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Resolution No. 67/2010
Issuing Service Price Control Regulation for Licensees providing
Public Telecommunications Service in Specific Geographical Areas

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

The Executive Regulation issued by Resolution No. 144/2008 and;

The approval of the Council of Ministers at its meeting No 18/2009 held on June 2, 2009 and;

The approval of the Telecommunications Regulatory Authority dated April 13, 2010 and;

Based on the exigencies of the public interest;

It is resolved

Article 1: The attached regulation shall be enforced with regard to Licensees providing Public Telecommunications Service in Specific Geographical Areas.

Article 2: All legal provisions contravening this Resolution or conflicting with its provisions shall be repealed.

Article 3: This Decision shall be published in the official Gazette and shall come into force from the day following its publication.

Mohammed Bin Nasser Al-Khusaibi
Chairman of Telecommunications Regulatory Authority

Issued on: 8th Jumada Thani 1431 A.H.
Corresponding to: 24th May 2010 A.D.

Service Price Control Regulation for Licensees providing Public Telecommunications Service in Specific Geographical Areas

Chapter One : Definitions

Article 1	<p>In the application of the provisions of this regulation, the terms and expressions used herein shall express the exact meaning set forth in both the Telecommunications Regulatory Act and its Executive Regulation or in the fixed and mobile licenses issued by the Royal Decree No. 20/2004, the Mobile License issued by the Royal Decree No. 17/2005 and the Fixed License issued by the Royal Decree No. 34/2009, unless the text requires otherwise.</p> <p>Moreover, the following terms and expressions shall have the meaning assigned to each of them unless the text otherwise requires:</p> <ol style="list-style-type: none">1. Licensee: a provider of Telecommunications Service under the a license with an obligation to provide services in specific areas of the country, as designated, according to the license terms and conditions issued pursuant to Article (38) of the Telecom Act.2. “Public Telecommunications Services in Specific Geographical Areas” the services specified in the Licensee’s License to provide telecommunications services in a specific geographical area.3. Simple User System: a package of telecommunications services and charges designed to be advantageous to customers with relatively low call volumes.4. Prices of Regulated Services: prices charged by the licensee that TRA reasonably considers is not subject to effective competition.5. Standard Package: the set of services and maximum tariffs shown in the attached Appendix.
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Chapter Two: The Scope of the Regulation

Article 2	<p>The provisions of this regulation shall be applicable to the prices of telecommunications services provided by the licensee that are charged to the beneficiaries in return for the provision of these services.</p>
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Chapter Three: Application for Approval of Prices, Terms & Conditions	
Article 3	The Licensee has to submit an application to obtain the Authority's approval of the prices or the suggested price changes, with the suggested terms and conditions for the provision of service or the application of such prices, 30 days before the effective date of the prices or price changes.
Article 4	The licensee shall set a standard customer agreement, subject to TRA approval, the publication method and perusal of which shall be by determined by the Authority. It shall include the following: <ul style="list-style-type: none"> a. The licensee terms and conditions for the services provision in a fair basis. b. Procedures of the complaints that may arise out of such services and their provision, and the resolution of such complaints.
Article 5	The Authority may request the Licensee to complete any incomplete information or request any additional information related to the applications mentioned in this regulation.
Article 6	In the application for price approval, the licensee shall undertake not to exceed the highest limit of the prices of the regulated service shown in the Annexure. The Authority may alter the highest limit of the prices of the regulated services shown in the attached annexure or add new services to it by issuing orders or guidelines to the licensee or by any other way it deems appropriate.
Article 7	The Authority may not approve the price application, the terms or the suggested procedures in any of the following cases: <ul style="list-style-type: none"> a. If they contain materialistic errors. b. If the licensee fails to provide the required additional information or to complete any incomplete information pursuant to Article 5 of this regulation. c. If they were unfair or unreasonable. d. If they were in breach of the applicable rules, decisions and terms and conditions of the license issued to the licensee. <p>Approval or disapproval shall be given within (15) working days from the date of filing the application in accordance with Article (3) of this regulation or within (10) working days of submission of all additional information and the incomplete documents requested by the Authority.</p>
Article 8	If the prices or the suggested terms and conditions were not approved by

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	the Authority, the Authority shall inform the licensee of its justified disapproval decision. The licensee shall modify the charges and the suggested terms & conditions as per the Authority's request and shall re-apply to obtain the Authority's approval within the period assigned by the Authority in its disapproval decision.
Article 9	If the prices or the suggested terms and conditions were not objected to by the Authority within (15) working days of the application date, this shall be deemed as an approval with effect from the 16 th day of filing the application or from the 11 th day of the Licensee's completion of the additional information or the incomplete documents that may be requested by the Authority. These shall be valid from the date proposed by the Licensee provided that the suggested launching date is not sooner than (30) working days of the application.
Article 10	If the prices or the suggested terms and conditions were approved by the Authority, the Licensee shall inform its customers of such prices and terms and conditions no less than (5) working days prior to their effective date by publishing them in two daily newspapers in both Arabic & English and in its website or by any other means deemed appropriate by the Licensee and approved by the Authority.
Chapter Four: Auditing of Information	
Article 11	The Authority may conduct an audit by itself of any information submitted by the Licensee or may appoint an independent auditor for this purpose. The Licensee shall provide all the information relating to auditing requested by the Authority or the auditor.
Article 12	An auditor appointed by the Authority shall provide the Authority with a report on each audit in the form prescribed by the Authority.
Article 13	In case where the audit concludes that certain information provided to the Authority is not accurate either partially or fully, the Authority shall give a notice to the licensee which shall include the following: <ul style="list-style-type: none"> a. The findings of the Authority and the corroborating evidences. b. The steps required to remedy the inaccuracy. c. The period granted to the Licensee to respond to the notice. d. The action that the Authority intends to take.
Chapter Five: Schedule of Charges	
Article 14	The licensee shall provide the schedule of charges set out in the price approval application to any customer, upon request.
Article 15	The Authority may provide access to the schedule of charges within the price approval application to any relevant party or to any party having

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	interest.
Chapter Six: Complaints in relation to Charges	
Article 16	Any relevant person may file a complaint to the Authority against any prices of the telecommunications services in specific geographical areas and appeal for a review or suspension or rejection of the charge, complaints submission shall follow the procedures determined by the Authority.
Article 17	The Authority shall consider the complaints and petitions referred to in the previous Article and shall issue its decisions according to the applicable procedures.
Article 18	The Authority has the right to suspend the current prices when a petition on the prices is filed, and it may take the following actions: a. Notify the Licensee of the intended TRA decision, setting out the reasons. b. Grant the licensee a period of (20) working days of its notification to reply. c. Request additional information within (20) working days of receipt of the licensee response and allow the licensee additional (20) working days to provide such information.
Chapter Seven: Requests for Extension of Dates or Deadlines	
Article 19	The licensee has the right to apply in writing to the Authority to extend any date or period set out in this regulation, provided that such application is made (5) working days prior to the expiry of the date or period.

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Appendix
Annexure of Service Price Control Regulation for Licensees providing Public Telecommunications Service in Specific Geographical Areas

Table 1: Standard Package for Post-Paid Fixed Service

Essential Service	Maximum Charges (RO)
Line rental plus 75 free minutes (On-Net)	RO.(4.9) per-month
Installation (paid Once)	RO.(10)
National Calls	RO. (0.0150) per minutes (Peak Time) RO. (0.007.5) per minute (Off-Peak Time)
Calls to Mobile	RO. (0.033) per minute, any time within the Sultanate
Additional Information	National calls: <ul style="list-style-type: none"> - Off-peak rates apply, at minimum, on Fridays and on National Holidays and from 2200 hrs to 0600 hrs each day. - Free minutes will be applicable to on-net calls.

Table 2: Services and Prices of Standard Pre-Paid Fixed Voice Services & Payphones¹

Essential Service	Maximum Charges
Line rental	RO. (12) every (3) months or RO. (24) every (6) months or RO. (48) every (12) months.
Installation (paid Once)	RO. (10)
National Calls	RO. (0.020) per minutes (Peak Time) RO. (0.010) per minute (Off-Peak Time)
Calls to Mobile	RO. (0.040) per minute, any time within the Sultanate
Additional Information	National calls: <ul style="list-style-type: none"> - Off-peak rates apply, at minimum, on Fridays and on National Holidays and from 2200 hrs to 0600 hrs each day.

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	- Calls are charged at 15 second intervals after the first minute.
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¹Payphone usage rates will be equivalent to the pre-paid rates. Omantel terms and Conditions of usage would apply.

Table 3: Services and prices for low user scheme fixed pre-paid voice services

Essential Service	Maximum Charges
Line rental	RO. (2.5) per-month ²
Installation (paid Once)	RO. (10)
National Calls	RO. (0.030) per minutes (Peak Time) RO. (0.015) per minute (Off-Peak Time)
Calls to Mobile	RO. (0.050) per minute, any time
Additional Information	National calls: - Off-peak rates apply, at a minimum, on Fridays and on National Holidays and from 2200 hrs to 0600 hrs each day.

Table 4: Internet Services

Type of service	Maximum Charges
Broad Band (512 Kb/s)	RO. (10) paid Once RO. (12) per-month RO. (1) per GB used Usage charge per month not to exceed RO.(39)
Dial Up	RO. (10) paid once RO. (2) per-month RO.(0.003) per minute usage charge

² No minimum spend on outgoing calls. No limit on validity of pre-paid line rental