



Barbados Equal Access and Indirect Access Policy

Policy in accordance with section 4(2)(b) and 4(2)(f) of the Barbados Telecommunications Act CAP 282B.

1. INTRODUCTION

- 1.1.** With the Full Liberalization of the Telecommunications market in Barbados it is necessary for customers to be able to choose alternatives. Subscribers to Domestic Services should be able to select the Services of any licensed International Service Provider.
- 1.2.** Equal Access and Indirect Access are two Services which introduce competition to a telecommunications marketplace for International Services.
- 1.3.** This policy defines the principles involved for the provisioning of Equal Access and Indirect Access.

2. REGULATORY FRAMEWORK

- 2.1.** It is incumbent on regulators and policy makers to ensure that there is a marketplace which provides the greatest consumer choice, quality and protection, while at the same time ensuring the opportunity for Carriers, small or large, to work in a fair competitive environment and have the opportunity to achieve a reasonable rate of return on investments, innovations and efficiencies.
- 2.2.** This Framework takes a technology neutral position. However, it is recognized that there are certain specific technologies, datasets and nomenclatures involved with Equal Access and Indirect Access.
- 2.3.** This Framework takes a “consumer centric” view of the marketplace.
- 2.4.** This Framework aims to be “light handed”, and will be reviewed as required as the marketplace evolves over time.

3. DEFINITIONS

Terms used in the plural have the same meaning as their singular, as appropriate.

- 3.1.** “Call”: The set-up, holding and ending of a connection between two devices, through one or more networks, using ITU-T E164 numbering as source and/or destination addressing.
- 3.2.** “Carrier”: Shall have the meaning ascribed to it in the Barbados Telecommunications Act CAP 282B.
- 3.3.** “CIC”: Carrier Identification Code. A four-digit number administered, managed and assigned by the North American Numbering Plan Administration (NANPA).
- 3.4.** “Commission”: Shall have the meaning ascribed to it in the Barbados Telecommunications Act CAP 282B.
- 3.5.** “Interconnection”: Shall have the meaning ascribed to it in the Barbados Telecommunications Act CAP 282B.
- 3.6.** “Interconnection Agreement”: Shall have the meaning ascribed to it in the Barbados Telecommunications Act CAP 282B.
- 3.7.** “ITU”: The International Telecommunication Union.
- 3.8.** “ITU-T E164”: An ITU -T standard defining the international public telecommunications numbering plan. “An ITU-T E164 number” means a regular telephone number format as used throughout the world. Within the North American Number Plan, these numbers take the form “NXX NXX XXXX” and may be sometimes referred to as NPAs.
- 3.9.** “International Call”: The case where a Call originates within Barbados and terminates outside of Barbados, or originates outside of Barbados, and terminates within.
- 3.10.** “North American Numbering Plan”, “NANP”: The telephony numbering standard used in North America and other areas, including Barbados.
- 3.11.** “North American Numbering Plan Administration”, “NANPA”: The authority which manages the NANP.
- 3.12.** “Operational Support Systems”, “OSS”: The systems and knowledge, including equipment, software, humans and datasets used to operate a complex system such as a telephony network.

- 3.13.** “Public Switched Telephone Network”, “PSTN”: Shall have the meaning ascribed to “Public Telephone Network” in the Barbados Telecommunications Act CAP 282B.
- 3.14.** “Service”: One or more services offered by a Carrier, including but not limited to Call origination, termination and conveyance.
- 3.15.** “Service Supplier”: Within the context of an Interconnection Agreement, means the Carrier providing Service to the Service Taker during a particular Call. For the elimination of any doubt, the Service Supplier receives Calls for conveyance or termination.
- 3.16.** “Service Taker”: Within the context of an Interconnection Agreement, means the Carrier which is taking Service from a Service Supplier during a particular Call. For the elimination of any doubt, the Service Taker conveys calls to the Service Supplier.
- 3.17.** “Slamming”: Means the fraudulent claim by a Carrier that a Subscriber wishes to be pre-selected to use that Carrier's Equal Access Service.
- 3.18.** “Subscriber”: An end-user with whom a Carrier has entered into an agreement for the provisioning of Services.
- 3.19.** “Subscriber Statement”: A signed, written statement provided by a Subscriber requesting all “direct-dialed” International Calls are to be provided by a specific alternative Carrier.
- 3.20.** “Switch”: An intelligent device used by a Carrier to receive, route, convey, and/or terminate Calls. Within the industry, a “Class 5 Switch” connects to Subscribers, while a “Class 4 Switch” connects between Carriers. A “Class 4/5 Switch” does both.
- 3.21.** “Telephony”: The technology associated with the electronic transmission of voice, fax, or other information between distant parties using systems historically associated with the telephone.

4. EQUAL ACCESS AND INDIRECT ACCESS SERVICE DESCRIPTIONS

The Service Descriptions defined in this section are from the perspective of the Subscriber.

4.1. “Equal Access” (Telephony)

Also known as “EQA”, “1+ Dialing”, “Carrier Pre-Selection”, “CPS”.

Equal Access means the ability for a Subscriber to request that all International Calls are to be conveyed for termination to a specific Carrier other than the Carrier providing the Subscriber’s Domestic Telephony Service.

In other words, when a Subscriber makes an International Call by dialing “1” and then a regular telephone number, for example “1 234 567 8901”, the Call is routed to a pre-selected alternative Carrier for Call completion.

Carriers offering Equal Access must be licensed to provide International Services.

4.2. “Indirect Access” (Telephony)

Also known as “IDA”, “10-10-XXX”, “10-1-XXXX”, “Dial Around”

Indirect Access means the ability for a Subscriber to, on a call-by-call basis, indicate that the Call is to be conveyed for termination to a specific Carrier.

This is indicated at the start of the Call by dialing “101” followed by a four digit CIC, followed by the number being called. In other words, a Subscriber can dial a number, “101 9123 234 567 8901” using our above example, and the Call will be completed by way of the alternative provider assigned the CIC code “9123”.

Carriers offering Indirect Access must be licensed to provide International Services, and must only use CICs assigned to themselves.

5. CIC Numbers

- 5.1.** CICs, as defined in this Framework, are four digit numbers used for all Indirect Access Calls. CICs are used throughout the world by carriers within the North American Numbering Plan.

- 5.2. CICs are exposed to Subscribers as the four digits dialed when using Indirect Access. For example, when a subscriber dials “101 9123” before the desired telephone number, the “9123” portion of the number is the CIC. Note that CIC numbers may, but do not always, start with a “0”.
- 5.3. CICs are also used as the “Presubscribed Interexchange Carrier” (PIC) code used for Equal Access, but these are not exposed to the Subscriber except possibly on a phone bill.
- 5.4. CICs are assigned by the North American Number Plan Administration (NANPA). NANPA will issue CICs requested by Carriers upon presentation of appropriate documentation as per the NANPA guidelines. Barbados is a participant in the North American Numbering Plan.

6. PSTN INTERCONNECTION

- 6.1. Critical infrastructure required for Equal Access and Indirect Access are PSTN Interconnections between Carriers. Carriers wishing to offer Equal Access or Indirect Access are therefore permitted and obligated to negotiate and purchase PSTN Interconnections with existing Carriers.
- 6.2. All Carriers are required to negotiate these Interconnections in good faith. There shall be no contractual limitation against retail nor wholesale resale of these service.
- 6.3. As stated in the Interconnection Policy Section 2, Interconnection Seekers may request Interconnection “at any point on the network, which is technically practical to do so.” Additionally, Seekers are “able to buy only those elements of the incumbents network they require.”
- 6.4. For the elimination of any doubt, this means a Carrier wishing to offer Equal Access or Indirect Access may request the Interconnection be implemented as most optimal to the Seeker, including PSTN legacy PRIs, T1s and any physical join.

7. IMPLEMENTATION

- 7.1. Within this Section “Carrier A”, “Carrier B” and “Carrier C” are to be read as referring to abstracted instances of Carriers in order to communicate relationships.

- 7.2.** “Carrier C” is the Service Supplier who is wishing to offer Equal Access and/or Indirect Access services to current customers of the Barbados PSTN.
- 7.3.** “Carrier A” is the directly interconnected Service Taker, who's Subscribers will originate calls to be conveyed to Carrier C for termination.
- 7.4.** Similarly, “Carrier B” refers to a Carrier which is Interconnected to Carrier A, but not Carrier C. Carrier B is also a Service Taker. There may be one or more Carrier Bs.
- 7.5. Infrastructure Build**
- 7.6.** The processes for the implementation of Equal Access or Indirect Access begin when Carrier C formally requests access to Carrier A's network under this Framework.
- 7.7.** For the elimination of any doubt, this access request means that after implementation, Carrier C will be able to offer its Equal Access and/or Indirect Access Services to Subscribers of Carrier A and any existing Carrier Bs.
- 7.8.** This request will trigger commercial negotiations between Carrier C and Carrier A to come to mutually agreeable terms and conditions on several legal, technical and financial matters including, but may not be limited to:
- Services being Offered by Carrier C (EQA and/or IDA)
 - Network Interconnection (Trunk Groups, etc)
 - Numbering (CICs, PICs, NPAs, etc.)
 - Billing, Call, OSS and other data exchange
 - Service Level Agreements
 - Fault identification and resolution
- 7.9.** In the case where Carrier A is already interconnected with additional Carriers, Carrier Bs, these additional Carriers may be requested by Carrier C or Carrier A to implement the Services of Carrier C via Call conveyance over Carrier A's Interconnection.
- 7.10.** Carriers will complete these negotiations in a timely manner.
- 7.11.** If mutually agreeable terms cannot be reached, both Carrier A and Carrier C (and any Carrier Bs) will submit a detailed report to the Commission explaining why. These reports will include detailed legal, technical and financial sections, and will be submitted within 14 days of written notice

being provided by either Carrier to the others and the Commission that the negotiations have failed.

7.12. Carriers are encouraged to be innovative when making infrastructure decisions. Examples include, but are not limited to, reuse of existing Interconnections, use of alternative Interconnection types, use of modern Telephony “Softswitches” and the use of VoIP protocols.

7.13. Service Delivery

7.14. Once the Infrastructure Build has been completed between Carrier A and Carrier C (and any Carrier Bs), Carrier C can begin offering its Equal Access and/or Indirect Access Services to Carrier A's (and any Carrier B's) Subscribers.

7.15. In the case of the Indirect Access, Carrier A's (and any Carrier B's) Subscribers may begin using the Indirect Access Service of Carrier C immediately.

7.16. For a Subscriber to use the Equal Access Service of Carrier C, the Subscriber must submit to Carrier C a Subscriber Statement indicating that Carrier C is to be that Subscriber's pre-selected International Carrier.

7.17. Once Carrier C determines that the Subscriber Statement is complete and valid, Carrier C will request in writing to that Subscriber's Carrier that the Subscriber is to be preselected for Carrier C's Equal Access Service.

7.18. The Subscriber's Carrier will complete the required operations and configurations within 10 (ten) business days of the written request. This Carrier will face a 10,000 (ten thousand) dollars per day fine for any requests not completed within 10 (ten) business days. Where the configuration cannot be effected within 10 (ten) business days, the Carrier must provide written justification to Carrier C and to the Ministry to avoid the associated fine.

7.19. The Subscriber's Carrier may not contact the Subscriber other than for normal billing purposes for 30 (thirty) days after the completion of the associated request from Carrier C.

7.20. The Subscriber's Carrier is permitted to charge the Subscriber a reasonable cost related to the costs of implementing, or an amount as decided by the Commission. Carrier C is permitted to offer to reimburse the Subscriber.

- 7.21. Any Carrier found to be making such requests fraudulently, known as “Slamming”, will face a fine of 10,000 (ten thousand) dollars per instance, or such an amount as decided by the Commission.
- 7.22. Subscriber billing will be done by the Subscriber's Carrier for both Equal Access and Indirect Access calls, based on call records provided by Carrier C in a format that will be agreed during the negotiations and is accessible to the billing systems.

8. CARRIER RIGHTS AND OBLIGATIONS

- 8.1. The Minister may obligate any Carrier to convey Equal Access and Indirect Access Calls from that Carrier's Subscribers to other Carriers.
- 8.2. No Carrier may use any number, including CICs and NPAs, not assigned for its use. For the elimination of any doubt, this means that when a Carrier's subscriber dials a 101 XXXX number for Indirect Access, the Call will either be conveyed to the appropriately assigned Carrier, or the Call will fail.
- 8.3. In the case of Call failure, an audio message explaining the reason (“All Circuits Are Busy”, “That Service Is Not Available”, etc) will be heard by the Subscriber. If, and only if, the Carrier's equipment is not able to present pre-recorded audio messages, a “fast busy” tone will be heard.

9. COSTS

The costs associated with the delivery of Equal Access and Indirect Access can be broken down into two main areas. These are detailed in this Section. The Commission holds jurisdiction for all tariff based costs.

- 9.1. “Interconnection Costs” are those costs which are related to the actual Interconnection between two or more Carriers for the conveyance of Equal Access and Indirect Access Calls.
- 9.2. These costs are to be borne by Carrier C, the Service Supplier. Multiple Service Suppliers are encouraged, but not obligated, to partner with each other in order to reduce the number of Interconnections required to offer services.
- 9.3. “System Costs” are those costs associated with the Service Taker's (Carrier A and any Carrier Bs) own Switches, OSSs and any and all other infrastructure and business processes needed to recognize and correctly convey Equal Access and Indirect Access Calls from its Subscribers to other Carriers.

- 9.4. These costs are to be borne by the Service Taker (Carrier A and any Carrier Bs). As Equal Access and Indirect Access is widely deployed technology, it is assumed that such implementation may be expected of any modern Carrier without undue burden as a reasonable “cost of business”.
- 9.5. Additionally, by so obligating the Service Taker (Carrier A and any Carrier Bs), ensures that whatever is needed to be implemented will be done in the most cost effective manner possible.
- 9.6. A Carrier who is obligated to convey Equal Access and/or Indirect Access Calls to other Carriers may appeal to the Minister for an extended timetable for implementation so long as the Carrier has not shown a profit in any of its last three annual financial reports, and does not currently offer any form of Equal Access or Indirect Access to its own Subscribers.

10. ACKNOWLEDGEMENTS

- 10.1. This Framework recognizes and has been influenced by the work of many organizations, including the International Telecommunication Union (ITU), the UK Office of Communications (OfCom), the USA Federal Communications Commission (FCC), the Canadian Radio-television Telecommunications Commission (CRTC), and the North American Numbering Plan Administration (NANPA).
- 10.2. The Minister acknowledges responses to the first Proposed Policy on Indirect and Equal Access in Barbados, and would like to thank the contributions of the Telecommunications Act Revision Committee (TARC).

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