



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

N\$7.60

WINDHOEK - 2 March 2015

No. 5683

CONTENTS

Page

GENERAL NOTICES

No. 97	Communications Regulatory Authority of Namibia: Notice in terms of Section 53 (10) of the Communications Act, 2009 (Act No. 8 of 2009) read with Regulation 8(1) of the Regulations Regarding the Submissions of Interconnection Agreements and Tariffs	2
No. 98	Communications Regulatory Authority of Namibia: Notice in terms of the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences	4
No. 99	Communications Regulatory Authority of Namibia: Notice in terms of Section 53 of the Communications Act, 2009 (Act No. 8 of 2009) read with the Regulations Regarding the Submissions of Interconnection Agreements and Tariffs	7
No. 100	Communications Regulatory Authority of Namibia: Notice in terms of the Regulations Regarding the Submissions of Interconnection Agreements and Tariffs	10
No. 101	Communications Regulatory Authority of Namibia: Notice in terms of Section 31 of the Communications Act, 2009 (Act No. 8 of 2009) read with Regulations 11 and 20 of the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences	12
No. 102	Communications Regulatory Authority of Namibia: Notice in terms of Section 53 of the Communications Act, 2009 (Act No. 8 of 2009) read with the Regulations Regarding the Submissions of Interconnection Agreements and Tariffs	12

General Notices

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 97

2015

NOTICE IN TERMS OF SECTION 53 (10) OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009) READ WITH REGULATION 8(1) OF THE REGULATIONS REGARDING THE SUBMISSIONS OF INTERCONNECTION AGREEMENTS AND TARIFFS

The Communications Regulatory Authority of Namibia, in terms of Section 53(10) of the Communications Act, 2009 (Act No. 8 of 2009) read with regulation 8(1) of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Gazette No. 4714, Notice No. 126, dated 18 May 2011, herewith gives notice that it has approved the amendment of the permanent tariffs as submitted by **Salt Essential IT (Pty) Ltd** which notwithstanding date of publication of this notice, came into force on 23 November 2014.

REASONS FOR THE APPROVAL OF THE TARIFFS

Salt Essential IT (Pty) Ltd (hereinafter referred to as “Salt Essential”) filed for the approval of the amendment of its tariffs on 19 September 2014 in terms of section 53 (1) and (7) of the Communications Act, 2009 (Act No. 8 of 2009) (hereinafter referred to as the “Communications Act”).

The proposed tariffs were published in General Notice No. 386 in Gazette No. 55957 dated 20 October 2014 for public comments in terms of section 53 (10) of the Communications Act and regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”. The date of submission was 19 September 2014 and the request for implementation was 23 November 2014, being 60 days from date of submission.

The tariff information is as follows:

TABLE 1: TARIFFS

Product	Qty. Unit	Price per Unit N\$ 2013	Price per Unit N\$ as requested	% Increase Requested
<i>Internet Access Services</i>				
Enterprise Internet Bandwidth (Dedicated, VPN and IP Publishing)	per kbps from 64 kbps in 64kbps increments up to 2048kbps	14.00	no changes	0%
SME Internet Bandwidth (Shared, No VPN, No IP Publishing)	per kbps, 512, 768, 1024, 1536, 2040	1.85	no changes	0%
<i>Messaging & Collaboration Services</i>				
MS Exchange Messaging (1 GByte, Anti-Spam, ActiveSync, Backup, CAL, Outlook License and Software)	per mailbox	80.00	84.00	5%
MS Exchange Messaging (1 GByte, Anti-Spam, ActiveSync, Backup, CAL, Outlook License and Software) for customers with more than 200 mailboxes	per mailbox	70.00	73.50	5%

Product	Qty. Unit	Price per Unit N\$ 2013	Price per Unit N\$ as requested	% Increase Requested
MS Exchange Messaging (1 GByte, Anti-Spam, ActiveSync, Backup, CAL, Outlook License but no software)	per mailbox	60.00	63.00	5%
- Additional Storage space (per GByte per Mailbox above Gbytes * numbers of users)	per GByte (actual storage, if n*user Gbyte for all users is exceeded)	30.00	no	0%
- Fax Integration (GFI)	per user (optional)	73.00	81.50	12%
- Black Berry Integration	per user (optional)	9.50	product discontinued	
Mail Archiving (Backup, License, Web Access)	per user (optional)	9.90	12.80	29%
- Storage space incl. backup for Mail Archiving (min. 1 GByte)	per GByte (actual storage)	30.00	no changes	0%
- Storage space incl. backup for Mail Archiving (min. 50 GByte)	per GByte (actual storage)	25.00	no changes	0%
- Storage space incl. backup for Mail Archiving (min. 100 GByte)	per GByte (actual storage)	10.00	no changes	0%
- Storage space incl. backup for Mail Archiving (min. 500 GByte)	per GByte (actual storage)	8.00	no changes	0%
- Storage space incl. backup for Mail Archiving (min. 1000 GByte)	per GByte (actual storage)	6.00	no changes	0%
- Storage space incl. backup for Mail Archiving (min. 2000 GByte)	per GByte (actual storage)	4.00	no changes	0%
<i>WAN Services</i>				
WAN - Link between Customer and SALT Co-Location (MPLS Wireless BB via ITN)	wholesale pricing given by ITN + N\$200,- Management Fee	as per formular	not changed	0%
WAN - Link between Customer and SALT Co-Location (MPLS DIGICON via ITN)	wholesale pricing from Service provider (price less 20% on backhaul fee) + N\$200,- management fee	as per formular	not changed	0%
WAN - Link between Customer and SALT Co-Location (any other ISP, MPLS via Telecom Namibia)	wholesales pricing as per reseller contract or per quotation			
WAN - Link between Customer and SALT Co-Location (Metro Ethernet - MPLS link Kbps as per last mile link, for pro rata usage on Metro E link to MPLS cloud)	per kbps	0.50	0.53	6%
WAN - Management Fee only - (contract with WAN link provider resides with customer)	per link	200.00	210.00	5%

Product	Qty. Unit	Price per Unit N\$ 2013	Price per Unit N\$ as requested	% Increase Requested
Third Party Once-Off Setup Fees (Telecom, ITN, etc.)	per link	service provider fee + N\$250,-	no changes	0%
<i>DNS & Web Services</i>				
Domain Name & Website Hosting (1 second level .na domain, e.g. com.na, 1 GByte Website space)	per website	134.00	141.00	5%

All requirements in terms of section 53 of the Act that deals with the approval of tariffs have been adhered to as follows:

1. The tariffs were published as stipulated in section 53(10) of the Communications Act for comment and Salt Essential stated that the tariff would come into force on 23 November 2014 as required by section 53(8) of the Communications Act that the Licensee has to indicate the date that the tariffs will come into force.
2. All pertinent information as required by section 53(9) of the Communications Act was submitted to the Authority such as the terms and conditions, which includes rights and remedies available to customers in the event of disputes.
3. All cost accounting information as required by section 53(18) of the Communications Act was submitted to Authority.

The tariffs as submitted are competitive and compares to other tariffs in the market and the big players in the market. The amendments requested are in line with inflationary pressures as well as the pressure that the smaller telecommunications operators are experiencing from Telecom Namibia Limited.

In light of the above, the Authority approved the request for amendment of permanent tariffs for Salt Essential IT (Pty) Ltd. The tariffs are reasonable, and are not deemed discriminatory or impairing competition.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 98

2015

**NOTICE IN TERMS OF THE REGULATIONS REGARDING LICENSING PROCEDURES
FOR TELECOMMUNICATIONS AND BROADCASTING SERVICE LICENCES AND
SPECTRUM USE LICENCES**

The Communications Regulatory Authority of Namibia, in terms of section 101 of the Communications Act, 2009 (Act No. 8 of 2009) read with regulations 6 and 11 of the "Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences", in Government Gazette No. 4785, Notice No. 272, dated 29 August 2011(as amended), herewith gives notice that the person referred to in the table below has been awarded a spectrum use licence by the Authority, which will be in force and effect from date of publication of this notice in the *Gazette*:

Spectrum Use Licence Application:

Licencee's Name;	Licencee's citizenship or place of incorporation;	Percentage of Stock owned by Namibian Citizens or Namibian Companies controlled by Namibian Citizens;	List of radio frequencies or groups of radio frequencies awarded by the Authority;	Description of geographic coverage area(s);			Licence Fees Outstanding?	Service to be provided using frequency applied for;	Party providing Signal Distribution;
				Region;	District;	City/Town;			
Namibian Broadcasting Corporation (NBC)	Established in terms of section 2 of the Namibian Broadcasting Act (Act No 9 of 1991)	State Owned Enterprise	89.1 MHz Rukavango 92.2 MHz Silozi 95.4 MHz Setswana 98.7 MHz San	Erongo	Omaruru	Omaruru S21°43'00.0" E15°31'00.0"	No	N/A ¹	Own

¹The radio frequencies assigned require a broadcasting service licence. Note, however that as per section 93 of the Act, until a date determined by the Minister, Chapter IV on broadcasting service is not applicable to the NBC or to any broadcasting activities carried on by NBC.

REASONS FOR THE AWARD OF THE LICENCE

On 12 September 2013, the Namibian Broadcasting Corporation submitted to the Authority four (4) spectrum use licences applications to provide FM broadcasting services in Omaruru and surrounding rural areas (From Erongo Mountain) for consideration in terms of section 101 of the Communications Act of 2009 (hereinafter referred to as “the Act”) and in accordance with Regulations regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences as published in Government Gazette No. 4785, General Notice No. 272 dated 29 August 2011 (as amended).

Section 93 of the Communications Act, 2009 (Act No. 8 of 2009) (hereinafter referred to as “the Act”) provides that Chapter IV of the Act is not applicable to the Namibian Broadcasting Corporation until such date as determined by the Minister of Information Communications and Technology. As such, although the spectrum applied for requires a service licence, the Authority has not issued a broadcasting service licence to the Namibian Broadcasting Corporation to date. The spectrum applied for by the Namibian Broadcasting Corporation is not deemed to be service licence exempt and therefore it is required that spectrum use licences be issued by the Authority after due consideration of the applications submitted.

The Namibian Broadcasting Corporation submitted the spectrum use applications to expand FM broadcasting services in Omaruru and surrounding areas for the following languages in addition to radio services already provided –

- i. Rukavango
- ii. Silozi
- iii. Setswana
- iv. San

All technical documentation as required by Section G of the spectrum use licence application form was submitted together with the complete application forms. Technical equipment specifications provided by the Namibian Broadcasting Corporation indicated the use of Constant Impedance Broadband (CIB) combiners requiring a minimum channel spacing of 0.8 MHz. It was further requested that the Authority consider the assignment of frequencies between 88 MHz to 108 MHz. The additional services will be implemented on the existing NBC tower located on Erongo Mountain with a power output of 100W.

Taking into consideration that this is a high mountain site, the Authority proposes frequencies for assignment as follows:

- | | | |
|------|-----------|----------|
| i. | Rukavango | 89.1 MHz |
| ii. | Silozi | 92.2 MHz |
| iii. | Setswana | 95.4 MHz |
| iv. | San | 98.7 MHz |

Following due process in terms of Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licences, the Authority published a notice in the Government Gazette No. 5611, General Notice No 401, dated 10 November 2014 allowing fourteen (14) days for public comments. No comments were received and therefore, no reply comments were requested from the Namibian Broadcasting Corporation.

FM broadcasting services provided from Erongo Mountain serves a population of 2,642 within the geographical area of Omaruru and surrounding rural areas. Although the Namibian Broadcasting Corporation already offers National Radio, NBC Afrikaans, NBC Damara>Nama, NBC German, NBC Oshiwambo and NBC Otjherero within this area, broadcasting in the additional four languages namely Rukavango, San, Setswana and Silozi will extend public broadcasting service to more listeners.

The Authority noted that no existing commercial and community broadcasting service licensees providing services in this geographical area offers programs in the aforementioned four languages. The intended services to be provided by the Namibian Broadcasting Corporation will address this gap in radio broadcasting service provisioning.

The application submitted complies with all technical requirements as set out in Section G of the Spectrum Use application form in terms of site coordinates, coverage plots, antenna heights and equipment specifications. The Namibian Broadcasting Corporation is in good standing with the Authority.

The Authority approved the application of additional spectrum to offer FM broadcasting services in Rukavango, Silozi, Setswana and San to be transmitted from Erongo Mountain for the geographical areas of Omaruru and surrounding rural areas with a power output of 100W.

In terms of section 101(2) of the Communications Act and the Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licenses and Spectrum Use Licenses, the Authority approved the award of spectrum use licences to the Namibian Broadcasting Corporation for the implementation of FM Broadcasting services with a channel spacing of 0.8 MHz located on Erongo mountain to provide services in the Omaruru and surrounding rural geographical areas as follows -

a.	Rukavango	89.1 MHz	100W
b.	Silozi	92.2 MHz	100W
c.	Setswana	95.4 MHz	100W
d.	San	98.7 MHz	100W

The licences are awarded subject to the Communications Act, 2009 (Act No. 8 of 2009) and the Regulations Regarding Licence Conditions for Spectrum Use Licensee as published in Government Gazette No. 5354, General Notice No. 469, dated 2 December 2013.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 99

2015

NOTICE IN TERMS OF SECTION 53 OF THE COMMUNICATIONS ACT, 2009 (ACT NO. 8 OF 2009) READ WITH THE REGULATIONS REGARDING THE SUBMISSIONS OF INTERCONNECTION AGREEMENTS AND TARIFFS

The Communications Regulatory Authority of Namibia, in terms section 53 of the Communications Act read with regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Gazette No. 4714, Notice No. 126, dated 18 May 2011, herewith gives notice of the following tariffs for Fixed Broadband Packages as submitted by **Telecom Namibia Limited**, which, notwithstanding date of publication of this notice, came into force on 20 November 2014.

**TARIFFS FOR FIXED BROADBAND PACKAGES BY TELECOM NAMIBIA LIMITED
COMMUNICATIONS ACT, 2009**

SCHEDULE 1

Current Speed (Kb/s)	New Speed (Kb/s)
Speedlink Home	
384	512
512	1024
1024	2048
2048	3072
3072	4096
4096	Price reduction (to current 3Meg Price)
Speedlink Business (Standard/Professional)	
512	1024
1024	2048
2048	4096
4096	6144
6144	8192
8192	10240
10240	Price reduction (to current 8Meg Price)

Speedlink Home					
Package	512k	1024k	2048k	3072k	4096k
CPE	Entry Level CPE with Wi-Fi		Medium Range CPE with Wi-Fi		
Downlink Speed	512k	1024k	2048k	3072k	4096k
Uplink Speed	192k	384k	768k	1024k	1536k
Number of Voice/Fax numbers	1	2	4	4	4
Number of concurrent voice calls	1	1	3	3	3
Fax2email number/s	1	1	1	1	1
Internet Usage	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Email addresses	1	2	2	2	2
Web space	50	50	100	200	200
On-net voice minutes	30	30	50	100	100
Monthly Charge (N\$) (12-months)	499	749	899	1,199	1,449
Monthly Charge (N\$) (24-month)	399	599	699	999	1,149
Monthly Charge (N\$) (36-month)	349	549	649	949	1,099

Speedlink Business						
Package	1024k	2048k	4096k	6144k	8192k	10240k
CPE	Medium Range CPE with Wi-Fi		High Range CPE with Wi-Fi			
Downlink Speed	1024k	2048k	4096k	6141k	8192k	10240k
Uplink Speed	512k	1024k	2048k	2048k	2048k	2048k
Number of Voice/Fax numbers	3	4	6	6	6	6
Number of concurrent voice calls	2	3	5	5	5	5

Fax2email number/s	2	2	2	2	2	2
Internet Usage	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Email addresses	3	8	15	20	25	40
Web space	100	100	200	200	200	200
On-net voice minutes	100	100	150	300	300	400
Monthly Charge (N\$) (12-month)	849	1,349	2,049	3,549	5,149	6,799
Monthly Charge (N\$) (24-month)	799	1,099	1,799	3,099	4,749	6,149
Monthly Charge (N\$) (36-month)	699	1,049	1,699	2,999	4,449	5,849

Speedlink – Professional						
Package	1024k	2048k	4096k	6144k	8192k	10240k
CPE	High Range CPE with Wi-Fi					
Downlink Speed	1024k	2048k	4096k	6144k	8192k	10240k
Uplink Speed	512k	1024k	2048k	2048k	2048k	2048k
Number of Voice/Fax numbers	5	5	5	5	5	5
Number of concurrent voice calls	5	5	5	5	5	5
Fax2email number/s	1	1	1	1	1	1
Internet Usage	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	Unlimited
Email addresses	5	5	5	5	10	10
Web space	200	200	200	200	500	500
On-net voice minutes	100	100	100	300	300	400
Monthly Charge (N\$) (12-month)	1,849.00	2,014.88	3,219.37	4,858.92	6,024.47	7,363.47
Monthly Charge (N\$) (24-month)	1,666.00	1,799.00	2,849.00	4,499.00	5,849.00	7,149.00
Monthly Charge (N\$) (36-month)	1,579.00	1,697.17	2,766.02	4,204.67	5,466.36	6,681.31

REASONS FOR THE APPROVAL OF THE TARIFFS:

Telecom Namibia Limited (hereinafter referred to as “Telecom Namibia”), submitted to the Authority the above amended tariffs to fixed Broadband Packages on 18 September 2014, for approval in terms of section 53 (1) and (7) of the Communications Act, 2009 (Act No. 8 of 2009) (hereinafter referred to as “the Act”).

The proposed tariffs were published as General Notice No. 385 in Gazette No. 5595 dated 20 October 2014 for public comments, in terms of section 53(10) of the Act and regulation 8 of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs” published in Gazette No. 4714 18 May 2011.

The public comments lapsed on 3 November 2014 and no comments were received in respect of the tariffs, and as such no reply comments were required from Telecom Namibia.

The tariffs were submitted on 18 September 2014 and the date of implementation was 17 November 2014, being 60 days from date of submission as required by section 53 (8) of the Communications Act .

FINANCIAL AND ECONOMIC ANALYSIS OF THE TELECOM NAMIBIA LIMITED TARIFFS FOR TN1 PACKAGES

Telecom Namibia submitted the new tariffs in terms of section 53(1) and (7) of the Act, which stipulates that all rates and charges received in respect of any telecommunications services must be in accordance with a tariff filed and permitted to come into operation in accordance with the provisions of section 53 and it should be filed in the prescribed manner with the Authority for approval.

The tariff information submitted to the Authority by Telecom Namibia is as provided for in the tables herein above.

The amendment as proposed increases the capacity package link speed to the next level whilst the price stays at the previous price e.g. 384Kb/s increases to 512Kb/s but at the previous 384Kb/s price. This will lead to an increased benefit to the customer of about 50% on increased speed.

This change in capacity at the previous rate should allow Telecom Namibia to more effectively compete against Mobile Telecommunications Limited (MTC) and TN Mobile on the speeds that are offered on the 4G LTE packages.

All requirements in terms of section 53 of the Act that deals with the approval of tariffs have been adhered to as follows:

1. The tariffs were published as stipulated in section 53(10) for comment and Telecom Namibia stated that the tariff would come into force once the Authority approved the tariff as required by section 53(8) of the Act that the Licensee has to indicate the date that the tariffs will come into force.
2. All pertinent information as required by section 53(9) was submitted to the Authority such as the terms and conditions, which includes rights and remedies available to customers in the event of disputes.
3. The tariffs contained the costing information as required by section 53(18) of the Act. The tariffs will benefit customers since it is in effect a reduction from previously approved tariffs. At the same time it will allow Telecom Namibia to become more competitive in an increasingly Mobile dominated market. As such the tariffs are reasonable, are not deemed discriminatory or impairing competition.

In light of the above, Authority approved the Fixed Broadband Packages as submitted by Telecom Namibia Limited.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 100

2015

**NOTICE IN TERMS OF THE REGULATIONS REGARDING THE SUBMISSIONS OF
INTERCONNECTION AGREEMENTS AND TARIFFS**

The Communications Regulatory Authority of Namibia, in terms of Sections 53(2) and 53(7) of the Communications Act, 2009 (Act No. 8 of 2009) read with regulation 8(1) of the “Regulations Regarding the Submission of Interconnection Agreements and Tariffs”, in Gazette No. 4714, Notice No. 126, dated 18 May 2011, herewith gives notice that **Mobile Telecommunication Limited** has filed a tariff with the Authority as set out in Schedule 1 and Schedule 2 hereto.

Any person may examine copies of the tariffs submitted at the head offices of the Authority during normal business hours and copies may be made on payment of a fee determined by the Authority. Copies are also available at www.cran.na where copies may be downloaded free of charge.

The public may submit in writing to the Authority written comments within fourteen (14) days from the date of publication of this notice in the *Gazette*.

Mobile Telecommunication Limited may submit, in writing to the Authority, a response to any written comments within fourteen (14) days from the lapsing of the time to submit written submissions.

All written submissions must contain the name and contact details of the person making the written submissions and the name and contact details of the person for whom the written submissions is made, if different and be clear and concise.

All written submissions and reply comments must be made either physically or electronically –

- (1) by hand to the head offices of the Authority, namely Communication House, 56 Robert Mugabe Avenue, Windhoek;
- (2) by post to the head offices of the Authority, namely Private Bag 13309, Windhoek 9000;
- (3) by electronic mail to the following address: legal@cran.na; and
- (4) by facsimile to the following facsimile number: +264 61 222790.
- (5) by fax to e-mail to: 0886550852.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

SCHEDULE 1

AWEH GIG

	Subscription	Tariff
Aweh GIG	N\$ 30.00	100 min 700 SMS 1 GB data

Particulars of the tariff:

Customer opt-in via COS migration via 134 SMS #AwehGig# to 134.

7 days subscription ends automatically at the end of the day (at 24:00).

Out of bundle, national minutes N\$ 0.90, National SMS N\$ 0.40, Megabyte N\$ 0.50 with minimum fraction of 1 KB.

Rest tariffs, including roaming international and value add services are the same as those applied to generic pre-paid tariffs.

SCHEDULE 2

SELECT PACKAGES

Select	Subs/Month	Min Incl	SMS Incl	MB Incl	Min OoB	SMS OoB	MB OoB	Roam
S	N\$ 159.00	200	200	200	N\$ 0.90	N\$ 0.40	N\$ 0.90	Post paid tariffs
M	N\$ 249.00	300	300	300				
L	N\$ 399.00	600	600	600				
XL	N\$ 749.00	900	900	2,400				

*Subs – subscription

Incl – included

OoB – Outside of Bundle

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 101

2015

**NOTICE IN TERMS OF SECTION 31 OF THE COMMUNICATIONS ACT (NO 8 OF 2009)
READ WITH REGULATIONS 11 & 20 OF THE REGULATIONS REGARDING LICENSING
PROCEDURES FOR TELECOMMUNICATIONS AND BROADCASTING SERVICE
LICENCES AND SPECTRUM USE LICENCES**

The Communications Regulatory Authority of Namibia in terms of section 31 of the Communications Act, 2009 (Act No. 8 of 2009) read with regulations 11 and 20 of the “Regulations Regarding Licensing Procedures for Telecommunications and Broadcasting Service Licences and Spectrum Use Licence, in Gazette No. 4785, General Notice No. 272 dated 29 August 2011 (as amended) herewith gives notice that the Authority has declined an Application for Reconsideration, submitted by the **Namibian Broadcasting Corporation** dated 1 July 2014 in respect of spectrum use licences awarded for Gobabis, Maltahöhe and Ur for Digital Terrestrial Television services as published in Gazette No. 5486, General Notice No. 161 dated 19 June 2014.

In terms of section 31 of the Communications Act the Authority further resolved that the Applicant should implement DTT services in Gobabis, Maltahöhe and Ur in accordance with the spectrum use licences awarded and published in Gazette No. 5486 dated 19 June 2014. The Authority also accepted the Applicant’s withdrawal application for reconsideration in respect of the spectrum use licences awarded for Aranos and Aminius.

The reasons for the Authority’s decision herein may be obtained from the offices of the Authority at No. 56, Robert Mugabe Avenue, Communications House, Windhoek.

**L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA**

COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA

No. 102

2015

**NOTICE IN TERMS OF SECTION 53 OF THE COMMUNICATIONS ACT, 2009 (ACT NO.
8 OF 2009) READ WITH THE REGULATIONS REGARDING THE SUBMISSIONS OF
INTERCONNECTION AGREEMENTS AND TARIFFS**

The Communications Regulatory Authority of Namibia, in terms of section 53 of the Communications Act, 2009 (Act No. 8 of 2009) hereinafter referred to as the “Communications Act”) read with regulation 8 of the Regulations Regarding the Submission of Interconnection Agreements and Tariffs as published in Gazette No. 4714, General Notice No. 126, dated 18 May 2011, herewith gives notice that it has approved the following retail tariffs for Time Division Multiplexing pricing as submitted by **Telecom Namibia Limited** which will come into force and effect as from date of publication in the *Gazette*.

**SUBMISSION OF DATA LINKS TARIFFS: TIME DIVISION MULTIPLEXING (TDM)
PRICING BY TELECOM NAMIBIA LIMITED
COMMUNICATIONS ACT, 2009**

ANNEXURE A							
Data Links Bandwidth Fixed charges (MRC in N\$)							
Link Speed	0 - 10 km	11 - 50 km	51-200 km	201-300 km	301-500 km	501-1000 km	>1000 km
64k	422.06	580.40	1,595.48	2,209.22	2,985.57	3,590.88	4,109.71
128k	675.30	928.64	2,552.78	3,534.75	4,776.92	5,745.41	6,575.54
192k	717.50	986.69	2,712.32	3,755.67	5,075.48	6,104.49	6,986.51
256k	759.60	1,044.57	2,871.45	3,976.00	5,373.24	6,462.63	7,396.39
384k	1,055.15	1,451.01	3,988.71	5,523.04	7,463.94	8,977.20	10,274.28
512k	1,254.03	1,724.49	4,740.51	6,564.02	8,870.74	10,669.22	12,210.77
768k	1,831.74	2,518.95	6,924.40	9,588.00	12,957.39	15,584.41	17,836.14
1024k	2,242.89	3,084.34	8,478.62	11,740.07	15,865.74	19,082.41	21,839.55
1280k	2,701.19	3,714.58	10,211.10	14,138.99	19,107.68	22,981.62	26,302.15
1536k	3,207.66	4,411.06	12,125.68	16,790.05	22,690.37	27,290.68	31,233.80
1792k	3,714.13	5,107.55	14,040.27	19,441.10	26,273.06	31,599.73	36,165.46
2048k	4,220.60	5,804.03	15,954.85	22,092.16	29,855.75	35,908.79	41,097.11
2x E1	7,175.03	9,866.85	27,123.24	37,556.68	50,754.77	61,044.94	69,865.08
3x E1	10,551.51	14,510.08	39,887.12	55,230.41	74,639.37	89,771.97	102,742.77
4x E1	13,716.96	18,863.10	51,853.26	71,799.54	97,031.18	116,703.56	133,565.60
5x E1	15,616.23	21,474.92	59,032.94	81,741.01	110,466.27	132,862.52	152,059.30
7x E1	21,103.02	29,020.16	79,774.24	110,460.82	149,278.74	179,543.94	205,485.54
8x E1	22,158.17	30,471.16	83,762.95	115,983.86	156,742.68	188,521.14	215,759.82
E3	32,076.59	44,110.64	121,256.85	167,900.45	226,903.68	272,906.79	312,338.02
STM1	84,412.07	116,080.62	319,096.96	441,843.29	597,114.96	718,175.76	821,942.16

NTU/Link Speed	MRC Vat Excl	
64kb/s up to E1	615.37	
E3	10,510.99	
STM1	10,620.00	
Local Lead MRC (Vat Excl)		
82.00		
Network Interconnect	NRC Vat Excl	MRC Vat Excl
E1 up to STM1	2,900.00	3,052.00
Data Links: Once- off (Set-up/Transfer) charges per link		
Link Speed	NRC (In N\$)	
64k up to E1	3,500	
>E1 up to E3	11,700	
>E3	92,300	

ANNEXURE B													
National Express Route Pricing													
From - To	Protection	E1	2xE1	3xE1	4xE1	DS3	STM1	2 x STM1	STM4	2 x STM4	STM16	2 x STM16	STM64
		MRC (In N\$)											
Windhoek - Swakopmund	Unprotected	19,665.46	33,431.28	49,163.65	63,912.75	137,658.22	163,116.44	260,986.30	375,167.81	600,268.50	862,885.97	1,380,617.55	1,812,060.53
Windhoek - Swakopmund	Protected	23,302.35	39,613.99	58,255.87	75,732.63	163,116.44	214,032.88	342,452.61	492,275.62	787,641.00	1,132,233.94	1,811,574.30	2,377,691.27
Windhoek - Katima Mulilo	Unprotected	23,797.18	40,455.21	59,492.95	77,340.84	166,580.27	220,960.54	353,536.87	508,209.25	813,134.80	1,168,881.28	1,870,210.05	2,454,650.69
Windhoek - Katima Mulilo	Protected	31,565.79	53,661.85	78,914.48	102,588.82	220,960.54	329,721.09	527,553.74	758,358.50	1,213,373.61	1,744,224.56	2,790,759.29	3,662,871.57
Windhoek - Zambian Border	Unprotected	24,070.77	40,920.31	60,176.92	78,230.00	168,495.38	224,790.77	359,665.23	517,018.76	827,230.02	1,189,143.16	1,902,629.05	2,497,200.63
Windhoek - Zambian Border	Protected	31,839.38	54,126.94	79,598.45	103,477.98	222,875.66	333,551.31	533,682.10	767,168.02	1,227,468.83	1,764,486.44	2,823,178.30	3,705,421.52
Windhoek - Ngoma	Unprotected	24,366.21	41,422.55	60,915.51	79,190.17	170,563.44	228,926.87	366,282.99	526,531.80	842,450.89	1,211,023.15	1,937,637.04	2,543,148.61
Windhoek - Ngoma	Protected	32,430.25	55,131.43	81,075.63	105,398.32	227,011.76	341,823.52	546,917.63	786,194.10	1,257,910.55	1,808,246.42	2,893,194.27	3,797,317.48
Windhoek - Gobabis	Unprotected	17,180.60	29,207.01	42,951.49	55,836.94	120,264.18	128,328.36	205,325.37	295,155.22	472,248.36	678,857.02	1,086,171.23	1,425,599.73
Windhoek - Gobabis	Protected	18,332.62	31,165.46	45,831.56	59,581.02	128,328.36	144,456.72	231,130.75	332,250.45	531,600.72	764,176.03	1,222,681.65	1,604,769.67
Windhoek - Buitepos	Unprotected	20,163.65	34,278.21	50,409.13	65,531.87	141,145.57	170,091.14	272,145.82	391,209.61	625,935.38	899,782.11	1,439,651.38	1,889,542.43
Windhoek - Buitepos	Protected	24,025.15	40,842.75	60,062.87	78,081.73	168,176.02	224,152.05	358,643.28	515,549.71	824,879.54	1,185,764.34	1,897,222.95	2,490,105.12
Windhoek - Ariamsvlei	Unprotected	23,319.04	39,642.38	58,297.61	75,786.89	163,233.31	214,266.62	342,826.60	492,813.23	788,501.17	1,133,470.44	1,813,552.70	2,380,287.91
Windhoek - Ariamsvlei	Protected	30,335.93	51,571.08	75,839.83	98,591.77	212,351.51	312,503.02	500,004.84	718,756.95	1,150,011.12	1,653,140.99	2,645,025.59	3,471,596.08
Windhoek - Velloorsdrift	Unprotected	23,319.04	39,642.38	58,297.61	75,786.89	163,233.31	214,266.62	342,826.60	492,813.23	788,501.17	1,133,470.44	1,813,552.70	2,380,287.91
Windhoek - Velloorsdrift	Protected	30,335.93	51,571.08	75,839.83	98,591.77	212,351.51	312,503.02	500,004.84	718,756.95	1,150,011.12	1,653,140.99	2,645,025.59	3,471,596.08
Windhoek - Oranjemund	Unprotected	22,905.43	38,939.24	57,263.59	74,442.66	160,338.04	208,476.08	333,561.72	479,494.98	767,191.96	1,102,838.45	1,764,541.52	2,315,960.74
Windhoek - Oranjemund	Protected	29,508.71	50,164.81	73,771.77	95,903.31	206,560.97	300,921.93	481,475.09	692,120.44	1,107,392.71	1,591,877.02	2,547,003.23	3,342,941.74
Windhoek - Oshikango	Unprotected	22,740.80	38,659.36	56,851.99	73,907.59	159,185.58	206,171.16	329,873.86	474,193.68	758,709.89	1,090,645.46	1,745,032.74	2,290,355.47

Windhoek - Os-hikango	Protected	29,179.44	49,605.04	72,948.59	94,833.17	204,256.05	296,312.11	474,099.37	681,517.84	1,090,428.55	1,567,491.04	2,507,985.66	3,291,731.18
Windhoek - Rundu	Unprotected	22,407.91	38,093.45	56,019.78	72,825.72	156,855.39	201,510.78	322,417.25	463,474.79	741,559.67	1,065,992.02	1,705,587.23	2,238,583.25
Windhoek - Rundu	Protected	28,787.25	48,938.33	71,968.14	93,558.58	201,510.78	290,821.56	465,314.49	668,889.58	1,070,223.33	1,538,446.04	2,461,513.67	3,230,736.69
Windhoek - Walvis Bay	Unprotected	19,904.80	33,838.15	49,761.99	64,690.59	139,333.58	166,467.15	266,347.45	382,874.46	612,599.13	880,611.25	1,408,978.00	1,849,283.62
Windhoek - Walvis Bay	Protected	23,781.02	40,427.74	59,452.56	77,288.32	166,467.15	220,734.31	353,174.89	507,688.91	812,302.26	1,167,684.50	1,868,295.19	2,452,137.44
Windhoek - Tsumeb	Unprotected	21,470.78	36,500.33	53,676.96	69,780.05	150,295.48	188,390.97	301,425.54	433,299.22	693,278.75	996,588.21	1,594,541.13	2,092,835.23
Windhoek - Tsumeb	Protected	26,913.00	45,752.09	67,282.49	87,467.23	188,390.97	264,581.93	423,331.09	608,538.44	973,661.50	1,399,638.41	2,239,421.46	2,939,240.66
Windhoek - Os-hakati	Unprotected	22,168.19	37,685.93	55,420.49	72,046.63	155,177.36	198,154.72	317,047.55	455,755.86	729,209.38	1,048,238.48	1,677,181.56	2,201,300.80
Windhoek - Os-hakati	Protected	28,307.82	48,123.29	70,769.54	92,000.41	198,154.72	284,109.44	454,575.11	653,451.72	1,045,522.75	1,502,938.95	2,404,702.33	3,156,171.80
Windhoek - Keetmanshoop	Unprotected	21,149.74	35,954.56	52,874.36	68,736.66	148,048.20	183,896.40	294,234.24	422,961.72	676,738.75	972,811.95	1,556,499.12	2,042,905.10
Windhoek - Keetmanshoop	Protected	26,270.91	44,660.55	65,677.29	85,380.47	183,896.40	255,592.80	408,948.48	587,863.44	940,581.50	1,352,085.90	2,163,337.44	2,839,380.40
Swakopmund - Katima Mulilo	Unprotected	25,682.11	43,659.58	64,205.26	83,466.84	179,774.74	247,349.47	395,759.16	568,903.79	910,246.06	1,308,478.72	2,093,565.95	2,747,805.31
Swakopmund - Katima Mulilo	Protected	35,335.64	60,070.59	88,339.10	114,840.83	247,349.47	382,498.95	611,998.32	879,747.58	1,407,596.13	2,023,419.43	3,237,471.09	4,249,180.81
Swakopmund - Zambian Border	Unprotected	25,955.69	44,124.68	64,889.23	84,356.00	181,689.85	251,179.70	401,887.52	577,713.30	924,341.28	1,328,740.60	2,125,984.96	2,790,355.25
Swakopmund - Zambian Border	Protected	35,609.23	60,535.69	89,023.07	115,729.99	249,264.59	386,329.17	618,126.67	888,557.09	1,421,691.35	2,043,681.31	3,269,890.10	4,291,730.76
Swakopmund - Ngoma	Unprotected	26,251.13	44,626.92	65,627.82	85,316.17	183,757.90	255,315.80	408,505.28	587,226.34	939,562.15	1,350,620.59	2,160,992.94	2,836,303.23
Swakopmund - Ngoma	Protected	36,200.10	61,540.17	90,500.25	117,650.32	253,400.69	394,601.38	631,362.21	907,583.17	1,452,133.07	2,087,441.29	3,339,906.07	4,383,626.72
Swakopmund - Buitepos	Unprotected	22,048.58	37,482.58	55,121.44	71,657.87	154,340.03	196,480.07	314,368.11	451,904.15	723,046.64	1,039,379.55	1,663,007.28	2,182,697.05
Swakopmund - Buitepos	Protected	27,794.99	47,251.49	69,487.48	90,333.73	194,564.95	276,929.91	443,087.85	636,938.79	1,019,102.06	1,464,959.22	2,343,934.75	3,076,414.36
Swakopmund - Ariamsvlei	Unprotected	26,801.50	45,562.54	67,003.74	87,104.86	187,610.47	263,020.95	420,833.52	604,948.18	967,917.09	1,391,380.82	2,226,209.31	2,921,899.72
Swakopmund - Ariamsvlei	Protected	37,300.83	63,411.42	93,252.08	121,227.71	261,105.84	410,011.68	656,018.68	943,026.85	1,508,842.97	2,168,961.76	3,470,338.82	4,554,819.70

Swakopmund - Velloorsdrift	Unprotected	26,801.50	45,562.54	67,003.74	87,104.86	187,610.47	263,020.95	420,833.52	604,948.18	967,917.09	1,391,380.82	2,226,209.31	2,921,899.72
Swakopmund - Velloorsdrift	Protected	37,300.83	63,411.42	93,252.08	121,227.71	261,105.84	410,011.68	656,018.68	943,026.85	1,508,842.97	2,168,961.76	3,470,338.82	4,554,819.70
Swakopmund - Oranjemund	Unprotected	26,387.89	44,859.41	65,969.71	85,760.63	184,715.20	257,230.40	411,568.65	591,629.93	946,607.89	1,360,748.83	2,177,198.14	2,857,572.55
Swakopmund - Oranjemund	Protected	36,473.61	62,005.14	91,184.03	118,539.24	255,315.29	398,430.58	637,488.93	916,390.34	1,466,224.55	2,107,697.79	3,372,316.46	4,426,165.36
Swakopmund - Oshikango	Unprotected	22,591.18	38,405.01	56,477.95	73,421.34	158,138.27	204,076.54	326,522.46	469,376.04	751,001.66	1,079,564.89	1,727,303.82	2,267,086.26
Swakopmund - Oshikango	Protected	28,880.20	49,096.35	72,200.51	93,860.66	202,161.43	292,122.85	467,396.56	671,882.56	1,075,012.10	1,545,329.89	2,472,527.83	3,245,192.77
Swakopmund - Oshakati	Unprotected	22,485.36	38,225.11	56,213.40	73,077.41	157,397.51	202,595.01	324,152.02	465,968.53	745,549.65	1,071,727.62	1,714,764.19	1,565,654.26
Swakopmund - Oshakati	Protected	28,942.14	49,201.65	72,355.36	94,061.97	202,595.01	292,990.03	468,784.04	673,877.06	1,078,203.30	1,549,917.24	2,479,867.59	2,264,226.93
Ariamsvlei - Katima Mulilo	Unprotected	29,936.09	50,891.36	74,840.23	97,292.30	209,552.64	306,905.29	491,048.46	705,882.16	1,129,411.46	1,623,528.98	2,597,646.36	3,409,410.85
Ariamsvlei - Katima Mulilo	Protected	43,570.03	74,069.04	108,925.06	141,602.58	304,990.18	497,780.35	796,448.57	1,144,894.81	1,831,831.70	2,633,258.07	4,213,212.92	5,529,841.96
Ariamsvlei - Zambian Border	Unprotected	30,209.68	51,356.45	75,524.20	98,181.46	211,467.76	310,735.51	497,176.82	714,691.68	1,143,506.68	1,643,790.86	2,630,065.37	3,451,960.80
Ariamsvlei - Zambian Border	Protected	43,843.61	74,534.14	109,609.03	142,491.74	306,905.29	501,610.58	802,576.92	1,153,704.33	1,845,926.92	2,653,519.95	4,245,631.93	5,572,391.90
Ariamsvlei - Ngoma	Unprotected	30,505.12	51,858.70	76,262.79	99,141.63	213,535.81	314,871.62	503,794.59	724,204.72	1,158,727.55	1,665,670.85	2,665,073.36	3,497,908.78
Ariamsvlei - Ngoma	Protected	44,434.48	75,538.62	111,086.21	144,412.08	311,041.39	509,882.79	815,812.46	1,172,730.41	1,876,368.65	2,697,279.93	4,315,647.90	5,664,287.86
Ariamsvlei - Buitempos	Unprotected	26,302.56	44,714.36	65,756.41	85,483.33	184,117.94	256,035.88	409,657.41	588,882.53	942,212.04	1,354,429.81	2,167,087.69	2,844,302.60
Ariamsvlei - Buitempos	Protected	36,029.38	61,249.95	90,073.45	117,095.48	252,205.66	392,211.32	627,538.10	902,086.02	1,443,337.64	2,074,797.86	3,319,676.57	4,357,075.50
Ariamsvlei - Oshikango	Unprotected	28,868.59	49,076.60	72,171.47	93,822.91	202,080.11	291,960.22	467,136.35	671,508.50	1,074,413.61	1,544,469.56	2,471,151.29	3,243,386.07
Ariamsvlei - Oshikango	Protected	41,161.43	69,974.43	102,903.57	133,774.64	288,130.00	464,059.99	742,495.99	1,067,337.98	1,707,740.77	2,454,877.36	3,927,803.77	5,155,242.45
Velloorsdrift - Katima Mulilo	Unprotected	29,936.09	50,891.36	74,840.23	97,292.30	209,552.64	306,905.29	491,048.46	705,882.16	1,129,411.46	1,623,528.98	2,597,646.36	3,409,410.85
Velloorsdrift - Katima Mulilo	Protected	43,570.03	74,069.04	108,925.06	141,602.58	304,990.18	497,780.35	796,448.57	1,144,894.81	1,831,831.70	2,633,258.07	4,213,212.92	5,529,841.96
Velloorsdrift - Zambian Border	Unprotected	30,209.68	51,356.45	75,524.20	98,181.46	211,467.76	310,735.51	497,176.82	714,691.68	1,143,506.68	1,643,790.86	2,630,065.37	3,451,960.80

Velloorsdrift - Zambian Border	Protected	43,843.61	74,534.14	109,609.03	142,491.74	306,905.29	501,610.58	802,576.92	1,153,704.33	1,845,926.92	2,653,519.95	4,245,631.93	5,572,391.90
Velloorsdrift - Ngoma	Unprotected	30,505.12	51,858.70	76,262.79	99,141.63	213,535.81	314,871.62	503,794.59	724,204.72	1,158,727.55	1,665,670.85	2,665,073.36	3,497,908.78
Velloorsdrift - Ngoma	Protected	44,434.48	75,538.62	111,086.21	144,412.08	311,041.39	509,882.79	815,812.46	1,172,730.41	1,876,368.65	2,697,279.93	4,315,647.90	5,664,287.86
Velloorsdrift - Buitepos	Unprotected	26,302.56	44,714.36	65,756.41	85,483.33	184,117.94	256,035.88	409,657.41	588,882.53	942,212.04	1,354,429.81	2,167,087.69	2,844,302.60
Velloorsdrift - Buitepos	Protected	36,029.38	61,249.95	90,073.45	117,095.48	252,205.66	392,211.32	627,538.10	902,086.02	1,443,337.64	2,074,797.86	3,319,676.57	4,357,075.50
Velloorsdrift - Oshikango	Unprotected	28,868.59	49,076.60	72,171.47	93,822.91	202,080.11	291,960.22	467,136.35	671,508.50	1,074,413.61	1,544,469.56	2,471,151.29	3,243,386.07
Velloorsdrift - Oshikango	Protected	41,161.43	69,974.43	102,903.57	133,774.64	288,130.00	464,059.99	742,495.99	1,067,337.98	1,707,740.77	2,454,877.36	3,927,803.77	5,155,242.45
Oranjemund - Katima Mulilo	Unprotected	29,522.48	50,188.22	73,806.20	95,948.07	206,657.37	301,114.74	481,783.59	692,563.91	1,108,102.25	1,592,896.99	2,548,635.18	3,345,083.68
Oranjemund - Katima Mulilo	Protected	42,742.80	72,662.77	106,857.01	138,914.11	299,199.63	486,199.26	777,918.82	1,118,258.30	1,789,213.29	2,571,994.10	4,115,190.56	5,401,187.61
Oranjemund - Zambian Border	Unprotected	29,796.07	50,653.32	74,490.17	96,837.22	208,572.48	304,944.97	487,911.95	701,373.42	1,122,197.48	1,613,158.87	2,581,054.19	3,387,633.63
Oranjemund - Zambian Border	Protected	43,016.39	73,127.87	107,540.98	139,803.27	301,114.74	490,029.49	784,047.18	1,127,067.82	1,803,308.51	2,592,255.98	4,147,609.57	5,443,737.56
Oranjemund - Ngoma	Unprotected	30,091.51	51,155.56	75,228.76	97,797.39	210,640.54	309,081.07	494,529.71	710,886.46	1,137,418.34	1,635,038.86	2,616,062.18	3,433,581.61
Oranjemund - Ngoma	Protected	43,607.26	74,132.35	109,018.16	141,723.61	305,250.85	498,301.69	797,282.71	1,146,093.90	1,833,750.23	2,636,015.96	4,217,625.54	5,535,633.52
Oranjemund - Buitepos	Unprotected	25,888.95	44,011.22	64,722.38	84,139.10	181,222.67	250,245.33	400,392.54	575,564.27	920,902.83	1,323,797.82	2,118,076.52	2,779,975.43
Oranjemund - Buitepos	Protected	35,202.16	59,843.67	88,005.40	114,407.02	246,415.11	380,630.22	609,008.36	875,449.51	1,400,719.22	2,013,533.88	3,221,654.21	4,228,421.16
Oranjemund - Oshikango	Unprotected	28,454.98	48,373.46	71,137.44	92,478.67	199,184.84	286,169.67	457,871.48	658,190.25	1,053,104.40	1,513,837.57	2,422,140.11	3,179,058.90
Oranjemund - Oshikango	Protected	40,334.21	68,568.15	100,835.52	131,086.17	282,339.45	452,478.90	723,966.24	1,040,701.47	1,665,122.35	2,393,613.38	3,829,781.41	5,026,588.11
Buitepos - Os- hikango	Unprotected	22,806.06	38,770.30	57,015.14	74,119.68	159,642.40	207,084.80	331,335.67	476,295.03	762,072.05	1,095,478.57	1,752,765.71	2,300,504.99
Buitepos - Os- hikango	Protected	29,309.95	49,826.92	73,274.89	95,257.35	205,169.68	298,139.37	477,022.99	685,720.55	1,097,152.87	1,577,157.25	2,523,451.61	3,312,030.24
Katima Mulilo - Oshikango	Unprotected	24,316.59	41,338.19	60,791.46	79,028.90	170,216.10	228,232.19	365,171.51	524,934.04	839,894.46	1,207,348.29	1,931,757.27	2,535,431.41
Katima Mulilo - Oshikango	Protected	31,965.11	54,340.69	79,912.77	103,886.60	223,755.76	335,311.52	536,498.44	771,216.50	1,233,946.41	1,773,797.96	2,838,076.74	3,724,975.72

NEX: Once- off (Set-up/Transfer) charges per link	
Link Speed	NRC (In N\$)
64k up to E1	3,500
>E1 up to E3	11,700
>E3	92,300

REASONS FOR THE DECISION:

Telecom Namibia Limited (hereinafter referred to as “Telecom Namibia”), submitted to the Authority the tariffs for Time Division Multiplexing pricing on 25th July 2014, for approval in terms of section 53 (1) and (7) of the Communications Act, 2009 (Act No. 8 of 2009) (hereinafter referred to as “the Act”).

The proposed tariffs were published as General Notice No. 292 in Gazette No. 5534 dated 15 August 2014 for public comments, in terms of section 53 (10) of the Act and regulation 8 of the Regulations Regarding the Submission of Interconnection Agreements and Tariffs as published in Gazette No. 4714 of 18 May 2011.

Subsequent to the publication of 15 August 2014, Telecom Namibia informed the Authority that some essential pricing information was omitted from the initial notice and therefore, the tariffs were republished for public comments as General Notice No. 313 in Gazette No. 5557 dated 9 September 2014. The date of submission of tariffs to the Authority was 25 July 2014 and the request for implementation was 26 September 2014, being 60 days from date of submission as required by section 53 (8) of the Communications Act. The Authority forwarded a letter to Telecom Namibia on 8 September 2014 informing them that in terms of section 53(13) of the Communications Act, the Authority postponed the commencement of the tariffs to 29 December 2014, to enable the Authority to evaluate the reasonableness of the tariffs.

The public comments herein lapsed on 15 September 2014. However, due to the fact that Gazette was only printed and published on 15 September 2014, the period for submitting comments was extended to 24 September 2014.

Comments were received from Paratus Telecom (Pty) Ltd, Mobile Telecommunications Limited (“MTC”) and Vox Telecom (Pty) Ltd. Same were forwarded to Telecom Namibia for their response in terms of regulation 9(2) of the Regulations Regarding the Submission of Interconnection Agreements and Tariffs.

Due to the nature of the comments received, the Authority deemed it necessary to conduct a public hearing on 2 October 2014 and to extend the time for reply comments from Telecom Namibia to 10 October 2014. This was to afford Telecom Namibia an opportunity to also respond to the comments made at the hearing.

FINANCIAL AND ECONOMIC ANALYSIS OF THE TELECOM NAMIBIA LIMITED

The price benchmarking shows that the proposed retail prices for E1 and E3 are a significant reduction in prices that will improve Namibia’s competitiveness. Prices for a 64kbps line remain more or less unchanged compared to 2011 prices. However, Telkom South Africa is still considerably cheaper at a retail level.

The analysis showed further that the retail tariffs are a significant reduction in tariffs and will improve competitiveness in the Namibian telecommunications sector and the retail tariffs as proposed by Telecom Namibia are approved, on condition that the prescribe wholesale discounts comes into effect.

On wholesale level Botswana and South Africa offer further reaching discounts compared to what is envisaged by Telecom Namibia. Discounts in Botswana reach up to 80% and for Telkom South

Africa 62% for the E1 and E3 benchmarked baskets. Also, the wholesale prices for 64 Kbps digicon would be higher in the proposed regime due to lesser discounts for resellers.

The analysis in respect hereof showed that the wholesale prices are still too high and that discounts offered to resellers are not enough to enable reseller to compete with Telecom Namibia. This was confirmed by the written comments received from the operators.

Section 53(19)(d) and (e) of the Communications Act states that tariffs may be rejected if the tariffs are unreasonably discriminatory or has the effect of impairing competition. By the small percentage discount given to resellers of 15%, very little competitive advantage will be given to wholesale operators. Further, this has a negative impact on competition since the wholesaler cannot compete with Telecom Namibia, the retailer that continues to feed a monopolistic market.

Section 53(19) (f) states that the Authority may reject the tariffs if the tariff “*is not sufficiently disaggregated so that the user is required to pay for facilities or services which are not necessary*”. Although Telecom Namibia has unbundled the tariffs more compared to the previous submission, it is confirmed in their written comments to the Authority that, with the new pricing structure, there are no separate charges for ports as this is included in the monthly rental, which includes the ports, local leads and distance charges.

In addition, the recently completed cost study (Development of Public Switched Telephone Network (PSTN)/Leased Line Cost model), which is under discussion with Telecom Namibia, also confirms that the prices are too high.

The cost model below indicates that the cost of providing E1 services including a reasonable return, throughout the inclusion of Weighted Average Cost of Capital (WACC), is N\$ 909. This is independent of the length of the connection.

All requirements in terms of section 53 of the Communications Act that deals with the approval of tariffs have been adhered to as follows:

1. The tariffs were published as stipulated in section 53(10) of the Communications Act for comment and Telecom Namibia stated that the tariff would come into force once the Authority approved the tariff as required by section 53(8) of the Communications Act that the Licensee has to indicate the date that the tariffs will come into force.
2. All pertinent information as required by section 53(9) of the Communications Act was submitted to the Authority such as the terms and conditions, which includes rights and remedies available to customers in the event of disputes. .
3. The tariffs contained the costing information as required by section 53(18) of the Communications Act.

In light of the above, Authority approved the retail tariff for Time Division Multiplexing pricing as submitted by Telecom Namibia in terms of section 53(1) and (7) of the Communications Act for implementation once the prescribed wholesale discounts comes into effect.

The Authority further resolved to decline the wholesale tariff for Time Division Multiplexing pricing as submitted by Telecom Namibia in terms of section 53(19) of the Communications Act.

L.N. JACOBS
CHAIRPERSON OF THE BOARD OF DIRECTORS
COMMUNICATIONS REGULATORY AUTHORITY OF NAMIBIA
