

SCHEDULE 1 OF IDA'S DIRECTION OF 21 AUGUST 2002

SCHEDULE 1

This Schedule 1 sets out IDA's decisions on the issues raised by SingTel in Attachment D of SingTel's Letter of 2 August 2002.

1. Licensing of third parties

- 1.1 IDA notes that in SingTel's first draft of its proposed Schedule 4B submitted to IDA for approval on 20 May 2002, Clause 1.3 (b) of its proposed Schedule 4B provided as follows:

“access the cable capacity owned by any Third Party (including, but not limited to, another licensee), on the Cable System for the purpose of providing a competitive backhaul service to that Third Party.”

- 1.2 However, in its submission to IDA on 8 July 2002, SingTel revised Clause 1.3(b) to restrict the reference to “Third Party” to “Third Party licensed by the Authority”. In its Direction to SingTel on 26 July 2002, IDA required SingTel to undo its revision and re-instate SingTel's earlier drafting language for Clause 1.3(b). SingTel, in its letter of 2 August 2002, requested IDA to reconsider its required amendments to Clause 1.3(b).
- 1.3 IDA would clarify that under IDA's current licensing regime, any person who wishes to access its own cable capacity in a submarine cable landing in Singapore must apply for a Facilities-Based Operators Licence. This licensing requirement currently applies irrespective of whether that person is accessing the cable capacity for its own use or in connection with the provision of telecommunication services to third parties.
- 1.5 On this basis, IDA will allow SingTel's reconsideration request and has approved SingTel's revision to Clause 1.3(b) **provided that** IDA reserves its right to review and require SingTel to amend Clause 1.3(b) to remove the restriction, in the event that IDA's current licensing regime is revised.

2. Pricing

- 2.1 As IDA is in the process of auditing SingTel's proposed charges in relation to the pricing of Connection Services, IDA will not approve SingTel's proposed amendments to Schedule 9 of its RIO to incorporate the proposed charges for Connection Services until completion of IDA's audit process.