



8 Dec 2006

Mr Andrew Haire
Assistant Director-General (Telecoms)
Infocomm Development Authority of Singapore
Via Fax: 6211-2116

CC:

Mr Liao Chie Kiong
Via Email: Liao_Chie_Kiong@ida.gov.sg

Dear Mr Haire,

**SUPERINTERNET'S RESPONSE TO THE PUBLIC CONSULTATION
PAPER ON THE REVIEW OF DIRECT AND INDIRECT
INTERCONNECTION ARRANGEMENTS BETWEEN
TELECOMMUNICAITONS LICENSEES**

1. Declaration of Interest
 - a. SuperInternet ACCESS Pte Ltd ("SuperInternet") is an SBO(I) licensee. We were one of the original three successful bidders at the initial level 3 number auction in mid 2005. SuperInternet has today completed interconnection of one form or another with the fixed and/or mobile networks of Starhub, MobileOne and SingTel. Our VoIP service is now fully operational and being offered commercially to the public.
 - b. This submission is being made by the undersigned in the capacity of Managing Director for and on behalf of SuperInternet.
2. Confidentiality Agreements
 - a. As IDA ought to be aware, the confidentiality agreements required by the various parties involved in any and all interconnection agreements severely limits our latitude in this response. We have previously submitted to IDA under confidential covers a multitude of issues for which we have to date not received a single reply.
 - b. This submission therefore is generally couched in the positive stance of what we maintain ought to be the framework for interconnection in the interests of a sustainable multi-operator environment. SuperInternet makes no assertion in this submission as to whether our current agreements do or do not correspond to these positions. IDA may wish to order a confidential disclosure as it sees fit.
 - c. Further on this subject, it is our submission that the model confidentiality agreement should be modified to allow for submissions and correspondence with IDA to be excluded without this need for an order of disclosure. Also, it is unclear what the resultant position of conflict is between the confidential nature of IDA Orders and the contractual

obligation to disclose the existence of such an Order as stipulated in the confidentiality agreement.

3. Wholesale type agreements
 - a. It is unclear whether IDA, in issuing this call for comments, classifies the wholesale agreement for level 3 services to be a direct or indirect interconnection agreement or neither.
 - b. It is our submission that whatever the classification, the current wholesale agreements available for level 3 leave much to be desired. We elaborate on this below.
4. With specific reference to Question 1:
 - a. Timing: The issuance of the interim framework after more than a year from the time the level 3 numbers were first issued is a most awkward timing. SuperInternet had already been obliged to accept other agreements of other forms before this was issued. It is our view that the framework should have taken into account situations where one party was asserting a stance in-line with the framework but where the other party had all along refused to agree. We look forward to the much touted dispute resolution process and trust that this will be taken into account then.
 - b. Pricing: The framework leaves the fees to be levied open for the operators to dictate. IDA may wish to compare fees now levied with the fees paid for interconnection in the past. On the basis that interconnection charges are to be at cost, it is curious to note that cost of switch configuration appear to have increased significantly. Furthermore, the framework does not handle the issue of opening of further level 3 blocks.
5. With reference to Question 2:
 - a. Pricing: IDA should act to ensure that the sum of all call charges (transit fee, termination charges, and link charges) for an indirectly linked operator should not exceed the end-user rate of 1.4 / 0.7 cents per minute.
 - b. Transit via other IPT operators: IDA should make clear its position with regard to indirect connections where one IPT operator seeks to reach the FMOs via another IPT operator. Considering the high cost of interconnection, it would make commercial sense for smaller IPT operators to transit via larger IPT operators to the FMOs. It is clearly not in the interest of FMOs to allow this aggregation.
 - c. Risk: It is our submission that any increased risk and complexity in an indirect interconnection vs a direct one is completely manageable and ought not to be a consideration for choosing one form over the other.
6. With reference to Question 3:
 - a. Wholesale agreements: IDA should consider disallowing clauses in all interconnect agreements which prohibit the formation of reseller channels. It is also our submission that such prohibitions should be considered anti-competitive and void in all telecommunications agreements between FBOs and SBOs for all services including especially but not limited to DSL services.

7. Question 4: Please ref. 5(a) above; the sum of all charges for an indirect connection must be compared with that of a direct connection. Furthermore, IDA should regulate FMOs ability to assert that there is insufficient link capacity between them and a transit operator.
8. Question 5: We are unable to comment. Please refer to point 2, above.
9. With reference to Question 6:
 - a. Yes. IDA should not only prescribe the mode but also the cost of the links. IDA should also consider a framework which allows for interconnection with one operator using another operator's LLCs.
 - b. It is not in the interests of any established telecommunications licensee to have any other emerging licensee offer a competing service whether or not the services are completely alike. IDA must therefore regulate in order to achieve a competitive landscape which will be good for the country as a whole. The present state of telecommunications in Singapore including but not limited to internet access, lags far behind other developed countries.
10. With regard to Question 7 on other matters:
 - a. Complete Number Level Reachability: IDA should consider establishing a framework for complete reachability to all number levels including short codes. It remains open how level 3 operators are to reach specifically level 1 numbers including especially but not limited to 1800, 16xx, 1xx and 15xx. Similarly, 0xx reachability is unclear
 - b. Level 0 IDD prefix: IP Telephony operators invariably also provide IDD services. It is our submission that IDA should consider allowing IPT licensees to register a 0xx code so as to avoid conflict with the National Numbering Plan.
 - c. Operators using Level 6: IDA must clearly state and enforce its position on the use of level 6 numbers by entities other than FBOs who are offering IPT services whether or not they be SBO(I)-IPT licensees. The price of acquiring level 6 numbers on a standard PRI from either of the 2 fixed line operators is by far much cheaper than obtaining fully interconnected level 3 numbers. If level 3 is to succeed, the unlicensed operation of services on level 6 must be curtailed.
 - d. DS3 interconnect: IDA should dictate that operators are required to offer interconnection via DS3 rather than only via DS1 (E1) links. The cost of a DS3 link is by far lower than multiple DS1's and the only reason for an operator to insist on multiple DS1's is to maximize the cost for the other party. ISDN and SS7 PSTN links via DS3 are generally available in all other well developed countries albeit those where there is no longer a dominant licensee.
 - e. Caller ID Presentation: Any mode of interconnection ought to provide for the calling number to be sent even where the do-not-present bit is flagged. This allows for the IPT operator to trace malicious calls.
 - f. RDNIS: The interconnection framework should provide for RDNIS to be accepted and passed amongst operators. There is no issue of equipment

support. This is an extremely established field. RDNIS will allow for the original calling party to be presented to the final called party when the original called party forwards the call. This feature is critical to mobility applications.

- g. Wholesale agreements: IDA should consider the position of operators who have signed restrictive wholesale agreements in order to break the deadlock in interconnection terms. The dispute resolution process should take this into account.
 - h. Public Awareness and Acceptance of Level 3: It has been brought to our attention that many public entities including but not limited to government ministries currently have forms, both paper and electronic, which presume a level 6 number for fixed line contact numbers. These forms have a the digit "6" fixed in the field. In the interests of a successful level 3 rollout, IDA should consider disseminating some guidelines, if not a directive, to the ministries regarding this.
11. For clarification on any of the issues raised above, the undersigned may be contacted at Tel: 3125 8508 or via email at benjamin.tan@super.net.sg. Thank you.

Regards,



Benjamin T.P. Tan
Managing Director
SuperInternet ACCESS Pte Ltd