees.

Issued on: 5 Shawwal 1434 H

Corresponding to: 13.8.2013

Signed/ -

Mohammed Bin Hamad Al-Rumhi

Chairman, Board of Directors

Market	Susceptible to ex ante dominance regulation	Singly Dominant	Jointly Dominant	Remedies
Market 1: Retail access to the public telephone network at a fixed location	Yes	Omantel		<ul style="list-style-type: none"> • Omantel to be subject to obligations of non-discrimination and transparency; • Omantel to be subject to a price control obligation in the manner determined by the TRA; and • Omantel to be subject to accounting separation (AS) obligations in relation to all services in this market.
Market 2: Retail local and national voice call service from a fixed location	Yes	Omantel		<ul style="list-style-type: none"> • Omantel to be subject to obligations of non-discrimination and transparency; • Omantel to be subject to a price control obligation in the manner determined by TRA; and • Omantel to be subject to accounting separation (AS) obligations in relation to all services in this market.
Market 3: Retail international voice call service	No			
Market 4: Retail broadband Internet access from a fixed location	Yes		Omantel Nawras	<ul style="list-style-type: none"> • Omantel and Nawras each to be subject to obligations of non-discrimination and transparency; • Omantel and Nawras each to be subject to a price control obligation in the manner determined by TRA; and • Omantel and Nawras each to be subject to accounting separation (AS) obligations in relation to all services in this market.

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Market 5: Retail dial-up Internet access from a fixed location	No			
Market 6: Retail mobile services market	Yes		Omantel Nawras	<ul style="list-style-type: none"> • Omantel and Nawras each to be subject to obligations of non-discrimination and transparency; • Omantel and Nawras each to be subject to a price control obligation in the manner determined by TRA; and • Omantel and Nawras each to be subject to accounting separation (AS) obligations in relation to all services in this market.
Market 7: Retail national leased line services [and business data services at a fixed location]	Yes	Omantel		<ul style="list-style-type: none"> • Omantel to be subject to obligations of non-discrimination and transparency; • Omantel to be subject to a price control obligation in the manner determined by TRA; and • Omantel to be subject to accounting separation (AS) obligations in relation to all services in this market. <p>[Market 9 has been merged with this market]</p>
Market 8: Retail international leased lines	Yes	Omantel		<ul style="list-style-type: none"> • Omantel to be subject to obligations of non-discrimination and transparency; • Omantel to be subject to a price control obligation in the manner determined by TRA; and • Omantel to be subject to accounting separation

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				(AS) obligations in relation to all services in this market.
Market 10: Wholesale voice call origination on the public telephone network provided at a fixed location	Yes	Omantel		<ul style="list-style-type: none"> • Omantel to be obliged to supply call origination services to all eligible licensees who request them; • Omantel to be obliged to publish a current Reference Interconnection Offer in relation to the supply of wholesale call origination services in a form and with content approved by the TRA; • Omantel to be subject to obligations of non-discrimination and transparency; • Omantel to be subject to a price control obligation based on LRIC in the manner determined by TRA; and • Omantel to be subject to accounting separation (AS) obligations in relation to all services in this market.
Market 11: Wholesale voice call termination on individual public telephone networks provided at a fixed location	Yes	Omantel Nawras		<ul style="list-style-type: none"> • Omantel and Nawras each to be obliged to supply call termination services to all eligible licensees who request them; • Omantel and Nawras each to be obliged to publish current Reference Interconnection Offers in relation to the supply of wholesale call termination services in a form and with content approved by the TRA; • Omantel and Nawras each to be subject to obligations of non-discrimination and transparency;

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				<ul style="list-style-type: none"> • Omantel and Nawras each to be subject to price control obligations based on LRIC in the manner determined by the TRA; and • Omantel and Nawras each to be subject to accounting separation (AS) obligations in relation to all services in this market.
Market 12: Wholesale network infrastructure access at a fixed location	Yes	Omantel		<ul style="list-style-type: none"> • Omantel to be obliged to supply nominated access services and facilities to all eligible licensees who request them; • Omantel to be obliged to publish a current Reference Access Offer in relation to the supply of wholesale network infrastructure access services and facilities in a form and with content approved by the TRA; • Omantel to be subject to obligations of non-discrimination and transparency; • Omantel to be subject to a price control obligation in the manner determined by the TRA; and • Omantel to be subject to accounting separation (AS) obligations in relation to all services in this market.
Market 13: Wholesale broadband access	Yes		Omantel Nawras	<ul style="list-style-type: none"> • Omantel and Nawras each to be obliged to supply wholesale broadband access services and related facilities to all eligible licensees who request them;

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at a fixed location				<ul style="list-style-type: none"> • Omantel and Nawras each to be obliged to publish current Reference Access Offers in relation to the supply of wholesale broadband access services and related facilities in a form and with content approved by the TRA; • Omantel and Nawras each to be subject to obligations of non-discrimination and transparency; • Omantel and Nawras each to be subject to a price control obligation in the manner determined by the TRA; and • Omantel and Nawras each to be subject to accounting separation (AS) obligations in relation to all services in this market.
Market 14: Wholesale terminating segments of leased lines	Yes	Omantel		<ul style="list-style-type: none"> • Omantel to be obliged to supply wholesale terminating segments of leased lines to all eligible licensees who request them; • Omantel to be obliged to publish a current Reference Access Offer in relation to the supply of wholesale leased line terminating segments in a form and with content approved by the TRA; • Omantel to be subject to obligations of non-discrimination and transparency; • Omantel to be subject to a price control obligation in the manner determined by the TRA; and

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				<ul style="list-style-type: none"> • Omantel to be subject to accounting separation (AS) obligations in relation to wholesale terminating segments of leased lines.
Market 15: Wholesale trunk segments of leased lines	Yes		Omantel Nawras	<ul style="list-style-type: none"> • Omantel and Nawras each to be obliged to supply wholesale trunk segments of leased lines to all eligible licensees who request them; • Omantel and Nawras each to be obliged to publish a current Reference Access Offer in relation to the supply of wholesale leased line trunk segments in a form and with content approved by the TRA; • Omantel and Nawras each to be subject to obligations of non-discrimination and transparency; • Omantel and Nawras each to be subject to a price control obligation in the manner determined by the TRA; and • Omantel and Nawras each to be subject to accounting separation (AS) obligations in relation to wholesale trunk segments of leased lines.
Market 16: Wholesale IP international bandwidth capacity	Yes		Omantel Nawras	<ul style="list-style-type: none"> • Omantel and Nawras each to be obliged to supply IP international bandwidth capacity to all eligible licensees who request them; • Omantel and Nawras each to be obliged to publish a current Reference Access Offer in relation to the supply of wholesale IP international bandwidth

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				<p>capacity in a form and with content approved by the TRA;</p> <ul style="list-style-type: none"> • Omantel and Nawras each to be subject to obligations of non-discrimination and transparency; • Omantel and Nawras each to be subject to a price control obligation for wholesale IP international bandwidth capacity in the manner determined by the TRA; and • Omantel and Nawras each to be subject to accounting separation (AS) obligations in relation to wholesale IP international bandwidth capacity.
Market 17: Wholesale voice call termination on individual mobile networks	Yes	Omantel Nawras		<ul style="list-style-type: none"> • Omantel and Nawras each to be obliged to supply wholesale voice call termination services on their mobile networks to all eligible licensees who request them; • Omantel and Nawras each to be obliged to publish current Reference Interconnection Offers in relation to the supply of wholesale voice call termination services on their mobile networks in a form and with content approved by the TRA; • Omantel and Nawras each to be subject to obligations of non-discrimination and transparency; • Omantel and Nawras each to be subject to price control based on LRIC cost standard in the manner determined by the TRA; and

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				<ul style="list-style-type: none"> • Omantel and Nawras each to be subject to accounting separation (AS) obligations in relation to all services in this market.
Market 18: Wholesale access and call origination on public mobile telephone networks	Yes		Omantel Nawras	<ul style="list-style-type: none"> • Omantel and Nawras each to be obliged to provide wholesale access and call origination on public mobile telephone networks and associated facilities to all eligible licensees who request them, in the manner determined by the TRA; • Omantel and Nawras each to negotiate mobile access and call origination in good faith, on reasonable terms and conditions and in a reasonable time as determined by the TRA; • Omantel and Nawras each to have obligations in respect of non-discrimination and transparency; • Omantel and Nawras each to be required to publish a current Reference Access Offers in a form and with contents approved by the TRA; • Omantel and Nawras each to be subject to price control obligations in the manner determined by the TRA; and • Omantel and Nawras each to be subject to accounting separation (AS) obligations in relation to all services in this market. <p>[Market 19 has been merged with this market]</p>

Market	Susceptible to ex ante dominance regulation	Singly Dominant	Jointly Dominant	Remedies
Market 20: Wholesale transit	Yes		Omantel Nawras	<ul style="list-style-type: none"> • Omantel and Nawras each to be obliged to supply wholesale transit services to all eligible licensees who request them; • Omantel and Nawras each to be obliged to publish current Reference Interconnection Offers in relation to the supply of wholesale transit services in a form and with content approved by the TRA; • Omantel and Nawras each to be subject to obligations of non-discrimination and transparency; • Omantel and Nawras each to be subject to price control based on LRIC cost standard in the manner determined by the TRA; and • Omantel and Nawras each to be subject to accounting separation (AS) obligations in relation to all services in this market.