



Public Consultation Report

On LTA Order No. 0018-01-15-20

ON THE IMPLEMENTATION OF

ECOWAS REGULATION C/REG 21/12/17

ON ROAMING ON PUBLIC MOBILE COMMUNICATIONS NETWORKS

IN THE ECOWAS REGION

February 3, 2020

1. Purpose

This Report documents the process of public consultation undertaken by the Liberia Telecommunications Authority (LTA) on its decision to issue LTA Order 0018-01-15-20 implementing ECOWAS Regulation C/REG 21/12/17 on Roaming on Public Mobile Communications Networks in the Ecowas Region.

2. Introduction

In December 2017, ECOWAS Ministers of Telecommunications adopted ECOWAS Regulation C/REG 21/12/17 on “Roaming on Public Mobile Communications Networks in the ECOWAS Region”.

The intent of this Regulation is to establish a harmonized legal and tariff framework for roaming on public networks within ECOWAS. The Regulation is to be applicable to all providers of mobile communications services within the ECOWAS region.

For the purpose of making the ECOWAS Regulation applicable to service providers in Liberia, the LTA drafted Order 0018-01-15-20 which was subjected to public consultation from October 24, to December 20, 2019.

3. Consultation Process

In keeping with Part III Section 11(4) of the Telecommunications Act 2007 (the Act) and specifically in compliance with the Consultation Process Guidelines for LTA Rules, Orders and Regulations (2009), the LTA published on October 24, 2019, a Notice of Public Consultation and a Consultation Document to launch a formal period of public consultation.

In addition to the public consultation, the LTA also briefed and sought input from telecommunications service providers, internet service providers, the NATELCO consumer group, the Senate Committee on Posts & Telecommunications, and the Ministry of Posts & Telecommunications, among other public and private stakeholders.

Following the initial period of consultation which ended November 7, 2019, the LTA published on December 11, 2019, a draft Consultation Report along with Consultation Notices in newspapers and online at the LTA website. The Report summarized stakeholder input/comments to the draft LTA Order and provided LTA’s response to those inputs/comments. This period of further consultation ended December 20, 2019, with no additional comments/input being received from stakeholders.

4. Response to Public Consultation

The table below presents the LTA’s response to written issues, comments and input submitted by the key stakeholders – MTN and Orange. No other written input was received.

Ref.	Respondent	Feedback
01	MTN	How will we prevent customers from using their lines for SIM Box calls (i.e. MTN Liberia SIM cards being flooded on Sierra Leone network to terminate calls to Sierra Leone, in the instance where the highest terminating rate to call within Sierra Leone is below our international call rate to Sierra Leone?)
01	LTA Response	<p>A critical first step in mitigating SIM box fraud is for MNOs to ensure the proper identification and registration of subscribers in accordance with the LTA’s SIM Card Registration Regulations. The LTA’s Amended SIM Registration Regulations strengthen subscriber identification processes by mandating the use of Government issued identification cards authenticated by a Government Verification Platform.</p> <p>The LTA is also considering, along with other regulators in the region, provisions to limit the number of SIM cards to be registered to any one subscriber and a requirement for SIM cards to be active on the home network before being eligible for Free Roaming.</p> <p>Additionally, MNOs need to ensure that their subscriber database (HLR) is frequently updated and available to free roaming partners in near real time for cross border authentication.</p> <p>The LTA would however appreciate a more detailed explanation on how this form of fraud would be carried out and what measures would be effective in preventing/mitigating such fraud.</p>
02	MTN	Can call forwarding scenarios be blocked (as a measure against SIM Box fraud)?
02	LTA Response	If blocking call forwarding is effective in combatting fraud the LTA would have no objection once the subscriber’s free roaming experience is not hampered.
03	MTN	Currently, MTN does not have a system in place for automatic barring of customers after 30 days of roaming (unless a bundle is created). It will be difficult to track and block customers who have exceeded the 30-day threshold. Is there a monitoring tool across the 8 countries to assist operators determine and bar subscribers as per the regulations?

03	LTA Response	<p>The LTA is unaware of a monitoring tool (hardware or software) across the 8 countries. Each operator within the free roaming zone countries is responsible for implementing the right technology and optimizing business processes to monitor and track subscriber behavior, billing, usage trends and network performance and management relating to free roaming. This will likely require additional effort and resources on the part of MNOs but will pay-off in improved customer experience.</p> <p>The LTA encourages MTN to speak to other members of the MTN Group who are implementing free roaming in these countries. Lessons learned in these countries should be beneficial for MTN Liberia.</p>
04	MTN	How will the settlement process between ECOWAS operators be done? What regulations have been put in place in case of non-compliance to the payment terms by our neighbors?
04	LTA Response	Payment settlement for free roaming will not be different from the commercial payment practices currently in place between MNOs for conventional roaming. Free roaming agreements between MNOs in different countries will continue to be a commercial arrangement between those parties. Regulators in these countries would only become involved in the event of a dispute, in keeping with Chapter 7 Article 19 of the ECOWAS Regulation on the settlement of cross-border roaming disputes. The LTA again urges MNOs to speak to their affiliates in the Region on the practicalities of implementing free roaming.
05	MTN	What data will be required from us by LTA to support this process?
05	LTA Response	<p>The LTA will request MNOs to provide the following:</p> <ol style="list-style-type: none"> a. International tariffs to ECOWAS countries b. Local call & SMS tariffs c. List of current roaming partners within ECOWAS d. Current roaming and international traffic to ECOWAS countries e. On-going free roaming traffic and associated data once free roaming becomes effective
06	Orange	We need time to open two additional destinations so that we can have two operators per country. We evaluate the delay to do so at four (4) months.
06	LTA Response	Please note that the ECOWAS Regulation calls for roaming agreements with ALL other MNOs in free roaming countries. The LTA however accepts that establishing these arrangements will be on an incremental basis and require time. The ECOWAS Regulation provides three months for MNOs to conclude the minimum of one free roaming arrangement in each of the 8 countries. With members of the

		Orange Group already implementing free roaming in a majority of these countries, the LTA foresees no difficulty for Orange Liberia in this regard.
07	Orange	We need time to re-negotiate all the wholesale contracts with each and any operator once we are provided the new tariffs by LTA. We evaluate this at 6 months and expect full support from LTA in case some operators don't respond as expected.
07	LTA Response	The LTA and regulators across the Region are committed to providing the fullest support to MNOs in implementing free roaming. In many cases among free roaming MNOs, free roaming is implemented while a formal agreement is pending. Orange is encouraged to speak to Orange affiliates in the Region on this matter.
08	Orange	We want to ensure that the prices that LTA will communicate won't be an opportunity for SIM Box fraud in case it is lower than the termination cost of the highest operator in a country.
08	LTA Response	Please see Ref #01 for LTA response to this concern. The issue of fraud is of major concern to the LTA and regulators across the Region who are coordinating and synchronizing SIM registration practices and other interventions to mitigate fraud. As in other free roaming countries, Liberia is to establish a National Roaming Committee the principle function of which is to address issues of fraud. The Committee would include representation from all MNOs.
09	Orange	Our current billing system is not able to provide call notification durations. This will require an evolution and we need to check with our provider if this is feasible and the time frame to implement. If feasible, it will imply additional costs.
09	LTA Response	Please see Ref #3 above. Again, the lessons learned by members of the Orange Group implementing free roaming would be valuable to Orange Liberia.
10	Orange	We want to know what support LTA is going to provide to prevent fraud and misuse of the offer?
10	LTA Response	Please see reference #01 and #08 for LTA's response regarding fraud.
11	Orange	We need a clear definition on after what period a customer is no longer considered a roamer.
11	LTA Response	As per the draft Order, a roaming customer has a maximum of 300 minutes or 30 days (whichever comes sooner) to benefit from free call reception while roaming. A roaming customer has a maximum of 30 days in which to benefit from local call tariffs in the visited country. After the 30-day period or 300-minute free reception, regular roaming

		tariffs will apply to the customer (or roaming access is blocked) until the customer returns and is active on his home country.

5. Conclusion

The LTA appreciates all comments received from stakeholders and the spirit of cooperation that characterized the consultation process. After carefully considering all input, the LTA has determined that the written feedback received does not warrant any material changes to the draft Order.

6. Next Steps

This Consultation Report and a finalized and signed Order will be published by the LTA.

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