



**OFFICE of the
REGULATOR**

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ORDER OF THE REGULATOR NO. 2016/T09

**APPROVAL OF NEW PROPOSED RETAIL TARIFFS FOR DIGICEL PREPAID and
DIGIFIXED SERVICES**

The Regulator advised Digicel Samoa Limited (“Digicel”) in the Order No. 2015/T06 Approval of New Proposed Retail Tariffs for Digicel Services that Digicel should apply for new retail tariffs within 10 months for new tariffs to apply effective 2nd May 2016.

Digicel pursuant to the Order of the Regulator 2006/06 is the dominant service provider in the cellular radio services market and on the 29th March 2016 submitted its new proposed plans for retail price changes for the Regulator’s approval, in accordance with section 40 of the Telecommunications Act 2005 (“Act”)

This Order sets out the retail tariffs approved by the Regulator for the specific services provided by Digicel.

The retail tariffs set out herein have been approved by the Regulator in consideration of:

- 1) Digicel’s request for approval of various retail tariffs for its prepaid and digifixed services;
- 2) The objectives of the Act;
- 3) Provisions of the Act regarding tariffs in particular section 40(3);
- 4) Approved Interconnection rate for mobile termination by the Regulator in 29th August 2013 ; and
- 5) Order of the Regulator No. 2014/T01 Approval of New Proposed Retail Tariffs for Digicel Services

The Regulator advises that:

- 1) All tariffs and rates for services provided by a dominant service provider for the services for which they have been determined or deemed dominant must first be approved by the Regulator;
- 2) The approved tariffs will apply to those services for which the provider has been deemed dominant;
- 3) Digicel should apply for new tariffs within 12 months for new tariffs to apply effective 2nd May 2017;
- 4) New tariff will apply automatically for all subscribers for the regulated services;
- 5) Tariffs and rates for (1) Digicel Standard and Default Rates; (2) Digicel Digifixed Plan and (3) International Rates will apply automatically for all subscribers with the option to “Opt-in” for any other plan or rates approved by the Regulator.
- 6) The approved tariffs are the maximum retail rates, such rates being above the mobile termination rate approved by the Regulator in August 29th 2013.
- 7) Promotions for the same or similar offers affecting the regulated services are not to exceed three months within a one year period

Accordingly, the Regulator issues this Order No. 2016/T09 to replace Order of the Regulator No. 2015/T06 and Order No. 2014/T01.

The following maximum Tariffs and Rates are approved:

(1) Digicel Standard and Default Rates

- **Forty-three sene (.43)** per minute for calls at peak and off peak periods for Digicel Mobile calls to:
 - a) Digicel Mobile calls;
 - b) Other Mobile network;
 - c) DigiFixed;
 - d) Other Fixed Network; and
- **Twenty sene (.20)** per on net and off net SMS

(2) International Rates for Anytime Plan

- **Forty- five sene (.45)** per minute for calls to Group 1 [American Samoa, Fiji, Tonga, Papua New Guinea];
- **Eighty - five sene(.85)** per minute for calls to Group 1b [Australia and New Zealand];
- **Ninety-nine sene (.99)** per minute for calls to Group 2 [USA, China and Most of Europe];
- **One Tala and ninety-nine sene (\$1.99)** per minute for calls to Group 3 [Rest of the Pacific and the World not including those in Group 4];
- **Four Tala and forty-nine sene (\$4.49)** per minute for calls to Group 4 [Wallis and Fortuna Islands, Seychelles, East Timor, Congo DRP (Zaire), Cape Verde, Latvia, Niue and Solomon Islands].

Rates are per minute and billing in increments of up to six (6) seconds

Digicel “OPT IN” Plans

(3) Digicel Classic Flex Plan

- **Fifty –nine sene (.59)** per minute for call at peak periods for Digicel Mobile to:
 - a) Digicel Mobile calls;
 - b) Other Mobile network;
 - c) DigiFixed; and
 - d) Other Fixed Network

- **Thirty nine sene (.39)** per minute for calls at off-peak periods for Digicel Mobile to:
 - a) Digicel Mobile calls;
 - b) Other Mobile network;
 - c) DigiFixed; and
 - d) Other Fixed Network

- **Twenty Sene (.20)** per on net and off net SMS

(4) International Rates for Classic Plans

- **Fifty- nine sene (.59)** per minute for calls to Group 1 [American Samoa, Fiji, Tonga, Papua New Guinea];
- **Seventy - nine sene(.79)** per minute for calls to Group 1b [Australia and New Zealand];

- **Ninety-nine sene (.99)** per minute for calls to Group 2 [USA, China and Most of Europe];
- **One Tala and ninety-nine sene (\$1.99)** per minute for calls to Group 3 [Rest of the Pacific and the World not including those in Group 4];
- **Four Tala and forty-nine sene (\$4.49)** per minute for calls to Group 4 [Wallis and Fortuna Islands, Seychelles, East Timor, Congo DRP (Zaire), Cape Verde, Latvia, Niue and Solomon Islands].

Rates are per minute and billing in increments of up to six (6) seconds

(5) Digicel Opt In Long Talkers Plan

- **Thirty six sene (.36)** per minute for calls at peak and off peak periods for Digicel Mobile calls to:
 - a) Digicel Mobile calls;
 - b) Other Mobile network;
 - c) DigiFixed;
 - d) Other Fixed Network; and
- **Twenty sene (.20)** per on net and off net SMS

(6) International Rates for Opt In Long Talkers Plan

- **Forty- five sene (.45)** per minute for calls to Group 1 [American Samoa, Fiji, Tonga, Papua New Guinea];
- **Eighty - five sene(.85)** per minute for calls to Group 1b [Australia and New Zealand];
- **Ninety-nine sene (.99)** per minute for calls to Group 2 [USA, China and Most of Europe];
- **One Tala and ninety-nine sene (\$1.99)** per minute for calls to Group 3 [Rest of the Pacific and the World not including those in Group 4];
- **Four Tala and forty-nine sene (\$4.49)** per minute for calls to Group 4 [Wallis and Fortuna Islands, Seychelles, East Timor, Congo DRP (Zaire), Cape Verde, Latvia, Niue and Solomon Islands].

Rates are per minute and billing per minute

(7) Digicel Digifixed Plan

- **Eighteen sene (.18)** per minute for calls at peak and off-peak periods for Digicel Digifixed calls to:
 - a) Digicel Mobile calls;
 - b) Other Mobile network;
 - c) Directory
- **Ten sene (.10)** per minute for calls at peak and off peak periods for Digicel DigiFixed calls to:
 - a) DigiFixed; and
 - b) Other Fixed Network
- **Eighteen sene (.18)** per on net and off net SMS

(8) International Rates for DigiFixed

- **Forty- five sene (.45)** per minute for calls to Group 1 [American Samoa, Fiji, Tonga, Papua New Guinea];
- **Eighty - five sene(.85)** per minute for calls to Group 1b [Australia and New Zealand];

- **Ninety-nine sene (.99)** per minute for calls to Group 2 [USA, China and Most of Europe];
- **One Tala and ninety-nine sene (\$1.99)** per minute for calls to Group 3 [Rest of the Pacific and the World not including those in Group 4];
- **Four Tala and forty-nine sene (\$4.49)** per minute for calls to Group 4 [Wallis and Fortuna Islands, Seychelles, East Timor, Congo DRP (Zaire), Cape Verde, Latvia, Niue and Solomon Islands].

Rates are per minute and billing in increments of up to six (6) seconds

VAGST

All of the above rates are VAGST inclusive.

Peak periods

Peak periods for the purposes of this Order will be between 8:00 am and 7:59 pm on weekdays while off peak period would be 8 pm to 7:59 am on weekdays and all day on Saturdays and Sundays.

Duration of the Order


The Order will expire on the earlier of:

- 1) The Regulator revoking this Order; or
- 2) The making of a new Order by the Regulator for Digicel's retail rates for its cellular radio services.

Ongoing monitoring of Digicel's Cellular Radio Services

Consistent with the Regulator's functions and duties under section 25 and section 40 of the Act, the Regulator will continue to monitor retail tariffs for Digicel's cellular radio services.

This Order becomes effective on the **3rd day of May 2016**.



Unutoa Auelua Fonoti
Regulator

Dated this 2nd day of May 2016.