



Clear Mobitel (Jersey) Limited

Case T-083
Telecoms Market Review

Non-statutory Call for Information

January 2024

Response to Consultation

Question 1. Do you agree that a holistic review of the telecoms sector is timely and an appropriate way to frame current and future regulation? If not, please explain why, with supporting information.

Clear Mobitel (Jersey) Limited ('CMJ') agrees that it is time for a complete review of the market that incorporates all sectors. The government reports that support the framework for this review are now somewhat dated and technology has changed in the intervening time. Now is the time to review the overall strategy for telecommunications in light of these changes both at government and regulatory level. A general review of wholesale access is urgently required to sustain competition.

Question 2. Do you agree with the proposed scope of the Review as set out in the call for information? If not, please explain what changes you think should be made, with supporting information.

CMJ notes that the review includes consumer orientated conditions and protections. However, in order to ensure adequate competition there is a need to first address the wholesale side of the equation. Without adequate cost-orientated pricing it will be difficult to serve the consumer with the best quality and competitively priced products.

Question 3. Do you think the phased approach, and indicative timeline for the Review, is appropriate? If not, please explain what changes you think should be made, with supporting information.

CMJ notes that this proposal currently includes a short timetable, however there is no indicative timing for the completion of Phase 3 nor any indication of the priorities within the stakeholder engagement.

Question 4. Do you have any other comments in response to this call for information? If so, please provide your views with supporting evidence.

The original Oxera report on which much of the States policy is predicated is now 7 years old. There have been considerable technological changes since this time which reflect on the original proposals. In addition the market has changed significantly over this period with a trend away from traditional telephony to a broadband based structure. Call volumes of all types have diminished and the usage of IP based products has blossomed. Consequently the need for such services as fixed line portability has become somewhat

redundant, traditional telephony being now largely business based. However, with IP telephony such services would be easily implemented. In the wholesale market a 'broadband only' product should be included as the bundling of a fixed line is now largely unnecessary for many users.

With regard to mobile telephony and the government's Digital Policy CMJ is of the view that network based competition will fail to bring the full benefits of 5G and future 6G systems. To ensure adequate and economic deployment of future wireless networks, operators should be encouraged to share resources at the very least, preferably amalgamating networks into a single jointly owned mobile network on which service competition would be more realistic and deployment of seamless connections greatly enhanced. The original report also encouraged the easing of the planning process in order to enable rapid deployment of infrastructure.

Over time the meaning of Universal Service Obligation ('USO') has changed from its original requirement of providing a fixed line service on demand. With technological changes USO no longer fully supports this ideal, instead with fibre connectivity assured connection is only possible with additional subscriber equipment (battery back-up) in place. Thus for the majority of users USO is now reliant on mobile connectivity, which itself has limited utility over prolonged power outage. A new definition that satisfies the requirement of modern networks is necessary.

Off-island connectivity is another area that is difficult inasmuch as the sub-sea cables are in the gift of a limited number of suppliers that have little interest in fair access. While CMJ acknowledges that there is considerable investment needed in off-island backhaul, the current arrangements are somewhat anti-competitive. Wholesale offers are conditional on provider management, dark fibre access would enhance innovation and competition.

For the avoidance of doubt, this document may be published in its entirety.

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